

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

October 5, 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, October 5, 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; Fire Marshal Tim Millspaugh, Fire District #1; Ms. Sherry Haworth, Project Manager, Health Department; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Christy Hillard, Supervisor, Dental Clinic, Health Department; Ms. Claudia Blackburn, Director, Health Department; Mr. Don Brace, County Clerk; Ms. Susan Erlenwein, Director, Environmental Resources; Dr. Cindy Burbach, Director, Health Surveillance and Disease Prevention, Health Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Mark Masterson, Director, Department of Corrections; Mr. Jim Osterlund, Project Manager, Facility Project Services; 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

King David Davis, Wichita, Ks.
Mr. Bob Knight, Wichita, Ks.
Mr. Harvey Sorensen, Visioneering Wichita, Ks.
Ms. Lonetta Lollar, 7011 S. Volutsia, Wichita, Ks.
Mr. Chris Mosley, 5700 S. Pattie, Wichita, Ks.
Mr. David Peterson, 619 W. 55th St. S., Wichita, Ks.
Ms. Pam Doffing, 5919 Jones, Wichita, Ks.
Mr. Robert Randall, 432 E. 58th St. S., Wichita, Ks.
Pastor Michael O'Donnell, Grace Baptist Church.
Mr. Peggy Johnson, Co-chair, Race for the Cure.
Mr. Chris Carrier, Director, City of Wichita Public Works.
Ms. Terry Cassidy, City of Wichita Manager's Office.
Mr. Dave Warren, Director, City of Wichita Water and Sewer Department.

INVOCATION

The Invocation was led by Pastor Rusty Westerfield of Countryside Christian Church, Wichita.

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FLAG SALUTE

Chairman Unruh said, "Before we proceed, as is custom for this commission, I want to recognize those elected officials who are with us this morning and I think I see representative Nile Dillmore and Mayor of Park City Dee Stuart is with us this morning, appreciate your presence and ex-senator Rip Gooch is here this morning, a long-time servant of the citizens of Kansas. So, I don't know if I've missed anyone, we have a whole room, but welcome to you all."

Commissioner Sciortino said, "Well you missed ex-mayor Bob Knight standing in the back."

Chairman Unruh said, "Ex-mayor Bob Knight, he's on the agenda, good morning. All right, with those introductions, Madam Clerk please call the next item."

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, September 7, 2005
Regular Meeting, September 14, 2005

The Clerk reported that all Commissioners were present at the Regular Meetings of September 7th, 2005 and September 14th, 2005.

Chairman Unruh said, "Commissioners, you've had an opportunity to review the minutes of those meetings. What's the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meetings of September 7th and 14th, 2005.

Commissioner Burtnett 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."

PROCLAMATIONS

A. PROCLAMATIONS.

1. PROCLAMATION DECLARING OCTOBER 2005 AS "VISIONEERING WICHITA VISION PARTNER MONTH."

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

PROCLAMATION

WHEREAS, Visioneering Wichita, instituted in June, 2004 provided over 15,000 citizens public and private organizations with the opportunity to adopt shared values, benchmarks, vision and strategies to use developing our future; and

WHEREAS, Visioneering Wichita created a strategic plan to ensure a quality of life that encourages our young people to live, learn, work and play in our regional community; and

WHEREAS, Visioneering Wichita is off and running with six regional strategic alliances working on mentoring our young people, a south central unified legislative agenda, health care costs, accessibility and quality, entrepreneurship and small business, post secondary education providers coalition and racial diversity, opportunity and harmony initiatives; and

WHEREAS, Visioneering Wichita needs partners- Vision Partners (individuals, organizations, churches, neighborhoods, civic groups, government entities) to carry our plans forward, make things happen and help us achieve our Key Benchmarks which will be measured annually; and

WHEREAS, over 250 organizations and entities have already stepped forward and become Vision Partners but Visioneering Wichita's goal is to have 500 Vision Partners by the end of 2005; and

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WHEREAS, being a Vision Partner costs nothing, takes little time yet provides the satisfaction that you're a part of the progressive community movement;

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

'Vioneering Wichita Vision Partner Month'

in Sedgwick County and encourage citizens and organizations to step up, sign up, see the difference. Your participation will make things happen in our community.

Commissioners, you have heard the proclamation and what is the will of the Board?"

MOTION

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

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, "And Harvey Sorenson is here to receive the proclamation this morning."

Mr. Harvey Sorenson, Member, Vioneering Wichita, greeted the Commissioners and said, "Thank you for this proclamation this morning. Step Up, Sign Up, See the Difference is the theme

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for this month, the month of October, for our Vision Partner Blitz. I would be remiss without thanking the county commission for their enduring support and commitment to this project over the past two years, both financial and volunteer time and effort that Bill Buchanan, Tom Winters, Dave Unruh and the rest of the county commission have given to this effort and I want to thank you very much for that.

But Visioneering Wichita is now in its second stage, that is carrying out the vision that was created by the thousands of our citizens who participated in our Visioneering meetings, to prepare our strategic plan.

We are seeking greater grass root involvement in the implementation and it's coming and we're very excited about that. The county, our county and our area is moving forward and has something in this plan for everybody and it's the everybody that I'm here to speak about this morning.

I invite all organizations, all churches, businesses, neighborhoods, individuals, governing bodies and the citizens to become vision partners. Whether your passion is helping young children or senior citizens, recreation or creating jobs, healthy families or loaning, there's something in our strategic plan for everyone and it's the collective efforts of our citizenry that will make it happen. We collaborate, cooperate, coordinate and communicate our efforts to achieve our vision.

The overall leadership team for the Vision Blitz, which is myself, Dave Unruh, Tom Winters from the county and Sharon Fearey and Carlos Mayans from the city are asking everyone to sign up and become Vision partners. It costs no money to sign up and takes little or no time.

There's a form that's easy to fill out, can be found on our website, which is up and running this week, or it can be found in our strategic planning book or we have forms that are available at Visioneering Wichita at 350 West Douglas.

We hope to have 500 Vision partners by the end of this month. Each Vision partner will receive a window cling to put in their window to signify their participation in Visioneering Wichita. Working together, we can make Visioneering Wichita the plan more than a dream, we can make it happen, so step up, sign up and see the difference. Thank you."

Chairman Unruh said, "Okay, thank you Harvey. We appreciate your being here to receive the proclamation and you may have to answer some questions, so you may not want to get too far, or at least receive some comments, but I want to thank you for your leadership and hard work in

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Visioneering Wichita and also Susie Alstrand for her hard work in this effort and want to emphasize the fact that although it says Visioneering Wichita, this is a region-wide effort and we want to include input and effort among our whole metropolitan statistical area. So it's truly more than just the City of Wichita, it's our whole area. But it's already had, I think, a really profound impact on the thinking of many organizations because time and time again you go to committee meetings, or you go where people are making decisions and they make reference to the work that's already been done through the effort of Visioneering Wichita, so it's successful so far and we've got a ways to go but at any rate, that's my comment. Hang on. Commissioner Winters."

Commissioner Winters said, "Well thank you, Mr. Chairman. We do have a busy morning. Harvey, you can see, lots of folks came to hear your presentation this morning. We do want to thank you very much for the work that you've done. It has certainly been a pleasure for me. I've enjoyed working with you and Mayor Carlos Mayans as we initiated this last year.

I also would like to extend appreciation to the staff, whose worked so hard on this, Susie Alstrand and Diane Longfellow, who is here today too, who has just done a tremendous amount of work. And I know the commissioners have been paying very much attention to this. I know Commissioner Norton, Burtnett and Sciortino have been supportive and now I would just encourage them to also help us back in our hometown communities, our smaller communities in the county to make sure that there's an avenue to visit with those groups and organizations in smaller communities to hopefully encourage them to sign on to this Visioning Partner.

So again, I think we're all going to work real hard to make this goal of 500 by the end of the year, so again Harvey, thank you for your work."

Chairman Unruh said, "All right. We have a comment from Commissioner Norton."

Commissioner Norton said, "Well I think Visioneering is taking us to new ground and as I thought about this, you know we've kind of found the mule and we've got the plow and now the hard work really starts and that's putting it all into the ground and plowing a lot of ground to make our community better. And a few people are going to get real tired, you know, hitching up to the team, so we need everybody to help do that job, so it is a worthy endeavor and I hope people around the community, not just in Sedgwick County, but in other counties will join in the effort to make this community so much better and Visioneering is a huge piece of that. Thank you, Harvey."

Chairman Unruh said, "Thank you very much for being here, Harvey, we appreciate it. Madam Clerk, call the next item please."

2. PROCLAMATION DECLARING OCTOBER 10-17, 2005 AS "GRACE

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BAPTIST CHURCH WEEK.”

Chairman Unruh said, “Commissioners, I have another proclamation to read for your consideration.

PROCLAMATION

WHEREAS, Grace Baptist Church, moved to its present location, 1414 W. Pawnee, soon thereafter; and

WHEREAS, Grace Baptist Church was and is an integral part of the southwest area neighborhood in Wichita, in Sedgwick County and has served as a beacon of hope, guidance and support for families in Sedgwick County (and around the world through their Missions Emphasis); and

WHEREAS, Grace Baptist Church has been led by only two pastors, Dr. Michael Schepis (1955-1984) and Michael O’Donnell (1984-present), thus ensuring a stable and caring leadership that has made a difference; and

WHEREAS, Grace Baptist Church is celebrating its Homecoming Celebration October 14-17, 2005.

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 10-17, 2005 to be:

‘Grace Baptist Church Week’

in Sedgwick County and encourage all residents to recognize the value of this church in encouraging its members to live productive, meaningful lives.

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

MOTION

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

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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, “And receiving the proclamation this morning is Pastor Michael O’Donnell.”

Pastor Michael O’Donnell, Grace Baptist Church, greeted the Commissioners and said, “Thank you Commissioners. I know you do have a busy day. I just want to say thanks and certainly you’re all invited to participate. We have a number of special events going on, just a little over a week from now. Dr. Jerry Faldwell is going to be coming into town and speaking for us, as well as so concerts and things we have going on, but we want to thank you for your support and we want to do whatever we can to encourage you and your leadership and we want you to know that you’re in our prayers often. Thank you.”

Chairman Unruh said, “Thank you, Pastor. We appreciate being in our prayers and we want to congratulate you on this weeklong celebration and wish you the best of luck in that. Thank you.”

Commissioner Sciortino said, “Mr. Chairman, maybe they were wrong. Maybe the people weren’t here for Visioneering, they were here to help celebrate Grace Baptist Church Week.”

Chairman Unruh said, “That’s a very good possibility. Spoken like a preacher, yes sir. Madam Clerk, please call the next item.”

3. PROCLAMATION DECLARING OCTOBER 7, 2005 AS “BREAST CANCER AWARENESS DAY.”

Chairman Unruh said, “Commissioners, I have another proclamation for your consideration.

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PROCLAMATION

WHEREAS, breast cancer is the leading cause of death for women between the ages of 40 and 59; and

WHEREAS, in 2005 it is estimated that 211,240 women and 16,900 men will be diagnosed with breast cancer; and

WHEREAS, during this same period, 40,410 women and 460 men will die from breast cancer; and

WHEREAS, the majority of breast cancers occur in women without any family history of the disease; and

WHEREAS, approximately 80% of the breast cancer occurs in women 50 and older; and

WHEREAS, early detection is the key to survival and a greater quality of life; and

WHEREAS, early detection is the key to survival and a greater quality of life; and

WHEREAS, the State of Kansas and Sedgwick County are committed to the eradication of this disease, support the treatment of citizens that suffer from it, and encourage private efforts to enhance research funding and education programs that address these diseases.

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chair to the Board of Sedgwick County Commissioners, do hereby proclaim October 7, 2005 to be:

‘Breast Cancer Awareness Day’

in Sedgwick County to enhance the understanding of breast cancer and to encourage voluntary activities to support education programs and the funding of research programs to find a cure for it.

Commissioners, you’ve heard the proclamation and what is the will of the Board?”

MOTION

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

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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, “And here receiving the proclamation this morning, all dressed out in her pink Race For The Cure dress. Appreciate your being here.”

Ms. Peggy Johnson, president, Mid-Kansas Authority of the Susan G. Komen Breast Cancer Foundation, greeted the Commissioners and said, “I’m a 16-year breast cancer advocate. We’ve been at this a long time. We had our sixteenth Race For The Cure a week ago last Saturday. Chairman Unruh and his wife kindly served as honorary chairs and we want to thank them for that.

One of the things I want to say today is that we want to thank Sedgwick County and the City of Wichita for their support that they have provided to us over the last 16 years. This last year, because of the support we got from the citizens and from everyone, we were able to provide \$250,000 in grants throughout the State of Kansas. One hundred thousand of those dollars, wonderful dollars stayed right here in Sedgwick County. We provide, in the 16 years of our race, we’ve provided over 16,000 free mammograms to the women and men of Kansas and we’re very proud of that.

The thing I would like to do today, is I want to introduce Sherry Haworth. She is at the Sedgwick County Health Department. She is a regional nurse for the state program called Early Detection Works, which provides breast and cervical cancer screening to medically underserved and underinsured women.

We partner with Sedgwick County Health Department and with the Early Detection Works program. We provide a grant to them to provide screenings for women that the state program doesn’t provide funding for and I want to introduce Sherry and let Sherry say anything she’d like to.”

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Ms. Sherry Haworth, Project Manager, Health Department, greeted the Commissioners and said, “As Peggy mentioned, we do outreach and screening for at-risk women in Sedgwick County and the surrounding area. We do many events through the year and in October we have several events planned of special interest. That would be Café con Leche, which would be the event for Latin women on October 8th at Horace Mann Elementary here in Wichita and then on October 22nd we will coordinate Vietnamese Women’s Wellness Day, which is an event for Vietnamese women and that will be at the Mid-Town Community Resource Center. Thank you.”

Chairman Unruh said, “Okay, thank you. Well, we appreciate the efforts that you all are involved in, in making sure that there’s an awareness and that there’s an emphasis on early detection. As you know, our family history, early detection was the key to my wife and I being in the category of survivors, and so we found it early and I have a little pin that you all gave me, a survivor pin, a little different.

So anyway, we really appreciate . . . this is a life and death issue, is what I’m trying to say and so it’s very, very important and we hope everyone takes it in that serious vein. But we really appreciate your efforts and the awareness that you bring to this national health issue.”

Ms. Johnson said, “Thank you very much. We appreciate the day today. Thank you very much.”

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

Commissioner Sciortino left the meeting room at 9:30 a.m.

4. PROCLAMATION DECLARING OCTOBER 3-10, 2005 AS “MENTAL ILLNESS AWARENESS WEEK.”

PROCLAMATION

WHEREAS, mental disorders are the leading cause of disability (lost years of productive life) in the United States, Europe and, increasingly in the world and that by 2020, major depressive illness will be the leading cause of disability in the world for women and children; and

WHEREAS, mental illnesses strike individuals in the prime of their lives, often during adolescence and young adulthood, as all ages are susceptible, but the young and the old are especially vulnerable; and

WHEREAS, without treatment the consequences of mental illness for the individual and society

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are staggering: unnecessary disability, unemployment, substance abuse, homelessness, inappropriate incarceration, suicide and wasted lives; The economic cost of untreated mental illness is more than 100 billion dollars each year in the United States; and

WHEREAS, the best treatments for serious mental illnesses today are highly effective; between 70 and 90 percent of individuals have significant reduction of symptoms and improved quality of life with a combination of pharmacological treatments and supports; and

WHEREAS, stigma erodes confidence that mental disorders are real, treatable health conditions. Stigma has created a sense of hopelessness that has erected barriers to effective treatment and recovery. It is time to take these barriers down; and

WHEREAS, COMCARE of Sedgwick County is dedicated to continue to provide community education, treatment, support and advocacy for individuals and families affected by serious brain disorders and the fight against stigma.

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim October 3-10, 2005 to be:

‘MENTAL ILLNESS AWARENESS WEEK’

in Sedgwick County and ask all Sedgwick County citizens, public and private institutions, businesses and schools to recommit our community to increasing awareness and accessible services for all people with mental illness.

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.

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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 Burtnett	Aye
Commissioner Sciortino	Absent
Chairman Unruh	Aye

Chairman Unruh said, “And receiving the proclamation today is Marilyn Cook, Director of our COMCARE services.”

Commissioner Sciortino returned to the meeting room at 9:31 a.m.

Mr. Marilyn Cook, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, “I’m very pleased to accept this proclamation declaring this week as Mental Illness Awareness Week. Mental illnesses are common and they’re treatable and they are very real illnesses that affect every aspect of individual’s lives. I do want to say though that it’s important to understand that and remember that a mental illness doesn’t define the entirety of an individual’s life.

The President’s New Freedom Commission report was published in July of 2003, I talked about it a little bit last year. The report was commissioned to study the status of the mental health system throughout the United States and to see what changes needed to be made. Six goals were identified as significant in transforming the mental health care system and I’d like to share with you the vision that that commission had that will be soon unfolding.

The vision was we envision a future when everyone with a mental illness will recover, a future when mental illnesses can be prevented or cured, a future when mental illnesses are detected early and a future when everyone with a mental illness at any stage of life has access to affective treatment and supports, which are essential for living, working, learning and participating fully in the community and I think it’s a great vision that we also embrace.

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Recovery is a process and not necessarily a cure, it doesn't mean entirely a cure. It could mean a reduction of debilitating symptoms for one individual. It could mean living successfully in the community for another individual or being gainfully employed for the first time in a very long time for yet another individual.

Our providers and our consumers have a lot of hope now that we are focusing our treatment efforts on treatment that is evidence based and has been proven to achieve outcomes and we're now taking a lot of steps, such as today, to educate the public and to reduce the stigma that still often accompanies mental illness.

The Substance Abuse and Mental Health Services Administration, the federal agency that's under the Department of Health and Human Services, has contracted with a national ad council to develop a national campaign that's going to unfold this next year. We've been talking about the fact that mental illnesses are treatable, but the campaign will focus on the fact that recovery will be the expectation for those individuals who are involved in mental health treatment.

I've brought each of you a copy of that commission report to look at. It's lengthy, when you have an opportunity or to use as a reference. The document is going to be a backbone for change that will be made over the next several years in our field of mental health. It describes goals and strategies that will need to unfold in order for that transformation to occur and it is also going to be tied to future federal and state funding for mental health services. We clearly, at COMCARE as well as the other community mental health centers in the State, will be using the document to implement program changes over the next several years.

I do want to take an opportunity to thank the excellent staff that we have at COMCARE that dedicate their careers to helping individuals with mental illnesses, and who are committed to finding new and innovative ways to help those people that come to us. I want to thank Debbie Donaldson for her leadership in the Division of Human Services and I wanted to thank you as well, for your support and your continued interest in the journey of hope that's being experienced by our clients. Thanks."

Chairman Unruh said, "Well thank you, Marilyn. We appreciate your efforts and your leadership as we try to provide services to a group of our population who can find recovery from some of these symptoms and I appreciate the fact that we're recognizing that stigma is one of the big obstacles. You know, this is a medical condition. It's not a character quality and that we can overcome them and that these folks who need these services can live productive lives in our community, in spite of their illnesses. So, I really appreciate your efforts and I'm proud that Sedgwick County is heavily involved in this. Thank you.

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Madam Clerk, call the next item please.”

5. PROCLAMATION DECLARING OCTOBER 9-15, 2005 AS “FIRE PREVENTION WEEK.”

Chairman Unruh said, “Commissioners, I have a proclamation for your consideration.

PROCLAMATION

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, the Fire Prevention Week 2005 theme is, ‘Use Candles with Care: When You Go Out, Blow Out!’; and

WHEREAS, candle fires result in an estimated 18,000 home fires, 130 civilian deaths, 1350 civilian injuries and an estimated property loss of \$333 million; and

WHEREAS, reported home candle fires are started because of consumer misuse; and

WHEREAS, nearly 85% of candle fires are started because of consumer misuse; and

WHEREAS, Sedgwick County Fire District #1 is dedicated to the safety of life and property from the devastating effects of fire;

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 9-15, 2005 as

‘FIRE PREVENTION WEEK’

in Sedgwick County and encourage every resident to participate in fire prevention activities at home, work and school, and to take steps needed to make their homes and families safe from fire.

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

MOTION

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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 our Fire Marshal, Tim Millspaugh, is here to receive the proclamation.”

Fire Marshal Tim Millspaugh, Fire District #1, greeted the Commissioners and said, “It’s an honor to stand before you today. As every year, we have Fire Prevention Week and once again, you heard that this week candles are the subject of our fire prevention.

As you can imagine, 100 years ago or more, candles were a common cause of fires because they used them for light and other things. With the advent of electricity, candle fires sharply decreased, as time went on, but obviously electrical fires went up at that time.

So since 1990, as the proclamation read, candle fires have increased by threefold and even in the Fire District we’re seeing an increase in candle fires as well, so it’s obvious that it’s out there. If you go to your department store, your drug stores you’re going to see a lot of candles for sale. They’re very big and they’re getting bigger as we go along. We’re a little scared of what the future holds, as far as candle fires, but we’ll try to educate and teach people how to handle these things safely.

We do have a busy week coming up, beginning Saturday October 8th at Station 37 in Belle Aire we have an open house. Anybody is welcome. Lots of activities are going on, popcorn, snacks, drinks, it’s kind of a fun time. Kids get to crawl through the trucks. Sometimes they get the radios and talk on them when they’re not supposed to. They’ve got to watch out for that, so you’re all welcome from 1 to 4 p.m. this coming Saturday. Sunday, October 9th is the Fallen Firefighters’ Memorial at 1 p.m. at 1300 South Broadway at the Firefighters’ Museum. And that will honor all Kansas fallen firefighters in the history of the fire service in Kansas, of which Sedgwick County Fire District has two fallen firefighters.

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Monday through Friday of next week, all of our fire crews will be doing demonstrations to all kindergarten classes in the fire district, or as many as we can get the teachers to sign up for, but we usually get real good attendance at that.

Also during that week, actually during the whole month of October, state mandated school inspections will start and the fire crews will be doing 90% of those school inspections within Sedgwick County.

On Tuesday, October 11th is our big day. That is our 2005 5th grade Fire Prevention Luncheon at the Sedgwick County Zoo where we have, I think, close to 2,000 kids show up that day and it is quite a fun time for those kids. That goes from 10 a.m. to 2 p.m. next Tuesday, October the 11th. We have many activities. EMS is out there. Both fire departments are out there. McConnell will be out there. Boeing will be out there and Emergency Management is out there. We have . . . get as many people out there as we can for the kids to have hands-on type of experiences with fire service and fire training.

And our goal in this fire prevention luncheon is to provide the 5th grade students in our community with interactive hands-on learning experiences, as they visit the various booths and displays and to increase the students' awareness of the multi-faceted tasks of a fire department and on behalf of Patty Peterson, who puts this together, Fire Prevention Week, she works very hard to put all this together. On behalf of her, my staff and the whole fire department, we thank you for passing this proclamation.”

Chairman Unruh said, “Well Fire Marshal, we appreciate you being here and appreciate your efforts to promote fire safety in Sedgwick County and we're appreciative of the staff that you've brought with you here in support to receive this proclamation. We need to be reminded about safety issues and I know in my house, my wife likes to burn candles. She thinks they're romantic or something like that, so we need to be reminded to blow them out, so thank you. We do have another comment from Commissioner Norton.”

Commissioner Norton said, “We don't have candles in our house, after five kids, my wife doesn't want to have anything to do with romantic. I'm going to be very supportive and from years in retailing, you have to understand that we're getting ready to go into the season where people stoke up their fireplaces. They have live Christmas Trees. They're burning candles. There are a lot of new things in that period of time in the winter where fires happen and it's always washed over me that after the first big house fire that was very devastating, retail stores had a run on fire extinguishers and smoke detectors and now is the time. We challenge people to check their smoke detectors when Day Light Savings changes, check the batteries and now is the time. An ounce of

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prevention is worth a pound of cure, so I think this comes at a very pertinent time. Certainly, candles are the issue this year, but fireplaces and Christmas Trees and all those things, making sure that your house is safe is very important too, so that's really all I had."

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

Commissioner Sciortino said, "Well we only had two children and my wife still lights candles in the evening, when she takes her evening bath, so I don't know if she's trying to send me a signal or what. But I think this is a good . . . I can remember back in the '40s and the '50s they had Smokey the Bear, 'Only you can prevent forest fires' and what have you and these type of messages, it really is just common sense, if you use common sense, you can go a long way to preventing fires."

We all kind of, I think, rest easy knowing there's a fire department, should we need it, hoping that we never do. But we just take the hard work and often times dangerous work that you and your department people do for us for granted. I mean, you're there if we want you, yeah we've got fire insurance. But I don't think a person realizes the type of service that you all provide, ready to put your life and limb in danger to save people about something that could have been . . . we had a house burn on . . . like down the street from my house, where they had an open barbeque grill on their patio, which was all wood and they finished and they went inside and the wind blew up and there were still some hot coals and it blew against the house and the whole house went, and it just takes a little common sense can go a long way to preventing a tragedy. I just share what my colleagues said, we really appreciate the public service and the safety that you provide all the citizens. Thank you."

Chairman Unruh said, "Okay. Commissioner Burtnett."

Commissioner Burtnett said, "Well, I can really relate to this candle issue. Many years ago, my husband and I . . ."

Commissioner Sciortino said, "Oh, you're still lighting candles."

Commissioner Burtnett said, "We're still lighting candles, but I'm not going to get into why. We had lit a candle and then left town, got to Oklahoma and neither of us could remember if we blew the candle out over the fireplace, so we called one of our neighbors and they went down and said, 'Yes, the candle is still burning'. Unfortunately, that neighbor did not have a key to our house to get in and blow the candle out and the neighbor that did have the key was out of town also that weekend, so we drove all the way back home, we were so scared, and so now we have a contingency plan for these type of things and we have more neighbors that we trust, that have keys to our house, in case we ever do that again. But I really can relate to that and it's a great issue that

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you brought up, because it's so easy to light a candle and it may burn down a little bit and you don't see it when you're leaving the house, so I'm glad you're bringing this to an awareness to the people."

Commissioner Sciortino said, "On the drive back, who was declared to be at fault for not blowing out the candle?"

Commissioner Burtnett said, "Not going there."

Chairman Unruh said, "Well Fire Marshal, thanks for being here today and you have certainly raised your awareness level of candles. Thank you very much. Madam Clerk, call the next item."

PUBLIC HEARING

- B. PUBLIC HEARING TO CONSIDER WHETHER THE CITY OF WICHITA HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR ANNEXATION NUMBERS 99-31 AND 00-11 (55TH STREET SOUTH AND SENECA).**

POWERPOINT PRESENTATION

Mr. Robert W. Parnacott, Assistant County Counselor, County Counselor's Office, greeted the Commissioners and said, "This is one of our post-annexation hearings that we have on it seems to be a regular basis. We've got a map up that shows this was a rather large annexation area that was taken and actually there are two different annexations that are involved here, phase one and phase two. We've combined them as one, because they're the same general area. Phase two was simply some small, fill-in spots, but as you can see this areas stretches south of 55th from about Seneca all the way over to Hillside.

The purpose of the hearing of course is to determine if the city has provided the services they said they were going to provide in the service plan, which is set out . . . the schedule of services is set out on page 57 of your backup.

We've sent notices out to all the landowners in the area, probably about 900 or so notices went out and of course the city was notified as well. Of those 900 or so notices, we got about 20 responses back, which is probably a high number, in terms of number of responses, but in terms of the percentage, this is probably the largest annexation we've had to deal with on post-annexation hearings, so it's really a small percentage of the total notices and I'll give you the breakdown of those responses. We had about nine that were asking about water and sewer availability so that's really not an issue about whether or not they were provided services. They just wanted to know

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when they're going to get water and sewer, which is a petition kind of arrangement with the city. It's not something that the city guaranteed they were going to provide, as part of the service plan. And Dave Warren from the city is here to speak a little bit more about their plans for that area, in terms of water and sewer availability.

There were a number of issues about . . . seven calls on ditch cleaning and culvert cleaning and some drainage issues. Again, those are handled more on a complaint basis by the city. When they get the complaint, they go out and clean it up. Obviously, with some of these annexations, sometimes the roadway is still in the county and some of the ditch cleaning may devolve under the county's responsibility.

We had three calls that indicated a lack of police presence. The city has provided you a report however, on page 58 of your backup starts there, and in that report, they indicate they've handled about 500 police calls per year on average to this area. So they might not be seeing regular police patrols, but they certainly are getting police services.

Probably three calls were of the OCR or Code Enforcement type of complaints: illegal dumping, junk cars in a yard, that kind of thing which were referred to the city for follow up and they've resolved those issues.

A couple of complaints about street maintenance, which again are pretty much handled on a complaint basis and there's no indication the city hasn't provided the street maintenance, it's just you've got a couple of people unhappy about the level of maintenance maybe.

A couple of questions about street lights and again, city has put some street lights in, so they can speak more about that if you have any questions.

And then one or two comments were just kind of general, we didn't want to be annexed, we're not getting city services like we expect, those kinds of things. And really we get those calls in connection with these annexations. Some people are still unhappy about being in the city.

So, I think the city report probably shows that they have substantially complied with the service plan, but obviously this is a public hearing and we do have some citizens here, I believe, that want to speak, so at this point I think I'd recommend that you open the public hearing and receive any comments and the city, of course, can also respond and like I say, Dave Warren is here to make some presentation about the water and sewer availability and plans in that area and then maybe we can answer any more questions that come up after the citizens have spoken."

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Chairman Unruh said, "Okay, thank you Mr. Parnacott. Commissioners, before we open the public hearing, are there any questions directly of Mr. Parnacott. I see none, so at this time I will open the public hearing and ask if there are citizens here who want to speak to this issue, now is the time to do it. If you would please state your name and address for the record please."

Ms. Lonetta Lollar, 7011 S. Volutsia, Wichita, greeted the Commissioners and said, "I have a couple of questions. We . . . last year's activity, we formed the neighborhood association in that area, concerning the sandpit operation, I'm sure you guys are aware of and I spoke with some of the neighbors and I've got some concerns and the majority of the people down in the southeast part of the annexation is . . . we maintain our own ditches and culverts, except for Grove Street and 71st Street, or Cider I think is the name of it, and my question . . . and their concern is what is appropriate mowing schedule? I mean, how high should the grass, the weeds get before the city decides to come out and mow. It's currently . . . somewhere it's currently four feet high.

And let's see here, is there a contact number that citizens could get so we think the ditches and the culverts need to be mowed, is there a contact number? Is there somebody you guys know of?"

Chairman Unruh said, "I think that answer might be given to you when the city has an opportunity to respond."

Ms. Lollar said, "Okay, thank you. Okay, and then is there a snow removal plan? Grove Street is our only street in and out of that area and the . . . last winter, or actually it was probably this year, but when we had our ice storm, that was the only time that Grove Street was salted or sanded, so you know, is there a contact number we can call to have that one-way in and out of our community salted or sanded? And another concern was who do we contact when we want a sign put up. There's a neighbor who would like to have a school bus loading sign or whatever and she said she has called numerous numbers and everyone is passing the buck because of the problem of the city and county and part of it's county in that area and some of it's city and no one is wanting to take ownership in helping this citizen, as far as getting this sign. So, is there a number we can call for signage?"

Another concern, and I address this to you county commissioners and not the city, when we have a complaint or concern, those not on the scope of the county code enforcement agency that concerns the sandpit operation, who are we to contact in that area and that is a question addressed to you and not to the city?"

Chairman Unruh said, "Okay, and perhaps Mr. Parnacott will answer that when he gets back up."

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Ms. Lollar said, "Okay. And that is my concerns and I thank you for hearing me."

Chairman Unruh said, "Thank you very much. Is there anyone else who would like to speak? Yes sir, state your name and address please."

Mr. David Peterson, 619 W. 55th Street S., Wichita, greeted the Commissioners and said, "Approximately four years ago, we were annexed into the city. We've been trying to get city water, just the water. You know, we're septic tanks, we just need the water. The well water out there is shot. It's lousy. We have to haul water to drink. In 2000, we tried to . . . 2001 we talked to the city. They gave us some estimates, about \$20,000 for the four families. They needed all four families' approval. My family and the neighbors signed the petition. We can't get a hold on the third house, because they lived in Oklahoma. It was just a rental and at the time it was closed. In the first house, we don't know the people who owned it, it was a rental too. Shortly thereafter, the first house got city water, well great, we're going to get it. That's the only house that got it. We were told all four families had agreed. We got a note in 2005 that the price had gone up now to 35,000. We just want some answers. We'd like to have some city water. It's bad."

Chairman Unruh said, "Okay, thank you very much. Is there another citizen who would like to speak relative to this annexation?"

Mr. Chris Mosley, 5700 S. Pattie, Wichita, greeted the Commissioners and said, "I know that there was a main put down 55th. I'm aware that you're required to get a petition of the landowners. You can get 50% of the landowners or 50% of the property itself, the people that own the property to sign the petition. My problem is I can't get 50% of the people or 50% of the landowners to sign that petition to allow us to get city water.

I've contacted the city on it and to disperse it with me and the person across the street from me would be roughly \$55,000 to run it, just to my street and the person across the street from me. If the person across the street doesn't do it, then it's subsequented on me alone, and I was wondering what we could do about getting some city water out there into that area."

Chairman Unruh said, "Okay, thank you Chris. Anyone else want to speak?"

Mr. Robert Randall, 432 E. 58th Street S., Wichita, greeted the Commissioners and said, "The City of Wichita annexed us about four years ago, against our wishes. Okay, the vast majority voted against the annex. What the gentleman just up here said, the majority of the people in his neighborhood doesn't want the water either. It's not necessarily they don't want the water. We can't afford it, okay. The average homes down there are running between 40 and \$65,000. On a monthly household payment, you're looking at \$500 a month, for taxes, insurance, the whole cotton picking works. Bringing water and sewage out is going to increase that by 50%. We can't afford it.

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Y'all forced us into the city, you forced street lights up, which I got out of the city to see the stars, which I no longer can see and now you all's going to bring water and sewage out and charge me, whether I like it or not. I can guarantee you, my wife is disabled, I am not going on some deferred Welfare program, I've never been on Welfare in my life, don't plan on starting now. You people okayed this and cost us 200 and some odd dollars a month in specialty taxes, you all can take my house, cause I can't afford it."

Chairman Unruh said, "Thanks for your comments. Anyone else want to speak? If there are others that want to speak, maybe you can move closer to the podium. I don't know if this is the last person or not, but maybe the last person. Good morning."

Ms. Pam Doffing, 432 E. 58th Street S., Wichita, greeted the Commissioners and said, "Many of you have seen me before. Myself, along with other members of this annexation process have petitioned and all of us have city water in our areas, except for the gentleman that just spoke in the Midland area. We do know that a lot of people in Midland do want the water, but nobody wants to walk a petition. He said he had a petition and 70% of the people did not want the water. I would really like to see that, but anyway that's not why I'm here."

I'm here to say thank you to the City of Wichita for bringing us water. Hauling our water is a terrible hardship on everybody. Our health has been compromised with this bad water and Mr. Norton, you know about our bad water down there and by the way, you ought to petition in Haysville, your neighbors to sign up for Wichita water.

The city, we have seen the police department down there quite often, the fire response has been just as good. Nothing is perfect and through this process, it took the officials and the leaders of these departments to learn that we were annexed and so it's slowly coming around.

The mowing issue is a little bit of a problem. On 59th Street, for example, in my area the township used to mow every other week, just like our lawns in our homes, we kept it nice and neat. I had to call in several times to the city to have it mowed, because the weeds were up over my head. The neighbor man that lives on the corner with his oxygen tank was out weed-eating around the water hydrant so when they did come and mow, they didn't knock our water out.

Over on Southern and the Seneca addition over there . . . I went blank, anyway there's a problem there with the mowing so if we could somehow get with that department. I was told that this was a ditch and so it only gets mowed three times a year. It wasn't a ditch until the city annexed us and then they had to try and figure out how to divert some of the water in our area from some people that were flooding, so that's what they did.

I know there was a lot of protests from some of the large landowners against city water, but in our area there was only one that had seven acres and the city worked with her to I guess zone that

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Agricultural to where she didn't have to pay taxes on the whole thing, just on I believe the acre that the house was on. It did save us also on our homeowner's insurance, because now we do have water and hydrants. Before, the county had to tank our water in and everyone knows from the DeBruce explosion, without water, that's tough.

There has been several large landowners that have successfully sued, along with the City of Haysville, and then Haysville just moved their water wells a little further south and west. Excuse me. I just wondered how Haysville treats their water. I don't know, Mr. Norton, if you know of that. I know they put some chlorination in there. I just wondered . . . I don't think they have the facilities, like Wichita does, to filtrate and clean that water. I didn't know if maybe Vulcan was supplying the SO-3 to help clean the water. SO-3 is a product that makes water look good. Just because it looks good, doesn't mean that it's safe to drink.

We do have some family members that have gone through cancer and it struck me very odd that they received SO-4 for their cancer treatment. I just think that people's health and safety and what really bothers me is babies, all the infant formulas come in powder formula that you mix with water. If you're low income, you can't afford the nursery or bottled water, they go to the tap. With bad water, drinking . . . excuse me, showering for 10 minutes is worth a gallon and a half of water. That came from a doctor/ scientist, I didn't write down her name, she's an author, she wrote the book Living Downstream."

Chairman Unruh said, "Excuse me ma'am. You have used the five minutes allowed. Can you wrap it up quickly?"

Ms. Doffing said, "Yes, I could. I also have a question about . . . and this directs the county, on Mr. Blood's property that he did collect and sued on and collected. The county, on the other side of Broadway, which he also collected on that land, give him a permit for a sandpit. This sandpit is now throwing this dirt, sand and rock that's been contaminated, proven contaminated, not fit for human or domestic animals, selling it all around. Now he is leasing this same property out to a farmer whose been farming for the last . . . well, since 19 . . . the '90s, he's been farming it for corn and soybeans. That corn and soybean, is that going in our food supply? Does anybody know where that's going? That's all I have. I appreciate the City of Wichita and we appreciate the water greatly."

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Chairman Unruh said, "All right, thank you very much. Is there anyone else who would like to speak this morning? I don't see anyone rising to speak, so perhaps Terry Cassidy from the City of Wichita would maybe respond to some of these questions."

Ms. Terry Cassidy, City of Wichita Manager's Office, greeted the Commissioners and said, "Certainly. I have a number of staff members with me today who can address all of those specific questions and issues that were raised by the citizens. As Mr. Parnacott mentioned, Dave Warren is here to give you an overview of the petitioning process, the water and sewer availability issues and to discuss those issues and respond to those questions. Also, the other questions that I heard raised by the citizens were public works related questions and I will be asking Mr. Carrier to respond to those, our Public Works director.

The city does believe that it is in compliance with the requirements of the service plan. I hope that you will find in our favor this morning. Also, I would like to say that we are very, very committed to providing quality services to all of the residents and citizens in the City of Wichita, so the concerns that were expressed this morning are serious ones to us and we will certainly make sure we make connections with the individuals out in the hall, after the hearing, to exchange phone numbers, to do that additional follow-up that may be necessary.

Mr. Parnacott mentioned he had received about 20-plus inquiries from property owners in this area on various issues. I can assure you that staff members made personal visits to those citizens or personal follow-up on every single one of those calls, as issues in those complaints so I have every confidence that those were dealt with and we'd be certainly happy to respond to the ones this morning. And on that note, I would ask Chris Carrier to come to the podium and respond to the public works issues, the mowing questions, contact phone numbers for all of those issues and to answer those citizen concerns."

Mr. Chris Carrier, City of Wichita Public Works Director, greeted the Commissioners and said, "I'm going to give you my phone number. I think as far as most of the complaints that I heard that are Public Works related, I'd just as soon they start with my office and that number is 268-4497. Just in general terms, I think as most of you know as commissioners, there's a little difference between how townships do business and how the cities do business.

The townships, you know they exist and they do a great job with snow removal, weed mowing, that kind of thing, along right-of-ways. Cities operate a little differently than that. In the cities, mowing is up to the adjacent property owners to take care of. They should contact our environmental services department if they have complaints, if ditches aren't getting mowed, if private properties

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are not getting mowed. We will certainly have people come down and look into those situations.

If worst comes to worse and if that process seems to drag out longer than it should, we will have our parks and recreation department make sure that those areas get mowed when they need to get mowed.

But anyway, short answer there is call my office, 268-4497, we've got people there that will take the complaint and begin working on it. Snow removal, culvert cleaning, that's on a complaint basis.

You all know, David Spears knows that those are a lot of times very difficult situations. One person may want a ditch and a culvert cleaned out, where the next door neighbor does not want a ditch and a culvert cleaned out because obviously it's going to disturb his yard and, you know, effect his ability to maintain his property. We do that all the time. We go into neighborhoods with the intent to do a great amount of this and we get a lot of complaints, so we try to address those on a neighborhood basis and not an individual basis.

If we have a problem, we will send surveyors out, we will shoot elevations, we will determine grades, we will look at the driveway culverts that are there, meet with the neighborhood and try to come up with a neighborhood solution.

Again, if they call my office, we can get that process moving. Now snow removal, we do not remove snow on residential streets, unfortunately we just don't have the equipment to do it in the city. But again, if there is a particular problem in a neighborhood, if there is an area that drifts badly, it is the only way in and out, if they will call my office again, we will send people down there. We have a list of those locations that we work off of, when we get a snow event. We will go into those areas and take care of that snow removal.

And the same for signing, there was a complaint on a need for signs, that would be handled by our traffic engineering section but again, if they would call the number I gave earlier, we'll put them in touch with the appropriate people at Traffic Engineering or have Traffic Engineering come and talk to them.

So I think that was all I've heard. If you have any questions, I'll be glad to answer them."

Chairman Unruh said, "Okay commissioners, any questions of Mr. Carrier? Commissioner Sciortino has a question."

Commissioner Sciortino said, "Mr. Carrier, would you talk again about this policy on mowing. I

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thought I heard you say, it's the responsibility of the homeowner to mow what?"

Mr. Carrier said, "If, in a typical city situation, where you've got a street with a curb and gutter on it, and even out in the streets that we have in the city that don't have curbs and gutters, just have ditches, it is the property owner's responsibility to mow that area out in the street, in front of their house, out to the street pavement."

Commissioner Sciortino said, "Okay, so that area of the ditch or culvert, whatever, that's their area to mow."

Mr. Carrier said, "That's correct. We mow ditches if they're on . . . if they're ditches that are not on streets. If they're, you know, just a drainage channel or something of that nature that is dedicated public property, we will mow that. Otherwise, if those properties aren't mowed, Environmental Services every year has a contractor. We have to go through a due process unfortunately. We've tried to speed that process up so that we can get those areas taken care of that aren't being taken care of."

Commissioner Sciortino said, "Okay, so the people that were wondering when the city was going to mow, it's their responsibility to mow in front of their house if the ditch is adjacent to a public street."

Mr. Carrier said, "Yes, and if they have a neighbor who is not mowing, call that number I gave you, we will get people out there and take care of it."

Commissioner Sciortino said, "Okay, I got that. And then the other question I heard that I didn't hear addressed from Ms. Lollar was something about signage policy. I don't know if it was Lonetta that said it or somebody said it, about a signage policy."

Mr. Carrier said, "They'll call my office, if they'll call my office, we will have our traffic engineering section investigate what it is they want to do and we'll take it from there. Sometimes people want signs that we can't provide, unfortunately, but if they'll call that same number . . ."

Commissioner Sciortino said, "You can give them the policy."

Mr. Carrier said, "You bet we will."

Commissioner Sciortino said, "I don't have another question of this gentleman, but I do have a question of Mr. Euson I'd like to ask. One of the people that came and spoke referred to us forcing them into the city. Was that a unilateral annexation that the city did?"

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Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Commissioners, it's my understanding this is unilateral annexation."

Commissioner Sciortino said, "So we had no way of preventing . . ."

Mr. Euson said, "Over which you have no control."

Commissioner Sciortino said, "Okay, I wanted to make that clear, that we didn't force anybody into the city. This was something . . . whether you like it or not, about the state policy, cities have the right to just unilaterally annex property that's adjacent to them and the county has no say, yes or no on that. I just wanted to make that clear to that one gentleman. Okay."

Chairman Unruh said, "Thank you, Commissioner."

Ms. Cassidy said, "Chairman, I'd like to add a couple of other pieces of information before I ask Dave Warren to come forward. One of the items that Mr. Carrier mentioned had to do with junk cars, illegal dumping, high weeds and those sorts of problems. I think we are working inter-departmentally to deal with those specific complaints that we receive from this area. However, one other phone number would be our Environmental Services number. They deal with those issues, and that number is 268-8351. So if it's a high weed problem, junk cars, illegal dumping, those sorts of problems in the neighborhood that would be the appropriate number for citizens to call.

I really believe these two phone numbers are going to cover the basis of the complaints. However, I would also like to provide my phone number, in case someone has a question that doesn't seem to be related to any of these two issues, I will certainly be able to make that contact with the appropriate department and the phone number that is direct to my office is 268-4371 and I also will be happy to help, however I am able to do that.

And I would like to ask Dave Warren to come forward. Dave will explain to you the petitions we've received from this particular area. He will talk a little bit about that petitioning process and be able to respond to the questions raised by the citizens."

Mr. Dave Warren, Director, City of Wichita Water and Sewer Department, greeted the Commissioners and said, "I have a little handout for you and then I've got an illustration I'll use. This shows the two annexation areas combined. We have received one valid water petition. The gentleman that spoke earlier about wishing to receive water is in that area. This would be the 600 block of 55th Street South."

Commissioner Sciortino said, "Would you point out where that is."

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Mr. Warren said, “This is right here, Mr. Sciortino. That area will be receiving water service within the next 12 months. It’s in the design phase right now. It will be taken to our city council with the final pricing and they will approve it and then the construction will begin and typically, short extensions like this take somewhere in the three to four-month period to complete. They’re not very long projects and this will be handled by our public works engineering department. It will include the service lines and fire hydrants to serve that area.

We also have a water petition that is working in this area, along in the area of 55th Street and Broadway. That’s not been completed yet. We’ve not received a valid petition from that area and cannot do any work, obviously, until we do receive a valid petition.

On the illustrations that I turned out to each of you, the blue lines that you’ll see on there represent where water currently exists in this annexation area and as you can see the majority of this area has already received city water service by petition. The green lines that you see represent where sewer service has been extended and not near as much of this area has petitioned for sewer services yet and again that is a service that extended only on the basis of a valid petition, which means a majority of the property owners in that area wish to receive that service from the city. We don’t force the service on anyone. If they wish to receive it, then we extend it and that wish is expressed through petitions that represent more than 50% of the people in the area. If there are any questions, I’d be happy to answer them.”

Chairman Unruh said, “I don’t see any right now, David so thank you. We do have one. Commissioner Norton.”

Commissioner Norton said, “David, on the areas that have water now, that have the blue lines, how many of them were pre-annexation petitions and how many were post-annexation petitions?”

Mr. Warren said, “I can’t tell you, Commissioner Norton. I can get the information for you and let you know, but I think most of this area did not have city water prior to annexation. I think almost all of this was extended after annexation by petition.”

Commissioner Norton said, “I think they maybe were all extended, but were some of them not petitioned, which led to some of the annexation? They asked for the water and part of the agreement was that they wouldn’t fight annexation?”

Mr. Warren said, “If they petitioned prior to annexation, included in the petition for water is a non-contest annexation agreement.”

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Commissioner Norton said, "Okay. I'm trying to remember that and I've got some other comments in a minute, but we can go forward. Thanks."

Chairman Unruh said, "All right, thank you commissioner. Thank you, David. I don't see any other comments. Are there any other comments, citizen input or . . .?"

Commissioner Sciortino said, "I'm sorry, Mr. Chairman, but I'd like to just ask Mr. Euson one more, because I'm a little confused again. Mr. Euson, if it's a unilateral annexation, it doesn't matter if they signed a document that they wouldn't contest an annexation if it's moot that their contesting of the annexation wouldn't have any bearing on the annexation. Is that right?"

Mr. Euson said, "Well that's right. There's some circumstances in which consent would be required, for instance if there were an ownership that comprised more than 21 acres, that would be one, an example of one, but other than that, if the city meets the requirements of the statutes, such as an adjoining property that is otherwise subject to annexation, then the city can unilaterally annex it without consent."

Commissioner Sciortino said, "Got it. Okay, I just want to make it clear that this was something that the county had no control on, but the city or any city annexing it because of state statute, they have the authority to unilaterally annex adjoining, adjacent property."

Mr. Euson said, "That is correct."

Commissioner Sciortino said, "Okay, thank you."

Chairman Unruh said, "Thank you. Thank you, Mr. Euson. Well, I see no one else rising to speak, so at this time I will close the public hearing and ask commissioners if they have any questions or comments for Mr. Parnacott or any of the representatives from the City of Wichita? Commissioner Norton."

Commissioner Norton said, "First I want to make a statement. I may be a little too close to parts of this, because as the Mayor of Haysville, I had a lot of discussions with citizens' groups that live in a couple of these areas, and at that time, the gentleman's agreement between Haysville and the City of Wichita was south of 59th Street was in the influence and the area to be annexed by Haysville and anything north of 59th Street would be City of Wichita. So we had a lot of meetings while I was mayor and it became apparent to me that the citizens in a lot of those areas, at least their

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spokespersons, didn't want to be in the City of Haysville, for whatever reason and that was okay.

We ended up looking at that and saying, 'You know we think we can supply water to it'. We think we can supply sewer, we just built a new sewer treatment plant, but at that time, dealing with large groups of citizens and we had several meetings at the city hall in Haysville and I think David Warren, you were at some of those meetings. Where is David? I think you remember those meetings. It became pretty apparent to me, as mayor, that those citizens and that Midway area and some of the other areas, all the way over to Pine Bay, did not want to be in the City of Haysville for various reasons, which was okay. We came to the conclusion that we weren't going stick a stake in the ground and say 59th Street, that gentleman's agreement was signed in blood because I don't think it ever was, and that we would back out of that as Haysville and if it took its course, that was fine.

Now at the same time, at least the Midway area, which is along the Seneca corridor between 55th and 63rd, they had gone through the tornado . . . the tornado went through there, ripped up a lot of that pretty bad, they were in disarray and they wanted water in that area, their water was starting to go bad, and Dave is that still correct? Okay.

And we said, 'Well, we know the city can give them water' and I'm pretty sure at that time, whether there was an actual petition or the citizens' group just vocalized to the city they wanted city water. That was their big deal, so we backed out of it and said, 'If you do that, more than likely you'll have to sign an agreement that yeah, you'll get the water service, but because of that, you won't fight annexation'. And truthfully, I believe that's what may have happened in Pine Bay also. Pine Bay needed water and now they have it, so that kind of clears up why a lot of that started getting annexed.

Now once they started piecing it together, I think the city made that determination they'd go all the way down to the Big Ditch, and that started to include Huntington Pointe and where Lonetta lives, it gets . . . Donna, did it catch you're area, too?"

Ms. Donna ? said, "But we asked for it."

Commissioner Norton said, "Okay, some people did and that clears up, I think, what I'm saying. A lot of people did ask that they would come down there, bring water there, it becomes the City of Wichita. Now I was in another capacity, another elected capacity when all this happened. The county made the decisions originally, after all this was looked at and I don't know if they had to make any determination at all if they could be annexed. Tom, do you remember?"

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Commissioner Winters said, “No, I don’t.”

Commissioner Norton said, “They probably did not, although it would eventually come back to the county, to make this determination today, if the city has provided everything. Being an advocate for the south side, I always believed that anything south of the Mason/ Dixon, the south side will probably get a little less than everybody else. Now that’s just my core value. I mean, if you look at some of the things that have happened in the history of the south side, a lot of lesser use things happen and I don’t think the city always takes care of what they should. That’s just my thought as a south-siders and an advocate for the south side.

I do believe that the city has taken on this area and in many respects, has done due diligence trying to catch up and fix an area that, in many respects, was let go for a long time because it was out in the township and in the county and it’s going to take a while to build that up.

I would have liked to have heard from a lot more people before today. To be honest with you, I’ve kind of waited to see, as county commissioner, how many people would call me complaining about this getting ready to happen. I haven’t gotten one phone call. Now, that’s interesting that maybe there are some vocal people here today, but of the large swath of area there, of a lot of houses and a lot of population, I didn’t get one phone call and I sure would have liked to have gotten that before today, so I could advocate a little stronger or a little more for what’s happening in that area. But I do have some questions now. Is 63rd Street, Grove Avenue, is that a county road or a city road?”

Mr. Parnacott said, “I’ll defer to David Spears on that maybe.”

Mr. David C. Spears, Director, Bureau of Public Works, greeted the commissioners and said, “Testing my memory. I believe Grove . . . I believe Grove, you’re talking about by the sandpit. I think that’s in the City of Wichita now. We’ve had discussions with a lady that wanted a school bus sign there and we referred that to Wichita. Also, 63rd, it may have been annexed too. I’m not quite sure there. You’re hitting me a little cold with that and I can’t remember all the streets that are county or city, but I believe Grove is because we also had a discussion with Cornejo about paving that street to standards and we said they would have to pave it to the Wichita standard, because it’s in the city of Wichita, so I do remember Grove.”

Commissioner Norton said, “Well, that clears up that we have tried to react to the sign thing. I was notified. I think it was Peggy Hays that had requested it and there was some difficulty because the sandpit is on county property, but the road and the right-of-way is the city’s and I think we’ve

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communicated that through our Public Works on to hopefully the city and I'm not even sure if we can place a school bus drop-off sign, if there is such a thing, but we'll figure that out.

One of the difficulties is 63rd going over between 55th and Haysville is still a county road. Neither the City of Haysville or the City of Wichita will take on the road, and that starts to put us into that area that we've started to discuss of when there's annexations, somebody needs to take the road and take the infrastructure that goes with it.

Where have new streets been put in, Chris, in these areas, because there was a lot of dirt streets in a lot of these areas? Certainly Pine Bay has township standards. I thought Midway had quite a few dirt streets too. I may be wrong."

Mr. Carrier said, "I think in your report that Terry gave you, on probably the first two pages of that report, you'll see a lot of things about street maintenance. Arterial street improvements, you know we've both been working on Hydraulic to get that done. We've gotten valid street petitions again from Hydraulic Drive south of 63rd, Grove Court, Pine Bay, Madison, Madison Court and then My House Addition, which is south of 55th Street, west of Broadway. All of those have been petitioned recently and are in various stages of either it is being done or done. So there's been quite a bit of street work done in different parts of that area."

Commissioner Norton said, "All petitioned."

Mr. Carrier said, "Those were petitions that I just read. That's how we do the residential streets, yes. The arterial street was principally Hydraulic and we're both working on Hydraulic, through our CIP programs."

Commissioner Norton said, "So any streets and improvements in there, citizens need to know that that's by petitions. That's not going to be by action of the City of Wichita."

Mr. Carrier said, "Yes sir."

Commissioner Norton said, "Generally not."

Mr. Carrier said, "Yes sir."

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

Chairman Unruh said, "Thank you, Commissioner. Are there other comments or questions by

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commissioners? I see no one requesting to speak.”

Commissioner Norton said, “Well, I probably will not make this Motion. In fact, I will probably vote against it, just because I would like to see more done in this area. It’s been an area that’s been underserved for a lot of years and I think if you talk to most of the citizens that are in that swath, they will believe that they don’t have much of a voice and get left out a lot of times on just improvements and taking care of the area, so I will probably vote against it, although I believe that there’s not much protest, but I’m trying to advocate for those voices that are not here today.”

Chairman Unruh said, “Thank you, Commissioner.”

MOTION

Commissioner Winters moved that the City of Wichita has extended services as provided for in the service plan.

Commissioner Burtnett seconded the Motion.

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

VOTE

Commissioner Norton	No
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you Bob.”

Mr. Parnacott said, “You’re welcome. I would just add, there was I think one question asked about who you would call in the county if you had a code enforcement type question, particularly involving a zoning operation or sand extraction operation and I know the old code enforcement number that is still active is 383-7951. I think there’s a 660 number, but I can’t remember that off the top of my head, but 383-7951 is the call number for Code Enforcement type complaints for the county.”

Chairman Unruh said, “Thank you Bob. Thank you Terry, Dave and Chris for your attention to this. Madam Clerk, we’re ready for the next item.”

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Commissioner Norton left the meeting room at 10:31 a.m.

APPOINTMENT

C. APPOINTMENT.

**1. RESIGNATION OF ROBERT SHRUM FROM APPOINTMENT AS
TREASURER OF MINNEHA TOWNSHIP.**

Mr. Euson, said, "Commissioners, you have received Mr. Shrum's written resignation and I would ask that you accept it."

MOTION

Chairman Unruh moved to accept the resignation.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Unruh said, "Next item."

**2. RESOLUTION APPOINTING TOM CHANDLER (COMMISSIONER
SCIORTINO'S APPOINTMENT) AS TREASURER OF MINNEHA
TOWNSHIP.**

Mr. Euson said, "Commissioners, we've prepared this resolution of appointment to fill the vacancy just created on this township board. The term will last until January of 2009 and I recommend you adopt the resolution."

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Commissioner Sciortino moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Unruh said, “And Mr. Chandler is here today and County Clerk Don Brace will administer the oath.”

Mr. Don Brace, County Clerk, said, “Raise your right hand.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Minneha Township Treasurer, so help me God.”

Mr. Tom Chandler, Treasurer, Minneha Township, said, “I do.”

Mr. Brace said, “Congratulations.”

Mr. Chandler said, “I’d just like to say that I’m looking very much forward to this opportunity to begin service to the county and to the people that I’ve lived with for so long, and beyond that, I’ll leave any other comments to my own meetings. Thank you.”

Chairman Unruh said, “Mr. Chandler, if you want to stay right there, we do have a comment but I just want to say appreciate your willingness to serve and at this time also would want to express appreciation for Mr. Shrum and his efforts for that township and been there for a long time, so appreciate you stepping in to fill his shoes. We have a comment from Commissioner Sciortino.”

Commissioner Sciortino said, “Yeah, thank you. Tom, you know you and I have had a meeting and we’ve talked about some of the difficulties that Minneha Township is going through. One of the things that I’m very grateful that you accepted, the ability to serve, is that for a long time the

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portion of Minneha Township south of Kellogg has kind of been underrepresented, so to speak, because we didn't have maybe anyone that was willing to run for that office, because sometimes it's a very thankless job, but I really do appreciate you being willing to step up and to serve.

Your demeanor, your education I think is going to be an asset to that board and I would like to now, at least publicly let you know that to whatever extent legally we can, feel free to contact our Legal Department, our Public Works Department for advice or what have you, anything that you need to maybe get yourself up to speed about the workings of the township or any ongoing needs that you feel that you need, we're here to try to help you to whatever extent we legally can."

Mr. Chandler said, "I appreciate that, commissioner. I think our township has been probably the best of not taking advantage of some of the kinds of things that the county commission office can provide to us, and believe me, I have your phone number memorized."

Commissioner Sciortino said, "Well, if any indication was prior to the appointment, so I'm sure you will be calling me. Fine, okay."

Chairman Unruh said, "Thank you, Tom. Madam Clerk, call the next item."

Commissioner Norton returned to the meeting room at 10:34 a.m.

DONATION

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

D. DONATION BY GOETZE DENTAL OF \$300, TO BE USED BY THE HEALTH DEPARTMENT'S DENTAL CLINIC FOR VOLUNTEER APPRECIATION GIFTS.

Ms. Christy Hillard, Supervisor, Dental Clinic, Health Department, greeted the commissioners and said, "The Children's Dental Clinic has received a cash donation of \$300 from Goetze Dental. This donation allows the clinic to purchase appreciation gifts for each of our 33 volunteer dentists who give of their time and talent in an effort to insure that children have access to quality dental care.

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The gifts are presented to the dentists at the annual appreciation dinner. The recommended action is to accept the donation and to authorize the Chair to sign a thank you letter.”

Chairman Unruh said, “All right, thank you. I think that we’re all going to be in favor of this. I mean, it’s . . . the volunteer services we get from those dentists is really quite significant and anything we can do to express appreciation is a good thing to do and someone is even donating that appreciation, so that’s very good. Commissioners, is there any comment?”

MOTION

Commissioner Winters moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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 very much. Next item please.”

AWARDS

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

E. RECOGNITION OF KANSAS PUBLIC HEALTH ASSOCIATION AWARD RECIPIENTS.

- 1. CINDY BURBACH, DIRECTOR, HEALTH SURVEILLANCE AND DISEASE PREVENTION, HEALTH DEPARTMENT – SPECIAL SERVICE AWARD**
- 2. GLORIA VERMIE, PUBLIC HEALTH EMERGENCY COORDINATOR,**

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HEALTH DEPARTMENT - SAMUEL J. CRUMBINE MEDAL

3. BOARD OF COUNTY COMMISSIONERS – 2005 CORPORATE PUBLIC HEALTH SERVICE AWARD

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, “The Kansas Public Health Association has a series of seven annual awards that were presented at their annual conference, here in Wichita, on September 22nd and I’m here this morning to recognize those that received the awards.

First of all Cindy Burbach, Health Surveillance and Disease Control Division Director for Sedgwick County Health Department received the special service award for her outstanding service to Kansas in the interest of public health, especially noting her work with advancing all health surveillance efforts in Sedgwick County and for her work with the Kansas Association of Local Health Departments, Cindy, congratulations.

Next, the very highest honor from the organization is the Samuel J. Crumbine medal, which was awarded to our very own Gloria Vermie. Gloria is the Metropolitan Medical Response System and Public Health Emergency Management Coordinator for the Health Department and it was presented to her for her meritorious service, through her local, regional, state and national efforts to improve the health of Kansans.

Gloria is recognized as the statewide expert for community mobilization and skillful management of bio-terrorism funds and we are very, very proud of Gloria. Samuel Crumbine is known as the father of public health in Kansas and also was nationally recognized for his work in public health, and it’s a beautiful medal. Congratulations, Gloria.”

Chairman Unruh said, “Well you two, we don’t want you to get away from us. We might want to say something, so just stay right there.”

Commissioner Sciortino said, “Can we see the medal.”

Ms. Blackburn said, “I’m not done.”

Chairman Unruh said, “Go ahead, Claudia.”

Ms. Blackburn said, “And finally, finally this year the Sedgwick County Board of County Commissioners won the Corporate Public Health Service Award for their significant contribution to the mission of public health through their increased support for TV programs.

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Sedgwick County has led the state for many years in the number of Tuberculosis cases diagnosed, averaging 30 cases a year for many years. In recent years, the local health department increased its effort to reduce the pool of persons infected with the TB germ and the result of this action has been a 50% drop in TB cases in the last several years, or the last couple of years at least. So we went from 30 cases a year to 15 in 2004 and what I'm told is we can expect even less for 2005. So thank you Commissioners, from the Kansas Public Health Association."

Chairman Unruh said, "Well I would just want to make the comment that that award probably should also have gone to Cindy I suppose for her work in the efforts of Tuberculosis awareness and surveillance and prevention, those sort of things and we appreciate the outstanding work that you two do on behalf of Sedgwick County and Gloria, I know that you were a big part of our exercise down in Anniston, Alabama and putting that all together and keeping us prepared to respond in any situation. So prevention and surveillance and overall community health, you all are making us proud of the efforts we have, so congratulations on your award. We have a comment from Commissioner Burtnett."

Commissioner Burtnett said, "Well I was able to make that luncheon and it was very well attended and the gals had quite a few words to say after that, so I would think they'd want to say something today to us."

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

Commissioner Sciortino said, "Well, I'd still like to see the medal. You could bring it up. Walk it up here, so we can see it. But then, while she's walking up here, I agree with you that Cindy Burbach ought to get some recognition for that award that we got. Let's just say she encouraged us and she nudged us in the direction of how much support we should be giving to it, so I feel that award is mostly yours."

Dr. Cindy Burbach, Disease Surveillance and Disease Prevention, Health Department, greeted the Commissioners and said, "Thank you and what Commissioner Burtnett is mentioning about the reception, where we receive these, I had called that sort of chronic whining. Basically, I was just bringing TB to you attention, every time I got the chance, but now that I'm seeing numbers that have gone down, that's as much attention as we need, I just love that, and I thank you very much for your support."

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Chairman Unruh said, “Thanks to you all for your outstanding service to the citizens of Sedgwick County. Madam Clerk, call the next item please. Excuse me, Gloria, you may speak.”

Ms. Vermie said, “Yeah, just briefly, the pleasure is actually in working with the commissioners and the volunteers who are very dedicated to preparedness and to making sure that we have a community, especially a medical response in our jurisdiction and we owe them a depth of gratitude every day.”

Chairman Unruh said, “All right, thank you. Madam Clerk, now call the next item.”

CITIZEN INQUIRIES

F. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING “RESTORATION OF HONOR IN THE GOVERNING BODY POLITIC.”

King David Davis, Wichita, greeted the Commissioners and said, “Greetings, Commissioners, overseers, citizens who represent that which is good, just and honorable in all of Sedgwick County, I thank you for allowing me this moment of your time, as I continue my journey to return unto the people a form of government that humbles itself in the presence of its citizens, embraces the highest standards of honor, respect and justice and truly be a humble servant, a gentle giant and a government of the people, by the people, for the people.

For some, these goals may seem a little far-fetched, inconceivable or just simply impossible. If that were truly the case, I would have abandoned by quest a long time ago. My name is King David Davis and once again I stand here, in your presence, humbly with a great sense of honor and gratitude in my heart.

When it comes to the ways of honor, I am still but a child with a new toy and what little I’ve learned, I today stand in awe of its power. For those who possess it, it is a great source or wealth and the wisdom that springs forth from it is like water from the great deep in a dry and thirsty land.

Honor rises to the top of it’s own, natural power. Those who come against it, it is the same as turning the sword against themselves. The arrogant and the ignorant are blind to its ways, yet he who processes it, knows always like the back of his hand. Imagine the real power to keep your

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enemies in check, without ever having to lay a hand on them or break one single just law.

The ability to keep the peace through strength, honor and respect, whereas the arrogant, the ignorant, the indifferent and the greedy, they have not defense against it, except to lie, cheat, steal or kill. To the arrogant and ignorant, the presence of honor is painful, unpleasant and unnerving even when it's being nice. And when it comes to leadership, you lead with honor, wisdom, to find a way. The arrogant will run away and those who lie, fry.

This was a small list of the many reasons why restoring honor back into the people's institution is a wise and prudent thing to do. We owe it to our citizens, to the God of our nation and to our country. Just because the rest of the world is going to hell in a hand basket doesn't mean we have to follow in their footsteps. I believe Sedgwick County can be a beacon light, a city on the hill, a destination place like no other, all made possible through the power of honor, the principles of honorable justice and the realizing that God honors those who honor him.

Commissioners, I once again appeal to you to join with the voice of honor, in spirit, principle and a cooperative effort, as we citizens for justice aim to restore honor and respectability back into local government, healing to our citizens who have suffered from the wounds of injustice and a community that move forward, taking into consideration the needs of all our citizens respectively, but bringing together a leadership team of Republican, Democrat, Libertarian, Reformed, pro-lifers, pro-choicers who can demonstrate their ability to rise above their difficulties. Folks who know which is important, while standing together on common ground, so we can all move forward together.

I would also ask you that you be patient and understanding and realize there are times that when the enemies of honor, truth and justice that's honorable must engage what is best known as a moment of unpleasantness, in order to attack others for oneself, when they lie, cheat, steal or attempt to kill. It saddens me to say, the arrogance of City Hall of Wichita put itself against the voice of honor, truth and the everyday people of Wichita and Sedgwick County by virtue of their actions and inactions, they have lost their good standings and the power of respect amongst the good, decent, and honorable citizens, members of Sedgwick County. I do firmly believe, had there been a leadership standard of honor in place, we would have caught the BTK and the Dennis Rader's of society many years ago and saved some lives and I believe we can prove that.

Please understand the seriousness of my plea far exceeds that which I have openly expressed. Once again, I will place my confidence in the God of our nation and the good and honorable citizens and fathers of Sedgwick County.

You see, I believe deep down in all hearts we all long for better days. For year's now we have listened to the voices of arrogance, ignorance and indifference and greed and today our community

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bears the fruit of it, or lack thereof . . . Oh yes sir, I have about 15 seconds.”

Chairman Unruh said, “All right sir.”

King Davis said, “The elements of their influence, their economic wisdom and control over this community is once again abundantly evident and once again they want to build a project that will feed the last project and the project before that, while the little guy, who made it all possible to begin with the sacrifice and laid to ruins.

Once again, please consider closely, it is time to say no to arrogance and greed and yes to honor and wisdom and good old common sense. In our community there are many voices of honor and if you’ll listen closely, wisdom will find you. Voices that are singing in song, deep down we all want to sing. All we have to do is listen and before we know it, we all can be singing a brand new song. Thank you.”

Chairman Unruh said, “Thank you. Madam Clerk, would you call the next item please.”

G. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING A DESTINATION CASINO.

Mr. Bob Knight, Wichita, greeted the Commissioners and said, “I appreciate being afforded five minutes for an opportunity to appear before you today. I want to just tell you that I’m here to talk about a subject that really ought to have universal approval. There shouldn’t be those that are for and those that are against. We’re a lot more in this community than unrelated strangers. We’re really families that are connected through church, through social activities, through neighborhoods, through an assortment of connectedness.

I’m here because I take a little bit different approach than what has been taken heretofore by not only the state, but city and county governments. I spent many years as mayor of the city of Wichita, and in my dealings with the public and my dealings with public policy matters, even to the consternation of others I tried to be a headlight, not a taillight. If there was something to be achieved on behalf of the community, I wanted to have the community out front, not bringing up the caboose.

I look around our world, our nation and our state today and I’m somewhat dismayed. There are certainly trends, there are cultural changes that not only concern me, but much of society and I’m here today to talk about something that might be a little different than what you’d anticipated. It has to do with a destination resort casino I suppose at some point, but it’s far more fundamental to me. I appear before you today because I have, I believe, an important decision on the future of our community at stake that the five of you have to, I think, participate in.

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The presence of casinos and gambling is not the issue that I'm here about today. Las Vegas is the most popular travel destination from Mid-Continent Airport for any route. It's not me saying this. I think you can prob . . . unless it's changed in the last year, the most popular destination, out of Wichita, at Wichita's Mid-Continent Airport is Las Vegas. A casino is already being built right next to Arkansas City, Kansas. In northern Oklahoma, you only have to listen to the radio to hear their advertising campaign to attract our citizens to take their dollars and leave our state.

Other counties in south central Kansas have or will be preparing to tell Topeka they want to be considered for the approval of a casino. Casinos will be part of our community's life, whether or not one is located in Sedgwick County. The only question is whether or not Sedgwick County will be part of an economic development strategy that can be part of this game. In economic terms, do we want to be an exporter of our dollars or retain our dollars as well as import other dollars within the region? Do we want to be a destination, not only for a casino, but the tourist activity that can and will be part of a casino development?

Some people may come here for gambling only, but many of those people will come here for entertainment, of which gaming is only one part. Don't we want to attract those people to our community? Don't we want to attract those people to our hotels? Don't we want to attract those people to our museums, our restaurants and our stores? Don't we want the tax revenue from property and sales taxes, as well as casino revenues? What's before the county commission now is whether or not this community will even be a participant in the upcoming discussion.

Some have said that this decision should be left to Topeka, but I can tell you, after spending months of my time in Topeka and listening carefully, the governor and others that are going to be making the decisions on this, have said local input is essential to the state's decision making. You know that, because I've told you for months that that is part of the deal. Unless things are going on that I'm not aware of and that could easily be the case. You know I often read that there are three proposals for Wichita or Sedgwick County. I don't know what the other two are, neither do the citizens, so I believe in competition, I believe in capitalism, so if you have other proposals, show us what it's going to look like. Show us where it's going to go downtown. Show us how much it's going to cost. Show us how many people it's going to attract. Show us the engineering studies, how you get people in and people out. And I'm sorry, may I have just a couple of minutes to finish?"

Chairman Unruh said, "Yes sir."

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Mr. Knight said, "You only need to examine carefully the pending legislative proposals to know that silence means this community one more time is going to be left out. The Sedgwick County Commission has a long history of seeking out public input in critical decisions and I compliment you on that. I've been a part of it. I've attended your meetings. That is why the withdrawal of county support for an advisory public referendum on a casino is so utterly perplexing to me. How can you spend so much time and so much effort on public input for the location and construction of an arena and ignore the public on whether or not the public wants to see a casino.

You know, we voted and I'm one of the people that voted in the affirmative. We voted for an arena. We don't, to this day, unless there's something you have already decided that I'm not aware about, we don't know where it's going to be. We don't know what it's going to look like and we don't know exactly how much it's going to cost. We know how much taxpayers are going to pay, over the next 30 months, but we don't know those other things, and you know, I supported that because I trusted you, I trusted the city, I trusted the business community and I trusted the staff of both governing bodies to know what's going on.

But how can you actively seek out public comments on the annual budget, and something like an arena, but deny the same public and advisory referendum on a possible major new tax revenue source for the same local budget. I don't understand that. Make no mistake, the public of Sedgwick County is going to vote. Your choice is whether they vote in an advisory referendum, as part of the upcoming public decisions about casinos in Kansas, or do they vote with their feet, when they leave Sedgwick County to travel to other counties in Kansas, reservations, or to Oklahoma and Missouri to spend their entertainment dollars.

In summary, what I would like to say is what do the citizens, the legislators and the county commissioners of Wyandotte, Crawford and now Geary County and there will be others, understand that we simply haven't gotten yet in Sedgwick County. It's simple, without the vote of the people in advance of the legislative session in January to understand that gaming has no chance whatsoever.

I noticed Nile Dillmore back here. There are others here, Bonnie Huey, I mean you can ask them. It is their chairman and leadership and governor that have told us this time after time after time. If we don't have a decision here by the time they reconvene, those in this room that are against gaming are going to be very well served, because they're going to get what they want, but what they'll probably get five years from now is something far, far less desirable than what we're proposing. We're proposing to spend \$300,000,000 of private money, no tax abatements, you don't have to pay for the land, you don't have to bring in water and sewer, you don't have to build roads. We're asking for the opportunity for citizens to vote on what they want to do.

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It's 2,500 jobs. I'm one of those that celebrate 900 jobs, potentially, at \$10 an hour. I celebrate a lot more 2,500 new jobs that pay double that, easily double that, plus the 1,500 construction jobs, high-paying construction jobs. We have committed and we are working with the unions to have union employees do this work. Without the vote of the people, we are going to be the taillight and quite frankly, there's nowhere else to look, except to you and the city.

We already know what people think. That's why those here, like Glen Thompson and others, don't want to vote. They don't want you to vote. On most issues, they would be at the forefront, let's vote on marriage amendments, let's vote on this, let's vote on that, but let's not vote on this because they don't think they're going to win. Their argument is we're going to spend millions of dollars to get this passed. That is just so patently silly. You know, they would probably outspend us and if the voters vote no, this thing is all over, you know, it's been decided.

So what I'm asking you to do is what I think voters elected you to do, and that's to vote up or down on a referendum concerning this issue. You are going to do it. We have been waiting patiently, month after month after month. We propose to pay for the whole thing, at one point. First of all we were advised we'd have to have a referendum. There wouldn't be a vote on this body without a referendum. Then we decided we'd pay for it. That was a good idea, then that got set aside. The county was going to do it. That got set aside. Now I don't know where you are at, I can't get any answers and apparently you're opposed to it.

What I would urge you to do is let's really have more than an appearance of respecting our democratic participatory system. Visioneering Wichita is a great deal. I mean it's a rerun of previous efforts. Unlike what some up here think, we've done that before. It's just been called something different, but I can tell you, people are really thirsting for results, not the appearance of progress by deflecting and dodging and ducking.

So I'm here, and you know that I consider you friends. I mean, I'm not here as an enemy of any of you. I support all of you. You're friends of mine, you've done I think remarkable things in your public service. I'm just telling you I think that you're really fudging on this and I'm here as a friend to suggest that Brenda Landwehr take her message someplace else, on telling people what they can vote on and what they can't vote on. She's going to be more than happy to come up here and force you into voting for something that she's for. Let the people decide and I thank you very much, first of all for your service on behalf of the rest of us, intelligent service I would say, but I also thank you for letting me have probably double the time that I'm supposed to."

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Chairman Unruh said, "Well thank you, Bob. I don't see any lights coming on to make comment."

Mr. Knight said, "I didn't expect any."

Chairman Unruh said, "Well, I would say that you definitely have been a headlight and not a taillight. We appreciate your service and your love for this community. There is a comment from Commissioner Norton."

Commissioner Norton said, "Well I'll be glad to make a comment. First of all, I'm not opposed to a referendum, I think people should vote, and that flies in the face of people that have called me recently and said, 'Oh you can't let this happen'. But I also understand that we're standing in the middle of two train tracks, we're kind of in the middle of it. One track is going one way, one's going the other way. One is the prevailing conservative opinion that it's going to destroy our community. The other side is the citizens' demand to vote to weigh in on this and the trains are going in diametrically opposed areas. We step one way we get whacked by one train, we step the other way, we get whacked by the other. It is a conundrum of huge proportions, as far as our community is concerned.

The truth is today, Bob, I would not make any kind of a motion or react one way or another to anyone that comes before us and demands us to step one way or the other on this track. I try to take my public service very serious, I try to weigh out every piece of information I can, every phone call, e-mail, person in a grocery store that pulls me aside and gives me their opinion, and I would not make that based on a passionate plea or an emotional undertaking that we have today. Having said that, I think there is, for me, a time and a place that this will happen. Will it happen before the legislative session? I don't know that it will. It's a pretty expensive proposition and I try to take that viewpoint, that maybe it is a little too much money to put into a referendum right now, when we have other needs. But there is going to be elections that already have a ballot and we can add that on at a pretty cheap level of money and resolve this issue."

Mr. Knight said, "When is the ballot?"

Commissioner Norton said, "I don't know, there will be ballots in what, August, primaries? There will be one again in November. Maybe that's after the fact of this legislative session, but it is certainly before the next one and the next one and the next one and the next one. I mean, there's going to be many more. I'm not ready to react to that today. But I have to go on the record, I'm not opposed to a referendum and letting the people weigh in on this information."

Mr. Knight said, "Can I just make a point, in response to that?"

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Commissioner Norton said, "It's up to the Chairman."

Mr. Knight said, "I just want to remind you that the railroad crossing in Haysville would not exist if one person wouldn't feel strong enough about an issue to get out in front, get knocked around, get clobbered by a lot of political leaders in Topeka and in Wichita and in Washington D.C. that wouldn't have happen. And Tom Winters knows it. He was there the whole path. We wouldn't have saved over a half billion dollars in electric costs for this city and this county over the last five or six years if one person hadn't decided that what was happening was wrong and they were going to do something about it.

All I'm asking you to do, the five of you were elected to be leaders and if you don't want to make the decision, let the voters make the decision. If it's \$125,000, do the math sometimes on a \$300,000,000 project and what that kicks off. Or you've satisfied the community and you don't have to worry about this anymore, but I thank you and I take your comments."

Chairman Unruh said, "We have one more comment. Commissioner Burtnett."

Commissioner Burtnett said, "Mr. Knight, I hear your frustration and I know that you realize there's frustration from probably everyone in this room: those who oppose gambling, those who don't want the referendum, those who do want the referendum.

My frustration stems from the mixed messages I'm getting from Topeka and our elected officials, where ultimately this will be decided. I still firmly believe that the citizens deserve a vote on this, but I don't feel the same sense of urgency that you do. I also believe that as a commission, we did the right thing by deferring the referendum and we know we can bring it up at any time. And when I feel or we feel that the urgency is there, I believe we will do that, so I appreciate your comments today, but again, I agree with Commissioner Norton, today is not the day we're going to bring it back to the table."

Mr. Knight said, "Well, again I'm not surprised. I watched the meeting where Representative Landwehr appeared before you and I really thought at that meeting you were going to take a position of leadership and quite frankly, to many voters, it looked like a house of cards just getting knocked down. You all made the right statements today. You know you support it, you just don't know when, you don't think it's the right time and that's your call, but again, I want everybody here to understand the consequences of your indecision or your reluctance to move ahead.

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If you support something, then stand up for it. If you don't, if you're all against gaming, that's an answer, just say 'No, we don't think it's good for our county, our community'. But the idea of getting whipsawed back and forth is very frustrating to me and the reason I say that is I took a very different approach in terms of public policy and you know, it's costly, I mean you're taking some risks, you know, it's like you're voting against something that you know is going to pass, previously. But I thank you for your time."

Chairman Unruh said, "All right, thank you Bob. Gentlemen . . . Commissioners, do we have a Motion to receive and file?"

MOTION

Commissioner Winters moved to receive and file the two citizens' comments.

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

Commissioner Sciortino said, "I just need to excuse myself from the bench for a few minutes. I have a situation I need to deal with. My daughter is here, it shouldn't take too long and I'll return back to the bench."

Chairman Unruh said, "All right, perhaps we should take a ten minute recess at this time, so we'll reconvene in ten minutes."

The County Commissioners recessed at 11:07 a.m. and returned from recess at 11:17 a.m.

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Chairman Unruh said, “Okay, well commissioners, we will return from recess and call the meeting back to order and Madam Clerk, would you please call the next item.”

NEW BUSINESS

H. PERMIT APPLICATION FOR AN INDUSTRIAL LANDFILL FOR C & D RECYCLERS OF KANSAS, INC., LOCATED AT 4250 WEST 37TH STREET NORTH, WICHITA.

OVERHEAD PRESENTATION

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, “C & D Recyclers of Wichita has had a construction and demolition landfill just northwest of Wichita. As you can see on the map, by the red star, they’re located on the northwest part of the city, in the unincorporated area of Sedgwick County.

A close up shows their facility outlined in yellow. They’re north of the Waste Connections transfer station, which is on 37th Street. They’re west of West Street and south of K-96. It’s currently zoned Limited Industrial, with a conditional use permit for the operation of a construction and demolition landfill.

They currently receive materials such as drywall, 2 X 4s, roofing material, carpet, bricks, concrete, asphalt and other materials. These are basically inert materials. What they would like to do is receive a new waste stream of foundry sand and some related sludge materials. This has been tested by Kansas Department of Health and Environment and it is considered inert.

To receive this material and use it as intermediate cover in their operations, they need a new permit modification by the Kansas Department of Health and Environment to receive industrial waste. To do this, the permit requires that it complies with our local solid waste plan and also that it is zoned correctly for this use. The zoning is appropriate for this use, as the Light Industrial with a conditional use permit. Solid waste plan also addresses industrial waste and states that a facility may receive industrial waste, as long as it is licensed for that purpose. That’s what they’re trying to do today is get the proper licensing to receive this industrial waste.

They cannot just get this permit and then receive other industrial waste streams. The waste is very specific and if they wanted to receive a different material, they would have to go through this process again, so this is only for foundry sand and related materials to that foundry sand to be used

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as intermediate cover in their operation.

C & D Recyclers tries to recycle as much material as they can before they bury the rest of the material. The Solid Waste Committee reviewed this application at their meeting this past Monday and although there was not a quorum, the members present did vote in favor of the fact that it does meet our solid waste plan. I'd be happy to answer any questions and there's a representative from the company here as well, and I'd recommend that you approve this. This meets the zoning and our local solid waste plan. Thank you."

Chairman Unruh said, "Okay, thank you. There is a question from Commissioner Winters."

Commissioner Winters said, "Mr. Chairman, I am going to be supportive of this. I think this is one of the recycling efforts in the community that's working. C & D Recyclers does try to recycle as much of the material that they take in as possible and I think they've been very successful and I think this would be one more avenue of disposable . . . disposal of this particular product, and based on that and the recommendation from the Solid Waste Planning Group, even though they didn't have a quorum, I think is going to influence me.

The only question I would have, Susan, and the only even comments that I've had about this is sometimes on windy days, a bit of trash does get out of this facility. Are you the proper department to call, if that needs to be relayed to this particular site? Or how should citizens address any access material that needs to be picked up around this facility?"

Ms. Erlenwein said, "They can call my department at 660-7200 and we can send an inspector out to make sure that they are in compliance. On extremely windy days, there have been problems in the past. The facility has taken greater effort to put up fencing next to the working face, to make sure that the material is contained and by receiving this foundry sand as a cover material, that will help keep the material down from blowing."

Commissioner Winters said, "Very good. Well, this is not in my district. I believe it's in Commissioner Burnett's district, but a lot of people from my district do drive down K-96 Highway and that's when I get the call. So, those are the only comments I have. I'm going to be supportive of this."

Chairman Unruh said, "Okay, thank you commissioner. The area, size of the sight is not changing, same size?"

Ms. Erlenwein said, "Same size."

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Chairman Unruh said, “And they have been in compliance, no other complaints, other than what the commissioner mentioned?”

Ms. Erlenwein said, “That’s correct.”

Chairman Unruh said, “I’m going to be supportive of this also. What is the will of the Board?”

MOTION

Commissioner Burnett moved find that the proposed Permit Application for an Industrial Landfill is consistent with local zoning and the Sedgwick County Solid Waste Management Plan.

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, Susan. Next item please.”

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

I. GRANT AWARD CONTRACT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR FUNDING OF AN EPIDEMIOLOGIST POSITION.

Dr. Burbach said, “We have an annual grant that is a non-competitive award that we receive from

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Kansas Department of Health and Environment to help support one of our epidemiologist positions. Originally, it supported an entire position of an epidemiologist and we have now, because of flat grant funding, had to tailor it to support a portion of that position out of local funds, but it's basically to help support epidemiology and disease surveillance and investigation in this area and we would like for you to accept the grant for our work in health surveillance. You have questions?"

Chairman Unruh said, "Thank you, Cindy. I don't see any questions at this point. It seems like we are usually willing to accept the grant, I think that will probably find approval. Commissioners, there's no indication of questions. What's the will of the Board?"

MOTION

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

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, "Thanks to the award-winning Cindy Burbach. Madam Clerk, call the next item."

J. AGREEMENTS FOR ADVERTISING RIGHTS AT KANSAS COLISEUM.

1. LDF SALES & DISTRIBUTING, INC.

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Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “This is our standard advertising agreement. This is another renewal for a long-term client. It’s been a win/win relationship. LDF Companies goes through the Coors brand as a sponsorship position at the Coliseum. It’s for a three-year term and this will allow us to transition a new agreement down to the new Sedgwick County downtown arena. Recommend approval.”

Chairman Unruh said, “Okay commissioners, any questions or comments?”

MOTION

Commissioner Burtnett moved to approve the Agreement 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, “Thank you, John.”

2. HOUSE OF SCHWAN, INC.

Mr. Nath said, “The second one is with the House of Schwan, through the Budweiser brand and that again is a long-term client of ours. It’s . . . again it’s a win/ win situation, three year term and we will transition that to the new Sedgwick County downtown arena.”

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Chairman Unruh said, "All right, thank you. Is there a motion to approve the agreement?"

MOTION

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

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, "Thanks, John. Next item please."

K. CORRECTIONS WORKER RANGE REALLOCATION.

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, "At the request of the department, Human Resources completed a compensation study of the entry level corrections worker position classification. The employees in these positions are uniformed and perform security and control work, as well as participation in rehabilitation programming in our Juvenile and Adult Correction Facilities. The job requires shift, weekend and holiday work.

The study results indicate a one-range increase from B-216 to 217 is justified to be comparable to other areas in the state and other positions performing like work in the county. The proposed range reallocation will involve 102 county funded positions, all of which are in the Corrections Department.

If approved, this change will become affective this quarter. The cost impact for the remainder of this year is \$55,686 and in 2006, \$224,951. Funding for the reallocation is through new revenue. The funds come from an increase in the reimbursement rate paid by the state for juveniles placed at Judge Riddell Boys Ranch. The rate increased by \$15 per day, which translates into \$260,000 a

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year, conservatively, and became effective July 1 of 2005, so the remainder of this year's cost for this allocation will be paid with those revenues, as well as the 2006 costs and ongoing. Those figures are conservative and have been confirmed by the Budget Department.

This reallocation has been necessary and on hold for several years, due to budget limitations. In 2002, WSU completed a study at our request of staff retention rates of these positions and the first thing they recommended was compensation be increased to comparable positions. The other items recommended have all been addressed in the years since then.

Now that we have new revenue available, I ask that you approve this change and I'll be happy to answer any questions."

Chairman Unruh said, "Okay, thank you Mark. I know that this has been a concern of yours for several years and now that we've not only gone through the market analysis for this and identified that this will improve our staff retention, well we found the money to cover it, it seems like the appropriate thing to do. We need to move forward with it. Question from Commissioner Sciortino."

Commissioner Sciortino said, "Well, questions. Mark, you indicated there was a study that showed comparable jobs. Was this of other correctional departments in the state? And did you . . . WSU did a study of comparable positions, were they comparing a correctional worker in Topeka or Johnson County to Sedgwick County? Is that where they found the imbalance?"

Mr. Masterson said, "WSU studied our own corrections worker retention and the issues related to that. Human Resources did the comparative studies about salaries."

Commissioner Sciortino said, "Okay, maybe we need Jo to talk to us a little bit about it. She's right next to you."

Ms. Jo Templin, Director, Division of Human Resources, greeted the Commissioners and said, "Yes, in 2002 we did an initial compensation study that compared the Sedgwick County correction worker position to areas within the state of Kansas, including Johnson County, Douglas County, Shawnee County, Wyandotte County and the State of Kansas. In that first initial study in 2002, Sedgwick County was rated fourth out of the six. We did an additional study in 2005 to verify that information with the same comparable organizations and Sedgwick County has fallen to number six, out of those six. So that's what we compared this position to in those facilities."

Commissioner Sciortino said, "Okay, and where were we compared to those, as far as turnover was concerned?"

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Ms. Templin said, "And the information that we have indicates that . . ."

Commissioner Sciortino said, "I mean, did you get involved in that part, or was that WSU?"

Ms. Templin said, "No, we did, we've done that and the information that we have indicates that turnover in our corrections organization in 2004 was 33%. We were able to get data from two other of the six and 25% was at . . . I have it written here, I've got to find the paper, Douglas County and 20% was at Wyandotte County, so we're higher than both of the counties that we were able to get that turnover data from."

Commissioner Sciortino said, "And Johnson County didn't provide that information for you? Because that county is kind of comparable to us in size and maybe stress."

Ms. Templin said, "I understand. We were not able to secure that data."

Commissioner Sciortino said, "Okay. The monies that are coming in that were unexpected is increase in Medicare reimbursement?"

Mr. Masterson said, "That's correct, sir."

Commissioner Sciortino said, "Okay. So back in 2002, we had this, why didn't we put that in the budget to get that . . . if we already had the study that showed that this is what we needed, and we were out of balance, why didn't you put it in your budget?"

Mr. Masterson said, "I did put it in my budget each year sir, as a supplemental and given the priorities and budget limitations, we didn't have the resources, as a . . ."

Commissioner Sciortino said, "Well there's always resources, we just have to figure out priorities, is what I've been told. Mr. Manager, what was the reason why we didn't, when we needed to address this imbalance back then?"

Mr. Buchanan said, "If you remember, if you recall 2002-2003 fiscal years we were laying people off and we were in positions of not increasing salaries or if we were increasing salaries, we were doing it at a very minimum. We understood we had a problem there. We chose to ignore that problem because of other financial priorities in stabilizing the finances of the organization and that's why we're bringing it to you now."

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Commissioner Sciortino said, “Okay. This time around though, you do support this.”

Mr. Buchanan said, “Yes sir.”

Commissioner Sciortino said, “Now does this eat up all of the increased money from Medicare?”

Mr. Masterson said, “Very close to it.”

Commissioner Sciortino said, “Okay, well you’re doing your job, by golly. If you get a dollar, spend that dollar immediately. Good, okay, that’s all I had. Thanks.”

Chairman Unruh said, “Thank you. Commissioners, are there any other comment or question of Mr. Masterson? What’s the will of the board?”

MOTION

Commissioner Sciortino moved to approve the range reallocation.

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, Mark. Madam Clerk, next item.”

L. SELECTION OF A VOTING DELEGATE AND AN ALTERNATE FOR THE KANSAS ASSOCIATION OF COUNTIES 30TH ANNUAL CONFERENCE.

Chairman Unruh said, “Commissioners, you’re all aware that, according to the Kansas Association of Counties bylaws and their organization, we need to provide a voting delegate and two alternates and we need to select through the vote of this commission and so we need to do that before our next annual meeting.”

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Commissioner Burtnett said, “Well, Mr. Chair, I’d like to make this easy.”

MOTION

Commissioner Burtnett moved that Chairman Unruh as the voting delegate and Commissioner Winters as the first alternate and Commissioner Norton as the second alternate.

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, “Next item please.”

M. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF SEPTEMBER 29, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of September 29th resulted in three items for consideration today.

**1) PROGRAMMABLE KEY MONITORING SYSTEM FOR NEW JDF- FACILITY PROJECT SERVICES
FUNDING SOURCE: CAPITAL IMPROVEMENT PROJECT**

First item, programmable key monitoring system for the new juvenile detention facility for Facility Project Services. Recommendation is to accept the low bid from Morse Watchman in the amount of \$26,140.

**2) ON-CALL PHYSICAL EXAMS- VARIOUS COUNTY DEPARTMENTS
FUNDING SOURCE: VARIOUS COUNTY DEPARTMENTS**

The second item, on-call physical exams for various county departments. The recommendation is

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to accept low proposal from Prism OHM to establish and execute contract pricing for one year, with two one-year options to renew, for an annual estimated cost of \$46,533.04.

3) **CHANGE ORDER FOR NEW JDF- FACILITY PROJECT SERVICES** **FUNDING SOURCE: CAPITAL IMPROVEMENT PROJECT**

And item three, a change order for the new juvenile detention facility for Facility Project Services. And the recommendation is to accept the change order with Coonrod and Associates for a net cost of \$103,971. Would be happy to answer any questions and I recommend approval of these items.”

Chairman Unruh said, “Commissioner Norton.”

Commissioner Norton said, “Maybe not a specific question but a general comment. It seems like we’re starting to get quite a few change orders for the juvenile detention center. Was that anticipated? Is there more of them coming? It just seems like we’ve had one or two every week for several weeks.”

Ms. Baker said, “I’ll defer that to the project manager.”

Mr. Jim Osterlund, Project Manager, Facility Project Services, greeted the Commissioners and said, “Yes, this is the fifth change order and they are coming at, it seems like, a faster pace. We are approximately 100 days from completion. A lot of these are . . . we’re seeing them now, as we’re getting closer to the completion of the project and to your question though, no I do not feel we’ll have another change order, other than one, probably a credit at the end, towards the end, but really anticipate this is all the changes that we feel like are going to be in that project.”

Chairman Unruh said, “Okay. Well Jim, we typically, in a project like this, we will budget for a certain amount of contingencies or change orders. This is really, with respect to the total project, this is really quite favorable.”

Ms. Osterlund said, “Yeah, typically on a new project we’ll put a 5% contingency into a project. On a remodel project we’ll typically put in a 10%, so at 2.7 we’re well under the anticipated amount, you know, on a new project.”

Chairman Unruh said, “Okay, thank you.”

Commissioner Norton said, “Well certainly I understood that but the public doesn’t always

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understand that you just keep . . . it almost seems like you just keep adding to the project, and we know, you know, how projects are managed but the general public just doesn't always understand that this isn't just added money and more things that we thought we wanted. It was kind of built into the project."

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

Commissioner Norton said, "Just wanted to be sure it was for public record. That's all I have."

Chairman Unruh said, "Okay. We have a question from Commissioner Sciortino."

Commissioner Sciortino said, "Well, just a comment, I think, that you could verify. Don't we always build in, like a 10% contingency and these change orders are just filling within that 10% contingency, aren't we?"

Mr. Osterlund said, "Yes, sir. Typically, on a new project it would be more like a 5% contingency, on a remodel typically 10%."

Commissioner Sciortino said, "And we're still within that 5% contingency, because it's hard to really predict, nail it right down to the penny, unless you can find a contractor that's willing to do that and willing to stand . . . so this is normal business practices that I think the public, like Tim indicated, needs to know that this is very common practice in the private sector too, when you undergo a large construction project, oftentimes a contractor doesn't know some variables that might take place. Occasionally, the person makes a change order on their request, which would change it. But these I think are mainly just falling within maybe some of the gray areas, when the project was bid, and I don't see anything, even though there was quite a few of them, I don't see anything real out of the ordinary and within that contingency window that we had already anticipated. But it's good that the public knows that we're not having a bid and then quietly just adding to it and then we're afraid to let them know what we were doing in the beginning. This is just normal business practice. Thank you."

Chairman Unruh said, "Okay thank you. Any other questions, commissioners? What's the will of the Board?"

MOTION

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

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, Iris. Next item please."

CONSENT AGENDA

N. CONSENT AGENDA.

- 1. Six Temporary Construction Easements for Sedgwick County Project – Huckleberry Addition.**
- 2. Utility Easement for Sedgwick County Project – Stone Post Farms.**
- 3. Notice of post annexation public hearing December 7, 2005 for property generally located at 21st Street North and Hoover Road.**
- 4. Third quarter 2005 compensation range reallocations.**
- 5. Order dated September 28, 2005 to correct tax roll for change of assessment.**
- 6. General Bills Check Register(s) for the week of September 28 – October 4, 2005.**

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

MOTION

Commissioner Norton moved to approve the consent agenda except item four.

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, “I think it’s time to talk about consent agenda item #4. Commissioner Sciortino.”

Commissioner Sciortino said, “Thank you. Jo, if you could come up and visit. I had occasion to talk with Jo about this and I just have some questions about this policy that we do, because I know we do this every quarter. Over the last few years, about how many requests do we get annually for review?”

Ms. Templin said, “When we ran some averages, the range reallocations, we get approximately 10 to 15 classification studies every quarter.”

Commissioner Sciortino said, “No, I mean annual . . . so you’re saying on an annual basis, about 60 is all we get?”

Ms. Templin said, “For classifications, that would be correct, for compensation studies that we do.”

Commissioner Sciortino said, “Well, I want to make I’m talking about . . . because this one was 104 requests, this one here.”

Ms. Templin said, “What you’re looking at, for the 90 that we’re recommending reallocations for,

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and the ones that were listed that were turned down, those were actual incumbents, that they're positions with people that could be filled by people, whether they're vacant or they're currently filled. The actual number of jobs classifications in that group is 21."

Commissioner Sciortino said, "No, I meant it says position reallocations."

Ms. Templin said, "Right, by position reallocations, we're meaning that they're individual positions or people."

Commissioner Sciortino said, "Positions either we budgeted for and didn't fill or people."

Ms. Templin said, "Correct."

Commissioner Sciortino said, "Okay, that's the one I wanted to know, about what percentage . . . what's the number of that on an annual basis of position reallocations?"

Ms. Templin said, "Okay, I'm prepared for 2005, when we look at people, could be close to anywhere from 100 to 150 . . ."

Commissioner Sciortino said, "For this year."

Ms. Templin said, "So far, for this year."

Commissioner Sciortino said, "Okay, and what percentage . . . now is that of the ones that we approved or the ones that are requested?"

Ms. Templin said, "That's for the requested."

Commissioner Sciortino said, "Okay, and what percentage of those get approved?"

Ms. Templin said, "Just for this quarter, I mean, we ran the numbers . . ."

Commissioner Sciortino said, "Okay, we had talked about that and I had hoped that you could give me . . ."

Ms. Templin said, "Well, I have information from this year. I can bring you data and we can talk about this process. I'm not prepared with . . ."

Commissioner Sciortino said, "Commissioners, here is the one thing that . . . there was 104

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applications for reallocation, 85% got approved and I was asking Jo is that about the percentage of approval rate and my one concern on this is that, since this is going on on a quarterly basis, the departments should be . . . if they know that this is something that they need, it should be part of their annual budgeting process, not as a supplemental, but if they feel that there needs to be a reallocation or what have you, that should be part of the budgeting process.

My suspicion is that people are learning how to work the system and instead of putting this in their budget, which means that the manager might ask them to cut someplace else, they wait and put it through one of the quarterly reallocations, so they can have their budget, plus and it's kind of massaging the system and I'm a little uncomfortable with it and it seems to me it would be better for us to . . . that this could be possibly addressed, as much as possible with some exceptions, in the budgeting process and if this is a person that needs to be reallocated, upwards or downwards, that that should be part of the budgeting process and it shouldn't be a supplemental, it should be something that should be done and I was talking to Jo about it and I was hoping I could get some kind of a spreadsheet over a period of years, how many that is, but I don't know that I'm against the policy but it seems like it's a way of working the system, getting around the budgeting process a little bit and I could be wrong in that."

Ms. Templin said, "And commissioner, if I could just preface, I was not aware of your frustration with this procedure. It's one that has been going on for quite a long time and so, providing you with that data is important and we will be doing so. If I could just add a little bit of my own commentary, I think that departments do make attempts to do all they can in a planned environment, through the budget process and you see some of that, when they're able to do that. As well, we work with them through the budget process.

The problem exists when you're trying to be responsive to the changing needs, the changing job duties, the additional projects, those types of things. In the budget process, there could be anywhere between a nine to even a twenty-month lag in getting those things approved, implemented through the budget process. This county or these environments that we work in, jobs change a lot within that year and so to be responsive to our customers out in the departments, we try to do a good job of doing compensation studies to address those needs. So we can talk about your desires for that process, but that's just a commentary on my part."

Commissioner Sciortino said, "I understand that, and I guess I would just . . . I'm not trying to micro-manage how we do . . . that's what we have Bill Buchanan for, so I'll just ask you, you're comfortable with this policy, you're comfortable with the procedure and the way it's working and you have no problems with the way we're working this."

Mr. Buchanan said, "Yes, but I'd like the opportunity to come show you, in a staff meeting over

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the next six weeks or so, the process that we go through, show you some numbers, show you what the budget figures have been and to make sure we're all comfortable with that, because if we're not all comfortable . . ."

Commissioner Sciortino said, "Yeah, I'm not going to vote against this, I just needed to get my hands around some of the policies, because I see oftentimes somebody will come and something that I perceive as crucial to the department is being shown as a supplemental and I never did understand, if you needed this desperately, why that wasn't factored into the budget, and not used as a supplemental. That was the only thing I was having concerns with. That's all I have, thank you."

Chairman Unruh said, "Mr. Manager, did you . . ."

Mr. Buchanan said, "No, I think it's a healthy and good process that we review what we do from time to . . . some things that we've taken for granted. And we always learn something and always can improve in the way that we're doing it."

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

Commissioner Winters said, "I guess I really don't have a comment. I guess I was just maybe . . . Commissioner Sciortino's last comments helped me understand, because I thought he was talking in opposition to what we did back on the correction workers a few moments ago, because that didn't work in the manner that you described. They have a system now that works and so, I mean, I don't even know why we need to talk about it or discuss it, because this system works with having Human Resources review these things on a quarterly basis. If we have to wait for the budget process, we just had demonstrated a few moments ago, that doesn't always work, so I think that would be my answer to that question."

Chairman Unruh said, "Commissioner Norton."

Commissioner Norton said, "Well just a comment. It seems like to me it's about eating the elephant all at one time. You only have limited number of personnel staff that can do all the analysis, so you kind of break it up throughout the year, so that you're really doing deep analysis, instead of saying, 'Okay, we're going to look at 2,000 people all at one time, at budget time, Jane would you go out and do that?' Jane has got to take it in bits and pieces and do really deep analysis along the way and make those recommendations."

I like what you're saying, Commissioner Sciortino, about putting it in the budget, because it doesn't sometimes make sense to not have it built in, but the truth is, I don't know that we can ramp up staff and give them the kind of time to make the analysis that we would demand as to whether it's the right decision, without taking it in smaller pieces throughout the year. Just a comment."

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Chairman Unruh said, "Okay, thank you. Any more questions or discussion? What's the will of the Board?"

MOTION

Commissioner Burtnett moved to approve item #4 of the consent agenda.

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, Jo. Okay commissioners, we're at the end of our scheduled agenda. There's no executive session and no fire district meeting. Are there any other items of interest that you would like to discuss at this time? Commissioner Norton."

O. OTHER

Commissioner Norton said, "Just one I wanted to give you a heads up, yesterday I had a development committee meeting with Exploration Place this morning. Before we got started, they had a finance committee meeting with Exploration Place and tomorrow I have the general board meeting, so we're starting to ramp up and try to figure out how to prudently and best use the county commitment for year '06 and how to raise monies and parley grants, foundation money and other things to offset it, so that maybe in the out-years some of Sedgwick County's money and commitment would not have to be used for Exploration Place because they will get on their feet and be able to do it in other manners, but I just wanted to give you a quick update on that."

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Chairman Unruh said, “Okay. Thank you for that, appreciate your engagement in that process. Seeing nothing else, commissioners we’re adjourned.”

P. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 11:51 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