

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

November 30, 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, November 30, 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 Burnett; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Chief Judge Richard Ballinger, 18th Judicial District Court; Sheriff Gary Steed; Mr. John Nath, Director, Kansas Coliseum; Mr. Brad Snapp, Director, Housing Department; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Ms. Jeannette Livingston, Contract Administrator, COMCARE; Ms. Cecile Gough, Operations Administrator, Department of Corrections; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Mr. Bill Gale, Election Commissioner; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

King David Davis, Wichita.

INVOCATION

The Invocation was led by Pastor Greg Brandvold of Cross of Glory Lutheran Church, Derby.

FLAG SALUTE

ROLL CALL

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

CITIZEN INQUIRY

A. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING “THE CHALLENGE TO INSPIRE.”

Chairman Unruh said, “Mr. Davis, you have the opportunity to speak for five minutes.”

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King David Davis, Wichita, greeted the Commissioners and said, "Once again, it's a great honor to stand in the presence of those who have been found worthy to sit in positions of highest honor, great wisdom and the noblest of character, along with the fire one must go through just to prove themselves worthy of the such. My name is King David Davis. I reach out to you today, with the hand of respect, due courtesy and the hope of new beginnings. I am, without a doubt, convinced Sedgwick County has easily within its grasp to become one of the great destination spots of our country. You see, we are a community with incredible resources, opportunity and wealth accumulating power at our fingertips, just a small sampling of some of our greatest assets.

One, the citizens themselves, their individuality, their talents, their creativity, along with the spirit of goodness, respect and honor. Two, the abundance of available resources, mediums to market and buildings to manufacture, promote or showcase. Three, our unique position in the world through location, political exposure and the new leadership opportunities. This is just the tip of the iceberg. Imagine the social, economic and political recovery possible now to bring serious growth back into our community for years to come and lets not forget the people that are buried in the woodwork, just waiting to step up to the plate and spread their wings. And to top it off, our rich history, the legacy of the people of Kansas, and the opportunity to capitalize on our national spotlight status, where we turn our negatives into pots of gold, along with our honor, our innocence and our faith in God as a foundation in all that we do.

Someone might ask if everything is really that good, then why isn't it happening? A question I believe we all instinctively know the answer to. Maybe the real question is what can we do about it. For starter, I have broken it down to a political leadership standard of arrogance, ignorance, indifference and greed and advances itself at the expense of the many, the weak and the innocent, a leadership standard that has made City Hall of Wichita cancerous and malignant and a threat to us all.

Instead of sustaining, maintaining and strengthening life, hope and opportunity, it now drains the life and hope out of the community, in order to maintain its own desperate existence, along with those who helped create the cancer, while helping it spread.

Now, I've had this patient under close observation for some time, and from a medical point of view, I've noticed there's a lot more healthy cells than first expected, which is good, now that the good cells are beginning to recognize the medicine as a good thing.

Unfortunately, the patient has some serious top-side tumors that seem to be giving the smaller

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cancer cells a false sense of confidence and life support. My present recommendation, don't get too close to the patient, remind them to take their medicine and every chance you get, give the good cells a lot of encouragement and let them know, we're not giving up until all the cancer is out of the body and a healthy antidote has replaced it.

In the meantime, we have citizens in our community that need to see political leadership doing what is right, showing respect for one another, being wise to the ways of those who would like to advance themselves at the expense of everyone else, another disease that makes us all very sick. Demonstrating our ability to rise above our differences, building on common ground, staying focused on what's important so we, as a community, can move forward together respectfully, bring healing to those who have suffered from the wounds of injustice through the power of respect, and restore honor and respectability back into local government, the number one cure for political cancer.

Once again, we have a great opportunity at our fingertips, an opportunity to have enemies, enemies who steal away our hopes and dreams every chance they get. You see, arrogance and greed will stop at nothing, and if we the good and honorable do nothing, then they who are the slave to their own weakness and desperation will continue on until all life and hope are gone.

And in our perceived moment of desperation, we become vulnerable to the worst of them all, including casino rats and those who promote them. Therefore, we the good and honorable in this community need to send them a message. If the best they can do to advance their undermining objective is by lying, cheating, stealing or killing when someone steps on their toes, then they need to pack their bags and move on down the road, because we're not going to advance our agenda at the expense of the little guy and average citizens no more.

What do you say we stand together, stand tall and together march into the new year with a clear mission, solid goals and a spirit of solidarity. Let's not just talk about it, let's do it. Let's dare to think bigger than we've ever thought before. Let's give the enemies of honor, truth and justice a run for their money they will never forget. Thank you."

Chairman Unruh said, "Thank you for being here. Appreciate the encouragement to think big and take action. Madam Clerk, call the next item."

NEW BUSINESS

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B. PRESENTATION OF CRIMINAL JUSTICE COMPREHENSIVE MASTER PLAN FOR SEDGWICK COUNTY.

POWERPOINT PRESENTATION

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “This morning, I’m here to present to you the criminal justice master plan for Sedgwick County. It’s a comprehensive master plan. About three years ago, Sheriff Steed brought to our attention the issue of overcrowding in the jail. We hired a consultant, ILPP, who gave us several recommendations about how to proceed with the criminal justice system, but perhaps the most important creation . . . recommendation was the creation of the CJCC or Criminal Justice Coordinating Council and I will refer to the CJCC several times during the presentation.

That coordinating council is chaired by Chief Judge Richard Ballinger and this plan is a product of their effort. I’ll walk through the plan booklet, you have in front of you a booklet and the PowerPoint, and the PowerPoint is taken right from the booklet, but I’ll walk you through the booklet, and the PowerPoint again highlights some of the charts and graphs and some of the ideas.

This is a difficult and cumbersome problem. We have been struggling with this issue and you have been for the last two and a half years. There is no easy solution and whatever the solutions are will have long-term consequences for this community. That’s why this process has to do long and deliberate and thoughtful. This plan is my recommendation, supported by the CJCC and the concepts have been supported by the public, to some extent, and I will talk to you about that in a moment.

So let me walk through the plan booklet, if you will. The bottom of the page, bottom right-hand page there are page numbers and beginning on page one, we talk a little about the history of the jails in Sedgwick County. 1874 was the first jail, 49 years later, in 1923, the Munger Building Jail was built, 35 years after that, this courthouse was constructed and there were provided for 135 inmates, that was 35 years after the Munger Jail, and then we started seeing overcrowding problems, and again, 32 years later, in 1990, the new jail was built, after a series of lawsuits and after the completion of 102 bed work release facility, opened by the Sheriff in 1987.

So it’s been an average of 49-35-32 years, then we go from 1990 to build a new jail, and 2000 an addition from 418 beds to 1,060 beds in a ten-year period, and we’re finding ourselves five years after that construction, five years now after that construction, overcrowded and needing more space.

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The problem is that the beginning jails was considered a long-term solution. That the long-term solution in the past, and at the current rate, building jails will be a short-term solution, unless we do something differently.

So what can be done to create a long-term public safety strategy for the Sedgwick County community? Well, what's affecting the jail is the incarceration rates and we'll talk a little bit about that. You can see on page two, on the chart and on the screen, the national and Sedgwick County jail incarceration rates. In 1990, the national population, average daily population for the nation was 405,000. That's a rate of 163 people in jail for every 100,000 population. For every 100,000 people in your community, you're going to have 163 people in jail, nationwide. For Sedgwick County in 1990 it was 115, way less than the national average.

In 1995, you can see the national average was 190 folks in jail for every 100,000 population. In Sedgwick County, still less, 162 but growing at a much faster rate than the national average. The national average grew in 1990 to 95, 18%. Sedgwick County grew 40%.

In 2000, we surpassed the national average from the national rate was 220 per 100,000 and we were at 243 and you can see the rate of growth and that we are higher than the average national daily population.

Now the reason for this . . . let me just say, that while in 1990 to 2000, while the national average increased 34, almost 35%, we increased 111%. Some of the factors which play into the incarceration rates increase locally, some of those are in our control and some of them are not: the percentage of less arrests leading to court processing, the growth in percentage of court cases involving incarceration, growth in the average daily stay, driving under the influence law changes, domestic violence law changes, laws restricting implementations of sentencing guidelines, laws restricting referrals to prison of drug offenders, sometimes under certain circumstances they need to stay in the local jails, rather than go to the state, laws changing the period of parole out of jail, parolees coming to Sedgwick County and we're starting to address that problem, and as reported by both ILPP and WSU study, that local government practices that do nothing to help our overcrowding situation.

On page three, you'll see that the Sedgwick County jail trends projections, the total bed space and work release. You'll see that in '58 and '60 and '63 and '68 they . . . was slowly increasing. In '66 I think it is, the lawsuit for jail overcrowding occurred and the next year we, under the leadership of the Sheriff and the Board of County Commissioners, the opening of the work release center

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occurred and then you can see the rates increase to 2000 and the projected rates of 2010 and 2020.

2010 rates, if we do nothing, we will be 600 beds shorts by the year 2010, which is five years from today. The Sheriff and the Sheriff's Department has been affective in utilizing a lot of options to help alleviate jail overcrowding. The work release, the expansion of the work release was his recommendation from 102 beds to 145, it helped a great deal. Double bunking and the use of out of county beds have all been utilized to try to stabilize the in-county population, but we are running out of creative options and that's why this report.

Again, another chart to show, the jail average daily population just continues to climb, and we cannot continue a policy of allowing this to occur. Otherwise, we will be trapped in the policy of building more beds, renting space, being overcrowded, building more beds, renting space, being overcrowded, building more beds, renting space and it will continue. The fiscal ramifications of that are staggering. Sedgwick County detention expenditures, you can see continue to climb with the population and that just makes sense, of course they should. In 1998, we were just around 10,000,000 and in 2004 we're just over 20,000,000, double the cost in a very short period of time.

If we continue with that trend, the cost of jail in this community would be significant, would be 35% of our budget . . . or 30% of the entire Sedgwick County budget by 2025. Currently, for our total budget, it is 6.7%, so you can see that the significance, if we take . . . if we don't get our hands around this issue and start solving the incarceration rate, that we will be in a circumstance that will not be particularly pleasant for future leaders of this community.

So what can be done to create a long-term public safety strategy for our Sedgwick County community? Well the vision of the CJCC has been, as a community, we are committed to promote public safety, address the root causes of criminal behavior and create a better community and the Criminal Justice Coordinating Council's mission is in front of you, is that to provide the community with a comprehensive continuum of custodial care and a community-based correction program, treatment and supervision, as well as to develop proactive and innovative criminal justice practices, policies and processes through affective multi-system local and state partnerships and that's on page 6 of your book.

So what has been accomplished so far? Well, in the last several years, we've paid, since the study was done in 2003, we've done a number of activities, including a very innovative program by the judge of electronic journal entries, which creates a no . . . when utilized, creates a system where there is no time between what occurs when the journal entry is signed and the processing of paper to the state system. The Sheriff has expanded the work release facilities. The additional resources

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were funded to improve the sheriff's inmate classification system upon his recommendation. Sedgwick County funded 45 beds in the Adult Residential Facility. The additional staff were funded to extend pre-trial supervision services to the Wichita Municipal Court. The district and municipal courts reviewed and adjusted their bond schedules, re-balancing offenses with required surety to appear. Sedgwick County Commissioners funded an increase in the District Attorney's Adult Detention program and the Sheriff implemented double-bunking in the jail.

You can see, on page 7, those members of the Criminal Justice Coordinating Council and the non-voting members. The CJCC has several work groups. They include the alternatives committee, which examined many of the programs that we could try to implement with a large number of inmates that suffer from mental health problems or addictions. There's a technology committee to examine the technologies and to understand how the flow of information affects the system and how we can improve that flow. Facilities, to look at what kinds of facilities they are. Release matrix, this is to review . . . to implement a . . . or try to implement a system whereby inmates are released from the judicial system when they fit certain criteria, policy and process, and committee, so the subcommittees are working very hard at trying to find solutions to this problem.

Part of the process for the CJCC was to get community input for community solutions, this is on page 9 in your booklet. As part of developing strategies for the community, we engaged the public, engaged the public in discussions about criminal justice system and their ideas for improvements. We used focus groups for the 18th District Judges, the Wichita Municipal Court judges, we talked to just citizens, we talked to attorneys and talked to them about this criminal justice system and they came . . . the self-help network helped us do that, and they came up with two-three overriding principles. One is the expansion of innovative programs and services, both community-based and detention-based to adequately provide for continuum of offenses and situations.

Now we shouldn't be surprised that citizens understood, understood the concepts of graduated sanctions. It just makes sense to citizens to know that for a first-time offense or for a low offense that's not a felony, that there may be alternatives, other than jail, that could straighten that persons life around and give them an opportunity to succeed, and so they understood that, without understanding the details or nuances about how to develop those programs.

The citizens and attorneys and judges wanted law enforcement visibility and community involvement in education, and they talked about that and you can read that, and the investment of ideas by supporting a tax increase. Citizens understood, and I don't want to overemphasize this, but citizens understood, for new programs and new activities, it will cost more money. There is a connection between providing services and the costs. They didn't want to pay for new taxes, they don't like new taxes but understood clearly, if that was the only alternative, then that needed to be

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done.

The CJCC recommendations then are to expand the current adult facility and to implement alternative programs to more affectively deal with offenders. The next several pages and the next several slides that you'll see have some cost estimates and I want to caution us that these are estimates. They are not refined, they are our best estimates at this time, but there is more work that needs to be done. So, for the expansion of the adult detention facilities, the recommendation is to increase the capacity by providing an additional 384 beds. That's what will fit on the north side of the jail site now and all beds would be direct beds. This comes from a recommendation of a couple of studies that were done, including some architects and from people that do jail planning from Kansas State University."

Commissioner Sciortino said, "Bill, would you explain to the public 'direct beds', just if you could?"

Mr. Buchanan said, "I sure can. If you go back to page 1, there are currently three types of housing in Sedgwick County. The first is indirect housing and that has the detention staff has limited direct contact, they're in a booth, they can look at stuff, there's limited direct contact, and each inmate has an individual cell. The dormitories, there are no individual cells and detention staff has direct contact with them. What we've proposed, what we're recommending is direct housing, and that is detention staff has constant direct contact, they're in amongst the population with the inmates, but each inmate has an individual cell. Now the reason we're recommending that, that gives us the greatest flexibility in dealing with inmates and provides us opportunities to change systems if we need to.

This recommendation includes construction of \$48,000,000. That's about a 1 mill in taxes to service the debt and annual operating about 7.3, and that's about 2 mills of operating. That's assuming those tax increases would happen as soon as possible. The alternative programs for jail population, we've talked a lot about those. They include the day reporting, mental health and you can read the list and I will get into those details in a moment. The alternative program costs are 4.3 million about the first year. If we were to implement them all, a total of 7,000,000, or 2.7 mills to implement them all in 2007.

Let's just spend a little time walking through those program ideas that you've seen before. First of all, the day reporting. The program goals are to improve rates of compliance with conditions of supervision, both municipal and district court offenders, reduce recidivism, and we're going to talk a lot about recidivism a lot, because once you correct the . . . part of the problem in the criminal justice system and part of the problem with our increased rate of incarceration is that we're seeing the same people over and over again, so we're not being very affective in creating success in their lives. If we can provide ideas, concepts, programs that work in other communities that are known

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to work elsewhere and if we can reduce that recidivism, then we also affect, short and long-term, the average daily population.

So the average daily population in 2006 could be reduced by 200. We think it could be increased, but it would cost more, but I think 200 is a good number to start with to see how affective it is, and long-term, by 2010, it could affect up to 350. The program costs about 1.6 in the first year, and the second year, at the same 200 level number, 1.7 million.

Mental health diversion, reduce the number of low-risk mentally ill suspects booked into jail, improve access to health screenings, reduce recidivism amongst mentally ill and we think that's the biggest affect could be here, short term, 40 screenings a week, resulting in ten reductions. If people stay on the program because of recidivism, for 2010, in five years, that could mean as much as 100 beds. 2006 cost is 1.2 mills.

Mental health court, again it's a way in which to involve those who are mentally ill, and national average is about 16% of our population in the jail are mental illness. That's the national average. We assume we're close to that. The impact would be 33 beds in the short-term. Long terms could be 100 in 2010 and \$700,000 the first year and 1.2.

Drug court again would deal with people who have issues about drugs and put people in programs. There are four drug courts in Kansas currently. Wyandotte Juvenile Drug Court, Shawnee County, Saline and City of Wichita and they seem to be relatively affective, and again the cost is \$830,000 or \$1,000,000 in the next year and reduce the short-term population by 82 folks. Pre-trial service expansion, we've done this, we've already put this into the budget and we're in the process of implementing it, and \$80,000 will be absorbed in the current budget.

Work center is a longer term solution but again it provides alternatives to work release and alternatives to the jail, will provide offenders with learned life skills, will learn those skills through in-custody competence . . . provide an alternative to jail, while serving a mandatory sentence, and we could reduce the population by 100.

There's some other issues, court case flow, which is an examination of how the process is done and technology improvements, to exchange ideas, all of which will be assigned to certain staff and again, these are an important part of the process, cost are undetermined at this time, and then we have the release matrix for the Sheriff's Department that the judges continue to work on and we're going to try to receive some agreement as to how that might be handled.

So the long term approach, where the CJCC members, each member was asked to consider their top ten must-haves. Sitting on the committee for two years or more, we became familiar with each

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other and for some of us who are not in the criminal justice system have learned a lot about that process, but we asked ourselves, if we got it right, what would it look like. If you got the system right, what kind of . . . how would the system look and we believe that there are these five points or six points: that the adequate jail extension, that adequate jail and detention space exists, that adequate alternatives to confinement options, non-detention options, what they might be, the local control over multi-system practices, policies and process, local/ state cooperation around the practices, policies and processes. That's going to take some work with the sentence, a proactive system, sustaining practices again, how do we set up practices that are in place to assist in overcrowding and so that we don't have to face building jails again and there are ways in which to do it. It's going to take long, hard work and a lot of cooperation between local governments, this government and the state government and then long terms strategies, including booking and housing fees.

Now the booking and housing fees, booking fees are collected from individuals and courts, and housing fees are collected from communities who use the system. The housing fee shifts the burden to those communities who utilize the system the most. They help pay for the financial burden of the jail. It also provides a motive to refine practices. If you are paying for jail space, then you soon learn to set up systems and practices to keep that number as low as possible, to make sure that those people that we're afraid of are in jail and those people that we're angry with are dealt with in a way that may not include jail.

So the recommendations are as follows: this master plan I don't believe is either/ or. It really is a process of both. It's not a quick fix. It's a thoughtful approach to dealing with recidivism, root problems for offender behavior and providing appropriate housing for offenders. Phase one is design and expansion of the Sedgwick County Jail. That process can begin very quickly. I also will be back to you with implementations of alternatives and provide additional details, if you so chose, very shortly on at least one or two of the programs. The programs that you've seen here, though all could be affective, I wonder about the capacity of this organization to implement all those at once and be affective, and I guess I'd rather go slow and get it right, than to rush into it.

The public . . . the CJCC recommendations were to design and expand the Sedgwick County Jail by 384 beds and start the alternative programs. The public recommendation was to expand the innovative programs and services and you can see the manager's recommendation is a three-phase approach to begin immediately.

Now these programs will require continued monitoring for effectiveness and the continuation of the CJCC. And yes, the numbers and cost are very high and expensive and makes ones heart almost stop, so how would we pay for it? Well, it seems to me that there are three alternatives and maybe not mutually exclusive, and I would suggest to you that probably all three will be needed for us to

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proceed for full implementation. Sedgwick County needs to reprioritize our county expenditures, what services can we stop providing, what services can be cut, what are our priorities and what is it we need to be doing differently to provide the funds to implement this plan. To implement housing fees that will cause consternation in this community, shift the burden to those communities that use the system, but it also provides the motivation in which to correct the practices that will help us keep population small, and finally a tax increase, if necessary and I believe this plan will require a tax increase sooner, rather than later. Be happy to answer any questions that you may have, but I think Judge Ballinger would like a few moments.”

Chief Judge Richard Ballinger, Chair, Criminal Justice Coordinating Council, greeted the Commissioners and said, “I just simply want to incorporate my remarks I’ve made to you all the last two or three times that I’ve been in front of you with this business. The insight shown by this commission is unprecedented, period. This community is very fortunate to have you here. You have learned from the experiences of the commissions that have come before you.

There are several of us who have lived through the expansions of the jails. Judge Owens has had the unique position of being involved in the decision making process, the design, both as the Chief Prosecutor, the District Attorney, current Assignment Judge, Trial Judge and practitioner. He has brought those experiences to this committee, as have all the other experts, and it is clear that the stats that we now see from Dr. Craig-Moreland just consistently prove what you all had thought and I am assuming is part of the reasons why you created the CJCC is that one plain fact stares at us all. What has been done in the past is not working.

The fact that if we build a 384-bed jail now, as we have done in the past, and it is completed, it’s already too small. It’s like a vacuum, you build it, we’ll fill it. It’s that simple. There is no jail that is large enough, that will indefinitely take care of the problem that exists in Sedgwick County, not by you alls making, not by the Sheriff’s making. The Sheriff has done an incredible job with what he has had. His plea for help simple again exemplified and is a perfect example of what we’ve done is not going to work. We keep building him jails. He does not control who goes into the jails. He does not control when they leave, period. We do that and we expect him to take care of the problem, without very little control.

These alternative programs allow both the people who put these inmates in jail some options that

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we currently do not have, it allows the Sheriff some options, besides just maximum security and quite frankly, there is that unknown advantage, and that is when you take someone who has lived 25-30 years as a drug addicted individual, with priorities different than the rest of the communities, we have so far expected them to change that behavior with five or six meetings in three months, or sometimes 30 days of treatment. It's statistically proven, that does not happen. If this program here, or programs work anywhere near as efficient as the programs throughout the United States and in Kansas currently, the long term affect, which is not statistically shown here with any definite fashion but close, there will be fewer people in our system, long-term, not just an immediate help, but long-term and I'm not even addressing the moral issues of better life, being productive members of society, because quite frankly, those are issues we hope always will result in incarceration, but realistically they don't.

So, on behalf of the CJCC, we submit the recommendations and this report to you all and assure you that we will continue working, in whatever capacity you chose, and we're in. As members of this community, this is not just your problem, it is our problem too. You are the ones that have to decide what the solution is, and we will support you of course in whatever decision you make, but we want to make sure that we provide you with both the history, because history sometimes is a greater teacher than today. We want to provide you with as much resources as possible, and if you need anything else, please let us know and we will hustle it up for you. Any questions?"

Commissioner Sciortino said, "I have one."

Chairman Unruh said, "Okay. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. Judge, are you comfortable, I know the CJCC outlined that we should have phase one, two and three and book it and get a timeline. Excuse me . . . yeah, that that's your master plan, or you're comfortable with the way the manager has . . . how he wants to start this by just, right now just doing phase one and then determining when we would implement phase two and three? Are you comfortable with that?"

Judge Ballinger said, "The CJCC committee actually addressed those issues and this is consistent with what the committee has chosen, how the manager has presented it to you all, so to answer your question, yes.

Individually, we may change that around a little bit, but bottom line is, this is pretty much identical to what the committee has recommended."

Commissioner Sciortino said, "Okay, thank you."

Judge Ballinger said, "Does that answer your question?"

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Commissioner Sciortino said, "Yes sir."

Chairman Unruh said, "Well Judge, I don't see anyone else asking to speak just now, but as we continue our discussion, you will stay nearby, in case we do have a question."

Judge Ballinger said, "Absolutely."

Chairman Unruh said, "Our lights aren't working. Commissioner Norton."

Commissioner Norton said, "Well this isn't about jails, but I just want to compliment the judge on being here today and really joining in this collaborative effort. It wasn't so long ago that we were more in an adversarial relationship, trying to solve some of these issues, than we were in a collaborative relationship and I really think that we've come to that apex where everybody understands this problem at a very deep level and we know we've got to all be on the same page. However we get there it's going to be hard and this is not an easy issue. It's a very complicated issue, but I wanted to compliment Judge Ballinger for helping lead the effort and building a collaborative effort within the courthouse, because this is an extremely important issue for our community. The Sheriff knows that, the Judge knows that, I'm sure the D.A. knows that and certainly five county commissioners know it.

But we're not going to solve it if we've got people that aren't at the table, aren't willing to put their best intellectual capital on the line to help us solve it and I wanted to applaud you for being a part of that. That's all I had."

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

Judge Ballinger said, "Could I just respond to Commissioner Norton's . . . gracious, I appreciate that. I want to remind you that I am merely a representative of the majority of these judges in this district and they . . . I am not speaking individually. They have committed themselves to this, so I will take your words and share them with the judges, because truly they're the workers and they're the ones who are . . . like I said, the vast majority of these judges are committed to this very problem and will utilize the resources that this commission provides them, so thank you very much."

Chairman Unruh said, "Thank you, Judge. I noticed the Sheriff is here, and moved closer to the podium. Sheriff, would you like to make a comment about this report?"

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Sheriff Gary Steed said, "Well, I would. I appreciate the opportunity to speak to the commission today. I can't tell you how pleased I am to see the progress and see that we're moving in a positive direction in making some progress. It's almost like Christmas to me to see that a possible decision might be made today by the Commission in approving this master plan. I support the master plan. The master plan provides for alternative programs. It provides for an expansion of our existing detention facility, and it also provides a continued review of our criminal justice system by the Criminal Justice Coordinating Council and I think that's extremely important.

All of these prongs, all of these parts of this master plan provide . . . are important to providing a long-term community strategy to deal with the rising inmate population. It's this comprehensive strategy, with a focus on reducing recidivism that will reduce but not eliminate the need for future expansion. It's a strategy that will serve our community extremely well, and I want to join the CJCC and I want to join the Manager in recommending this master plan as a master plan for our community and while I'm here, I want to thank Judge Ballinger for the nice comments that he made just a few moments ago and I too would be happy to answer questions."

Chairman Unruh said, "All right, thank you Sheriff. Commissioners, anyone have a question directly for the Sheriff at this time? Commissioner Sciortino."

Commissioner Sciortino said, "Sheriff, as you know, we have . . . I think I can speak for all of us, we have tried to be really attentive to your needs and I'll just ask you the same question that I asked Judge Ballinger. Are you comfortable with the recommendation that the county manager has made and the timelines that he's laid out?"

Sheriff Steed said, "I'm pretty pleased with the timelines. I agree with the manager that we need to walk, we need to move a little bit slowly in implementing some of these programs. We don't necessarily need to jump right into them and certainly the time frame with the detention facility has always been one of the pressing elements of all of this master plan, the fact that if we were to start today, it would be almost three years. It would be 2009 before we have those beds available, so certainly that is something that we need to get on the table right away."

Commissioner Sciortino said, "And you're comfortable with the timeline, with respect to the expansion of the jail? I understand what you said about the programs, but you're comfortable with

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his recommendations on the timeline for the expansions of the beds in your facility.”

Sheriff Steed said, “Yes.”

Commissioner Sciortino said, “Thank you, that’s all I have.”

Chairman Unruh said, “All right, thank you. Thank you, Sheriff. Mr. Manager, could I ask just a question of clarification?”

Mr. Buchanan said, “Sure.”

Chairman Unruh said, “Approval of your recommendation, can you tell me exactly what does that mean? We are not approving . . .”

Commissioner Sciortino said, “Yes we are.”

Chairman Unruh said, “Yeah, just tell me what we’re approving.”

Mr. Buchanan said, “It’s my request of you and my recommendation that you approve this plan. Upon approval, we will place an RFP, a request for proposal for architects on the street within a matter of days. I will bring you back an implementation schedule for programs that may be phased in, that will be phased in and we’ll probably bring you back an item about a day reporting center that we could affect the population immediately . . . not immediately, but very soon and start seeing how that works. We need to work on some of those details of cost. Now the ramifications, before you approve that, we need to understand that the architectural fees are going to be several million dollars and that those several million dollars can be recouped in a bond issue when we’ve built that expansion.

If that expansion does not occur, for whatever reason, immediately, then you can’t use the architectural fees in the bond issue. It has to be connected by a short period of time, a year or so, between the time the fees and you start construction. It’s just the way the state law is. So the implications are that we are investing several million dollars, are probably going to invest several million dollars, there’s nothing . . . once we put the RFP on the street, request for proposal, does not mean that you can’t stop the process when you receive the bids from the architects, but know that we’re starting down a road of expenditure. The RFP will provide us the tools to build the addition to the jail and the addition to the jail will cost \$47,000,000- \$48,000,000 to build and several million, \$7,000,000 to operate on an annual basis. Those decisions are all part of the plan.

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Then if we were to implement all of the programs, and again, each program will be brought back to you after they're refined. There are some redundancies in the program. We know that some people who are going to be in the mental health court will probably be in mental health diversion, will probably . . . might be in the day reporting. We don't have a good enough feel for that, I don't have a good enough feel for that yet. We know these programs work. We know that those programs have been, if they're implemented, will if they work like they work everywhere else, will cause us not to have to build that next addition, after this current one, as rapidly as we would."

Chairman Unruh said, "All right, thank you. So this is more than an approval of a concept. This is approval of a plan that sets you in motion to accomplish these things, but at each point, we would have an opportunity to evaluate, as you bring the individual items back to us."

Mr. Buchanan said, "Yes, Mr. Chairman. The other point that you need to understand, by approving the plan, we are going to . . . by approving this plan, we are going to spend staff resources and time on this priority and readjusting people's lives to make sure this stuff gets accomplished. Each program will be brought back to you individually, and as we work through the budget for 2007, which will begin at the first of the year, as we work through those details, these items will be included in those budgets, and so the adoption of that budget will be a major decision point."

Chairman Unruh said, "All right, and as we move through this, if everything goes as the plan implies, you had financial costs associated with it and mill levy ramifications. I didn't total those up. Is there . . . do you know?"

Commissioner Sciortino said, "I've got it."

Chairman Unruh said, "Well then, would you like to . . . do you know those numbers?"

Mr. Buchanan said, "Well Ben knows it."

Commissioner Sciortino said, "I've got it."

Mr. Buchanan said, "5.7."

Commissioner Sciortino said, "5.72, if you want to be exact about it."

Mr. Buchanan said, "Again, these are estimates."

Chairman Unruh said, "All right, but that means that we're willing, approving this, we're giving

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initial approval to invest or dedicate that mill levy number to these programs. Does not necessarily mean that that's automatic we're approving a mill levy increase."

Mr. Buchanan said, "That's correct. That's saying 'Here's how much money we are going to allocate for this process' and part of staff's job will be to come back to you and say how do we get that money to implement the program? Is it a reduction of some of the things we're doing right now? Is it a housing fee that will affect other communities in this county, is it a tax increase?"

Chairman Unruh said, "All right. I think that's all I have for right now. Commissioner Sciortino, I think you had your request on first."

Commissioner Sciortino said, "Thank you. That's what I wanted to expand, so that we don't confuse the public. If I heard you right, we're going to start with the design of the jail, but then I heard you say we may not have to build it, or are we committing to build the 384 beds, regardless of what we do with the programs?"

Mr. Buchanan said, "I didn't say we wouldn't have to build them. I said there's always opportunity . . . stuff always happens that during any kind of project, that you may stop the project at any time. Just because you're designing the facility, doesn't mean you're going to . . . it implies that you're going to construct, but it doesn't lock you into construction."

Commissioner Sciortino said, "No, we can always stop construction, but I think reality here is that we probably will build it, so my question to you is, construction is \$48,000,000. That's one mill. Assuming that we build it, it's going to cost us 7.3 million to operation it, that's another two mill, should we now start planning that we're going to have to do something, either reducing programs that we presently have or finding additional revenue to offset it, to start letting the public know, when in reality would we have to be faced with the decision of increasing the tax rate three mill?"

Mr. Buchanan said, "I think the three mills is not addressing the problem, commissioner, because by just talking about the design and construction, without talking about the other programs . . ."

Commissioner Sciortino said, "No, no, no, no. Don't get me wrong. I'm just saying that I understand that and I'm supporting trying to implement all of the programming too, and that's where we get to the 5.72 but there wasn't . . . I guess, right now, exactly which programs should be implemented when and that, but the one known is that if we're going to design and build the jail, that's going to be a given, and that's three mills. When should we start being . . . or preparing the public for the eventuality of a three mill levy increase in taxes?"

Mr. Buchanan said, "In the year 2007."

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Commissioner Sciortino said, “Okay. I’m just trying . . . I don’t know how the press is going to treat it. I just want to make sure that what we’re talking about is that there’s going to be a mill levy increase probably of some amount. If we just focus on the jail expansion element, that’s three mill, but I really think we should start really talking about implementing . . . because I’m buying off on these programs, as a way to reduce recidivism, because I do agree with the judge that if we don’t . . . if we keep doing the same thing, we can’t expect different results. We’re going to get the same results, which is just an escalation of the needs for beds. I don’t necessarily believe that it’s going to be a reducing of the needs of doing something for these people. I think we’re going to have continued increase of people that need to be handled in some way, but we’re figuring that maybe handling this new way is better than just throwing them in jail, and there’s a cost associated with that, and hopefully the cost associated with that is less than the cost of throwing them in jail, which I believe there is a chance that there will be.

So anyway, that’s what I wanted to try to get across, that probably in 2007, we’re going to have to be looking at a mill levy increase a minimum of which would be three for the jail, but in all reality, it’s going to be probably closer to six, if we implement all of the programs.

And . . . or somewhere in there, because I do like the idea of making the communities that put people in jail more accountable for it, is a way of reducing it, and I have every confidence that you and your staff can figure out some existing programs that we’re doing that maybe, like Mr. Chronis says, reprioritize and we can reduce some of the funding of other programs to offset this dire need that we have in public safety, so thank you.”

Chairman Unruh said, “Thank you. Did you have a response to that, Mr. Manager?”

Mr. Buchanan said, “No, sir.”

Chairman Unruh said, “Thank you. Commissioner Norton.”

Commissioner Norton said, “Well I think we’re through with the philosophical and intellectual debate that we’ve gone through. I mean, the elephant is in the room and we’re going to have to deal with it. The community needs to know that. I mean, a lot of this has been done, not in secret, but certainly in small meetings and groups and we’ve talked about it, we’ve analyzed it, but I think the truth is, we will build more beds. That’s part of it. We will institute programs. That’s part of it, and it will require a mill levy increase. Now we hope that we offset that with good money management at other places, but we know, and we often say it, I think Commissioner Sciortino says it, there’s unlimited need and limited resources. All public entities are faced with that and we’re going to have to balance it out, but the truth is, the elephant in the room is that we have a problem,

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it has to do with the criminal element and incarceration and we owe it to our community to solve it, even if it has a price tag.

When we talk about the mill levy increase, we've already seen projections of how we're going to implement that and how it might affect the community, is it a layered approach, do you do a little each for five years to build up to the time when you have to bond it, or do you do it all in one fell swoop and swallow hard one year? Certainly that has public implications, it has pocketbook implications and it has political implications for elected officials, tough, tough decisions to have to make for our community, no way to dodge it. We will have to step up and make that decision.

The architectural reimbursement is pretty easy. We can move ahead on that. Once you bond it and build it, you just roll that into the whole thing. We do that on a lot of projects, so I'm certainly not worried about that. You get into the operational end of it though, which is the really costly end, building it is a lot less costly than operating it every year. That's pure, extra money that we'll have to give to the Sheriff out of the general fund, to run the jail for those extra incarcerated people. There's no good way to bond that. In fact, I don't think legally you can, so you just have to step up and ask the people of the community to help pay for that. It's a tough, bitter pill to swallow, because people of good nature and good morality and that don't enter into criminal activity just don't understand why they have to pay to put people . . . keep them incarcerated at the level that we think we have to for civil rights and what the law requires us to do. I mean, it's pretty tough, so that operational increase, pure increase, it's going to be mill levy. The quicker we can start communicating that to the public . . . I don't think it will be an easy pill to swallow, but at least they know that the medicine is out there, and that they're going to have to take it as a community.

All the programs that we talked about, same thing, you don't bond those, that's pure increase and as we layer those in, and we've got this recommendation, it's going to cost money. Mental health courts, drug courts, day reporting centers, some of these other programs, they don't exist today and the only way they will exist is by having personnel and facilities to make them happen, and that's going to come at a price tag.

Hopefully, there will be some savings along the way, where we can eliminate some programs that are similar and fold them in. I think the Sheriff has exhibited that he'll help do that in any way he can. I think there's some legislative answers, hopefully, that as we move forward and see . . . take these bold steps, that we can send a message to our legislators that some of the things that legislate how you deal with the criminal element and incarceration should change a little bit to offer us other options, but the truth is, that hasn't happened and we still have to deal with our issues.

Finally, the final two things I'd like to make a point on is on all the programs, we need to make sure that we have measurability. There has to be evidence-based outcomes that, as we go along the way and ask the public to spend their hard-earned money to help fix other people's lives, that we are

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truly fixing other people's lives. Or then the idea is just to go back to incarcerating them and take the easy way out. This is the hard way, trying to help people get through the problem they have, whether it's mental health or drug or persistent criminal problems is not going to be easy for our community and will come at a price tag, but we as public officials need to make sure that there are measurable results that we can, every year or semi-annually tell the public that it's working or we're going to be throwing money into a black hole for no good reason.

Finally, is public communication, I don't think we can stop every day talking about this particular issue, because it is huge. I mean, when we talk about some of the other big issues, like the arena which was money involved, it's a big issue. Over the course of a few years, this is going to add up to more money than the arena ever thought that it would, so it really adds up really quickly when you start talking \$7,000,000 for bonds and \$6,000,000 for programs and you add that up over the course of 20 years, that's the same amount of money as an arena costs and I think that's a huge impact on our community and we need to be talking about it.

The public needs to know all these numbers, what the affect is going to be, so they can start planning the economics of their lives around what we're going to have to do. Is it a huge effect on the community? I think there's a lot of people that believe it is. Any tax increase has a huge affect on the community and the more we can talk about it and put it out to the public, the better I think the public will understand what we're trying to do and the implications for us to make these tough decisions will be much easier. That's all I have, Mr. Chair."

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

Commissioner Burtnett said, "Well I just have a comment and then a question and the first comment is, I've sat on the CJCC meetings and I am just very pleased to have this recommendation and to see that the CJCC agrees with your recommendation and that the public recommendations are all together on this, because I know there's been a lot of dialogue and it has been sifted through, all the information has been sifted through a lot.

My question to the Manager would be can you tell me what the dollar impact of a mill increase is on a \$100,000 home, whatever, however that works, approximately?"

Commissioner Norton said, "Eleven dollars."

Commissioner Burtnett said, "So one mill increase is an \$11 increase."

Commissioner Norton said, "11.5, it's assessed at 11.5%, you get a mill for each \$1,000, so it's 11.5 thousand, so it's 11.5 dollars."

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Mr. Buchanan said, "\$11.50."

Commissioner Burnett said, "Thank you. I think that gives people kind of an idea of what we're talking about, not a lot of money. I mean, that's one mill and I know we're looking at possible five or six, 5.72, that's almost six. Well, that's all I had. I just wanted to kind of see what that impact would be on a household."

Chairman Unruh said, "All right, thank you commissioner. Well, I'd like to take an opportunity to make a comment. I think when we reflect a little bit on the unfavorable comparison we have in the rate of incarceration with other communities in the nation, it appears to me that either we might have a whole lot more crime, which I doubt, it could mean that we just do a whole lot better job of apprehending, arrest and conviction of these individuals, which is a possibility and I think we do have great law enforcement, but probably the biggest item that compares us unfavorably is that we don't have all the programs that many of the other communities have and other folks are . . . this is not breaking new ground. These are programs that other communities have used quite successfully in order to do a better job of just administering this whole area of public safety and community corrections, and I think that we're going to have to take this step, if we want to do what is the best practices around our country."

The Manager indicated that . . . well, he didn't really indicate . . . you didn't give us a choice of doing nothing. You just said continuing what we're doing now, we're going to have 30% of our budget, I believe is the number you said, committed to jail space in the future and so we're going to be investing money in this particular issue, one way or another, so the question is what is the best, smartest, modern, intelligent way to deal with it and that would be to not only provide jail space for those individuals that are really a threat to our community, but also to provide programs for those individuals that we can deal with in a different manner. So, this two-prong approach I think is the right way to approach the problem that if we don't take control of it, we're going to find ourselves spending the same money and fewer alternatives, so I'm going to be supportive of it.

So I also want to make a comment that I'm really proud of the composition and the effort that the Criminal Justice Coordinating Council is composed of and what they've gone through these last several months. Commissioner Norton uses the phrase creative thinking and intellectual capacity a lot and I believe that those are adequate descriptions of the members of the Criminal Justice Coordinating Council. Judge Ballinger has done a great job in chairing, Sheriff Steed brings his expertise and Bob Lamkey is our Director of Public Safety, who is kind of shepherding us through the process and Marilyn Cook with the mental health aspect of it and our Community Corrections Director, Mark Masterson, other people all bring different areas of expertise and I believe that we have massaged and chewed on and tried to evaluate alternatives to this issue for quite some time and I believe that as we've come now to this recommendation.

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It is the right thing to do for our community, it's appropriate, it is going to be painful by the time we're through, financially painful, but we don't know exactly what the costs are going to be, we don't know exactly the mill levy impact at this time. Our community is going to continue, I think, to grow and prosper, so there's a lot of things in flux, but the bottom line is, I think that we need to proceed with intelligent, progressive ways to address this problem, so I'm going to be very supportive of it. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. Commissioners, I'm going to be fully supportive of this concept because I think, unless we can change our way of doing business, we're just going to keep getting the same results all the time, but I think what's going to take more courage on our part is when the manager, and I hope you will and I encourage you to do so, Mr. Buchanan, to come with us, to give us the options of programs that we can reduce our present level of support to our cut entirely as a way to reducing the negative impact of a mill levy increase.

And before personally I can get my hands around 'Fine, let's raise the mill levy 5.72', I think that's an easier decision for us to make, believe it or not, than do we cut back on our funding at Cowtown or do we reduce our funding of something else, or do we reduce this program or do we tell Communities in School 'No, we can't fund you anymore', that's going to be where it's going to take a lot of courage on our part, if we want to really look at how do we minimize the negative of a mill levy increase, but I think we'll be up to that challenge, and I encourage you, Mr. Manager, when you finally start evaluating all of that, just like are we going to have the courage to tell these communities, I'm sorry but from now on it's going to cost you \$35 a day if you want to put somebody in jail or whatever. Those are the things that I think . . . those are the kind of tough decisions that we were elected to do.

The easy decision is 'Let's keep everything the same and just add 5.72 mills to the taxpayers'. It sounds . . . but that's the easier one, but I think we'll be up to that challenge and I look forward, believe it or not, to recommendations that you and your staff might make in the ensuing months and years to come, as to what programs that we may want to seriously look at reducing or eliminating to offset the required need for this new program. Thank you."

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

Commissioner Winters said, "Thank you. I certainly am going to be supportive of the Manager's recommended action and starting down this road. I would, even in thinking about Commissioner Sciortino's statements, and I would agree with that, we need to continue to determine if we're spending our money in the right place at the right time. I would really commend the staff of

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Sedgwick County though, over the last ten years. I was here when the decision was made in '94/'95 to do the addition to the jail that was opened in 1990 and I believe that was somewhere close to a 7 mill kind of project, if you put everything together and we were committed to doing that without a mill levy increase.

We did, but it wasn't without sacrifices all along the way, in county departments, and then as we all realized, just two, two and a half years ago, when we had poor economy and reduced funding from the State of Kansas, we challenged all county staff to go through that process again, and we've cut and slashed, eliminated positions, eliminated people, so I think we can continue to work on making sure we're as efficient as we are in making sure that we're spending our funds in the right places, but I would just again share with the commissioners, this is going to be a tough financial road, but I think I have a lot of confidence in our staff and I've got a lot of confidence in our abilities to make sure that we're doing the right thing, so I commend all of those who were involved in the CJCC process, I think they've done good work. I appreciate particularly Judge Ballinger's leadership and his willingness to talk to us, communicate with us, I think that's been very helpful, so Mr. Chairman, I'm going to be supportive."

Chairman Unruh said, "All right, thank you. Commissioners, are there any other comments or questions?"

MOTION

Commissioner Sciortino moved to approve the Plan.

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

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Commissioner Sciortino Aye
Chairman Unruh Aye

Chairman Unruh said, “Thank you, Bill. Thank you judge, and all the members of the CJCC who are here today, appreciate your hard work on this. Madam Clerk, call the next item please.”

Commissioner Norton left the meeting at 10:20 a.m.

C. KANSAS COLISEUM.

1. AGREEMENT WITH 360WICHITA.COM, L.L.C. FOR ADVERTISING RIGHTS AT KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “This agreement with 360Wichita.com is going to allow us to create a new website for the Coliseum and its facilities. It will incorporate flash presentations, as well as the virtual tour that we are currently using.

E-mail blasts will be created to give people advance event notification that will incorporate all e-mail lists, as well as the entire list 360Wichita has. It will allow us to create new advertising and revenue possibilities, by incorporating Internet advertising with large-screen video screens at the Coliseum.

This is a three-year agreement. It will allow us to stop and take a look and see how we want to proceed for the downtown arena, when that comes up. We recommend approval.”

Chairman Unruh said, “Okay, thank you John. Have we used these folks, have we used their service previously?”

Mr. Nath said, “Yes, we have. They have provided the virtual tours that we currently are using. We’ll incorporate that into the hosting of the site.”

Chairman Unruh said, “Commissioners, are there any other questions or comments for John on this item?”

MOTION

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

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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 please."

Commissioner Norton returned to the meeting at 10:22 a.m.

2. AGREEMENT WITH FOX KANSAS FOR ADVERTISING RIGHTS AT KANSAS COLISEUM.

Mr. Nath said, "This is actually our second renewal with Fox Kansas. They've been a long-term partner of us. As you recall that's how we've instituted and installed the close-circuit TV system. It was provided through a marketing agreement by Fox Kansas. We are going into another renewal with this. It is a barter, advertising rights for air time on the television station. We used that air time to support the events that we have a financial stake in, mainly the rodeo in January, Sesame Street, publicizing the new capabilities of the Select-a-Seat website, and any other events that we should pick up that we actually have a financial stake in, other than being Real Estate for a promoter coming in and renting the facility. As you know, through our promotions fund, that is becoming more and more a part of how we do business, having a financial stake in the event. And this helps us defray our costs and allows us to sell tickets. We recommend approval."

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Chairman Unruh said, “Okay, we do have a question. Commissioner Sciortino.”

Commissioner Sciortino said, “On the air-time barter, is that just run of schedule, or do you get to pick the times that you want spots to run?”

Mr. Nath said, “Just like cash, commissioner. We can pick the time, we can pick the program that we want the spot to be contained in.”

Commissioner Sciortino said, “Okay, and is it at the maximum rate or is it at the discount that you would normally receive if you were spending that much money in cash?”

Mr. Nath said, “It’s just like we would do it in cash, so we’re treated just like the agency.”

Commissioner Sciortino said, “Okay, great. Thank you.”

Chairman Unruh said, “Thank you. Any other questions, Commissioners? What’s the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Agreement 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

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Chairman Unruh

Aye

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

D. AGREEMENT WITH CITY OF WICHITA, KANSAS TO PROVIDE PUBLIC TRANSPORTATION SERVICES TO OAKLAWN IMPROVEMENT DISTRICT AND UNINCORPORATED AREAS OF SEDGWICK COUNTY.

Mr. Brad Snapp, Director, Housing Department, greeted the Commissioners and said, "This agreement before you is a continuance of the services Wichita Transit provides for citizens of Oaklawn and other areas in the unincorporated area, at a cost of \$26,950 for 2005. Again, we pay the difference between the actual costs, minus federal grants that Wichita applies to their service and rider-ship has increased by 5% from last year and we expect, at the end of this year, about 17,200 rides will be provided, about 250 more than last year. If you have any questions, I'll be glad to answer them."

Chairman Unruh said, "Commissioner Sciortino."

Commissioner Sciortino said, "It was a pretty substantial increase and with rider-ship increasing, and I assume the riders pay when they get on, what justification did they use or why they felt that they had to have better than a 10% increase?"

Mr. Snapp said, "They didn't provide me one."

Commissioner Sciortino said, "Pardon?"

Mr. Snapp said, "They didn't provide me one."

Commissioner Sciortino said, "Because actually it's a 15.9% increase in the cost, the service is the same and if rider-ship is up, do we have any negotiating faci . . .? Do we do just whatever they say it's going to be, that's it, and end of negotiation?"

Mr. Snapp said, "It has been in the past."

Commissioner Sciortino said, "Have we made any attempt to negotiate?"

Mr. Snapp said, "Actually, they've come down, I think it was between 2003 and 2004, it was quite a bit of a reduction, almost a \$4,000 reduction at that point, because they had some additional federal grants that applied to their maintenance costs, so that was a good deal for us, at that point."

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

Chairman Unruh said, "Brad, our support of this is just our regular general fund money, is that correct?"

Mr. Snapp said, "Yes, it's been budgeted."

Chairman Unruh said, "But the amount of money we're paying is the difference between the city grants and their cost to provide the service, so the difference is driven by how much they get . . ."

Mr. Snapp said, "Right, how many riders they get, determines how much we pay."

Chairman Unruh said, "Okay. Are there any other questions?"

Commissioner Sciortino said, "Well wait a minute, I just . . . I don't know if he answered the question properly. Does the city get a grant to provide public transportation?"

Mr. Snapp said, "I think they get some sort of a grant and it has to do with the increase size of the urban area, and so that's what helped us in the past."

Commissioner Sciortino said, "Okay, but it has nothing to do with the number or riders on it?"

Mr. Snapp said, "No, it doesn't."

Commissioner Sciortino said, "So if we could encourage Oaklawn to increase 50%, that doesn't mean we're going to get a reduction."

Mr. Snapp said, "Our cost would go down."

Commissioner Sciortino said, "Why?"

Mr. Snapp said, "Because we pay the difference between the City's actual costs, the city's costs. The riders put in their share, and then we pay the difference."

Commissioner Sciortino said, "Okay, but the riders share . . . the riders went up 5% and our costs went up 16%."

Mr. Snapp said, "I don't have a good answer for that, sir."

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Commissioner Sciortino said, "Okay, that's all."

Chairman Unruh said, "It's driven by a formula is part of the answer to this."

Mr. Snapp said, "Right."

Chairman Unruh said, "Okay."

Commissioner Norton said, "That changed a couple of years ago, when they redefined the rural and metro area. I think it was about two years ago and that was a huge debate, because now all of the sudden all of Sedgwick County is considered metro area and before they were providing rural transportation. Now they're providing metro transportation and it changed all the formulas."

Commissioner Sciortino said, "Got it, okay, that's an answer. Thank you."

Chairman Unruh said, "Okay commissioners, any other questions for Brad? What's the will of the Board?"

MOTION

Commissioner Sciortino 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

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

E. DIVISION OF HUMAN SERVICES - COMCARE

1. AGREEMENT WITH SUMNER COUNTY MENTAL HEALTH CENTER FOR COMCARE TO PROVIDE AFTER HOURS MENTAL HEALTH EMERGENCY SERVICES.

Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "This agreement is a renewal agreement with Sumner Community Mental Health Center. We've had this agreement with them a number of years. As a mental health center, they are mandated, as we are, to provide 24/7 crisis services to the people in their community and once again, they have elected to contract with COMCARE to provide that service.

That service involves phone contact primarily, but there is the option, since Wellington is so close to us, for individuals to actually come to our crisis center after-hours when that need arises or when people determine they want to do that. During the first 10 months of 2005, we took 459 calls from Sumner County, about 36 a month. That number has been pretty steady over the last couple of years. One of those is an individual who called us a couple of months ago, who was calling from a mobile home park in Sumner County. She noticed a new neighbor, that had moved in recently, being very emotionally distraught. She tried to calm her, couldn't but she did talk her into coming to her home to use the phone and she somehow knew to call the crisis program.

They were able to calm this woman down, develop a plan and contact the therapist at Sumner, in case she had more need that evening, but they had a plan for her to get some services for her the next day. And interestingly enough, that same night this woman also had some developmental disability issues and the person that she had been working with there also called our crisis program saying 'Gee, I'm concerned about her too' and was very relieved to know that we had the situation under control.

So sometimes it's hard to coordinate services in your own community, but to do that with a community that's a step away is pretty remarkable some days, so this contract has worked very well for both of us. We are recommending that you approve the contract."

Chairman Unruh said, "All right, thank you Marilyn. Is the . . . they provide daytime hour service."

Ms. Cook said, "Yes."

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Chairman Unruh said, “So then after that, the calls just transfer to us and we can track that so we know how to bill it.”

Ms. Cook said, “Right, we have a separate line and we do that weekends and evenings and holidays, when they’re not available and when someone calls, we document the call on a form and we fax it to them the next day, so they know who has called. Sometimes we need to call their on-call therapists, we do have an on-call therapist if we have a need to coordinate care more immediately.”

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

MOTION

Commissioner Winters moved to approve the Agreement 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, “Thank you, Marilyn. Next item please.”

2. AGREEMENT WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS TO PROVIDE THE “I CAN PROBLEM SOLVE” PROGRAM.

Ms. Jeannette Livingston, Contract Administrator, greeted the Commissioners and said, “Last year, the county commission approved the funding of a school readiness program through the

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Sedgwick County Community Crime Prevention fund. The original concept was a data collection process, where we'd be able to identify gaps in services to youth for the skills they need to be successful, as they enter school.

We issued an RFP last spring. We received one proposal. The proposal did not meet our mandatory requirements. School readiness is an important component of our plan and we did work to see if we could find additional vendors that would be willing to do the data collection program, but were not successful in identifying anything.

In October, Dr. Delores Craig-Moreland and I met with the Knight Foundation, who also has a goal of improving school readiness. As part of their school readiness program, the Knight Foundation was looking at bringing the 'I Can Problem-Solve' program to the Top Early Learning and Child Care facility. The facility serves youth and family in the Oaklawn/ Plainview area. The I Can Problem Solve program is a promising program, from the Blueprints for Violence Prevention programs and the Mental Health Association is the vendor for that program.

The Community Crime Prevention fund currently funds several Communities in Schools sites in the Oaklawn area, so the I Can Problem Solve program seemed to be a really good fit with both our goal for improving school readiness in the area and geographically, where we've had services currently. And also, we're really excited about the opportunity to partner with the Knight Foundation to increase our impact in the area of school readiness.

The contract before you is a cooperative with the Knight Foundation. We will provide \$15,000 for the I Can Problem Solve program and the Knight Foundation will provide \$9,976. The program will train top pre-school teachers and the parents of the children that attend the daycare facility, with the goal of incorporating the I Can Problem Solve conflict resolution skills both in the school and the home environment. The contract runs from November through June 30th of 2006.

We've not given up on our goal of improving school readiness data and we do hope that in the future, the Knight Foundation might be a potential partner to help us improve in that area, but we feel that the I Can Problem Solve program is a good fit now to impact school readiness. The recommended action is to approve the contract and authorize the Chairman to sign. I'm available if you have any questions."

Chairman Unruh said, "All right, thank you Jeannette. This program is just an alternate use of the funds, but does not accomplish exactly the same thing?"

Ms. Livingston said, "Correct, it targets school readiness, which is what we wanted to do. The original concept was data collection, not direct services. We weren't able to accomplish the data

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collection and I think that's going to be a more longer term, more difficult program to implement, but the Knight Foundation did express some interest in maybe assisting with that, so we're hoping in the long term to work with maybe some school districts to maybe accomplish that, but now we thought this was a good program that would impact school readiness more in a direct service manner."

Chairman Unruh said, "Okay, well I notice in the backup it talked about awareness and empathy with the feelings of others, so there are five candidates here that probably need that training, I suppose."

Ms. Livingston said, "We can work something out."

Commissioner Norton said, "That really hurts, Mr. Chairman."

Chairman Unruh said, "Being honest here, right. Well Commissioners, are there any other questions?"

MOTION

Commissioner Norton 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, "Thank you. Madam Clerk, call the next item."

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DIVISION OF PUBLIC SAFETY – DEPARTMENT OF CORRECTIONS

F. APPLICATION TO KANSAS DEPARTMENT OF CORRECTIONS FOR UNEXPENDED FISCAL YEAR 2005 FUNDS.

Ms. Cecile Gough, Operations Administrator, Department of Corrections, greeted the Commissioners and said, “The State Department of Corrections has announced a funding opportunity where the agencies across the state can request 2005 unexpended funds, and there is approximately \$640,000 available statewide.

What you have before you is an application where we are asking for \$272,312. Our application includes two major priorities. The first priority is \$73,600 for the Adult Intensive Supervision program for services to clients. These will be for drug treatment services and for DNA testing services. These funds must be expended between January and June of 2006.

Our second priority is to supplement the operating funds for the Adult Intensive Supervision program and our Adult Residential program. We’ve asked for \$44,406 to offset the underfunded personnel costs in that program and \$154,306 for the Adult Residential program mortgage payment. We’ve asked for the mortgage payment because it’s a large payment that’s normally paid out of our agency generated from client fees and if we’re able to get funding for the mortgage payment, this would free up funds for the other operating costs.

Our Community Corrections Advisory Board has reviewed this application and they do recommend your approval.”

Chairman Unruh said, “Okay, thank you. Is there a lot of competition for these funds?”

Ms. Gough said, “There is. There’s I believe 29 other community corrections agencies that will compete for it.”

Chairman Unruh said, “And in previous years, have we been pretty successful?”

Ms. Gough said, “We have been successful.”

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Chairman Unruh said, "Okay, very good."

Ms. Gough said, "Last year, we received I believe \$108,000."

Chairman Unruh said, "All right. Commissioners, are there any other questions or comments?"

MOTION

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

Commissioner Sciortino seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Cecile. Call the next item please."

G. COMMUNICATIONS OFFICE REORGANIZATION.

Ms. Kristi Zukovich, Communications Director, Communications, greeted the Commissioners and said, "I'm here today to bring an item for reorganization of our Communications team to you for your consideration. Our Communications team is here to assist the commission and the departments in communicating how Sedgwick County is working for the community, telling about what services we have, what programs we have and what projects we are working on and we do this using a thoughtful, open, transparent process in relationships."

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The reorganization is here to provide us greater flexibility. It's to increase capacity and to better utilize resources that we have available to us to continue to provide this communications support. In March, the Manager moved both the Government Relations and the Community Relations functions into our Communications team, so we could build this really strong team, but since then we've had some staffing changes and we now have a position open, which is the Community Relations position.

At the same time, we've been working with the Health Department to meet their needs and as part of the Manager's blueprint, since we're a support department, that means how can we help focus our communications efforts for the Health Department, to allow them to focus on health issues, and this is actually been an effort that we began under Jerry Franz's leadership and had discussions with him, and then as we moved through the public Health Assembly, we saw that there were even greater opportunities for communications and awareness of health issues and with the new Director Claudia Blackburn, both Claudia and Kathy Sexton have embraced this idea of the Manager's blueprint that we could have resources in our Communication Office to help provide communications support to the Health Department. They have transferred a position to Communications for that purpose and so we have that capacity as well, that we've included into this reorg.

The additional capacity from the Health position and the open position of Community Relations has given us an opportunity to look at how we can be more flexible as a team and how we can look at some of the current needs we have, as well as looking at the growing communication opportunities for the organization.

One of the things that we know we've done quite a bit recently has been community engagement and we've done a number of community engagement events over the last year, actually over the last couple of years. We did Visioning, we've done outreach through public Health Assembly and we've done outreach through the arena on a much bigger scale, and this has become one of the hallmarks of our Sedgwick County government is how we go out and elicit information from the community and their ideas and their feedback and so that is one of the areas we want to continue to focus on and to take information out to the public.

In addition, we have a great multi-media tool of video that we think we could use at a greater capacity. We know that there are departments who have a number of services, we could use that tool to increase public awareness and also to use for internal training and so having the capacity within the team allows us to use that tool to a greater extent.

The reorganization does not require any additional positions to be added. Because of the reallocations of the positions, there is actually a savings of \$3,105 for 2006 and as we heard

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Commissioner Sciortino in a previous allocation for a department, these will not be in affect until 2006, so this is not to occur until 2006.

The positions, there will be two positions that will be opened as part of this reorg that we currently have one is the Community Relations Coordinator and the other is the Communications Coordinator for Health. And again, our goal is to continue to provide communications support to the Commissioners and the organization about our services and projects and help citizens understand how we're working for them. I'd stand for any questions and recommend your approval of the reorganization."

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

Commissioner Sciortino said, "I'm happy we're going to start this on a fiscal year. There's a reduction. Whenever we have an increase, I'd like those to start at the fiscal year too. But I'm looking at this and the Community Relation Director is going to take a reduction in salary, is that correct?"

Mr. Zukovich said, "That is an open position that we have redefined the duties. Some of the duties of the community relations position in the past were transferred over, when we opened the government relations position earlier in the year and so we transitioned some of those duties into the Government Relations position and then we have changed some of those duties, kind of taken duties from other positions and redefined that job."

Commissioner Sciortino said, "Okay, that isn't you then."

Ms. Zukovich said, "No that is not me."

Commissioner Sciortino said, "Okay, and then is the graphic designer now being called the art director?"

Ms. Zukovich said, "That is a job title change and again, that is in line with using the video to a greater extent."

Commissioner Sciortino said, "Now I also noticed that if the art director receives substantially less benefits than the other two people that have the same salary base?"

Ms. Zukovich said, "That is based on what they chose, as a family or a two-person or single,

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depending on what benefits that they choose.”

Commissioner Sciortino said, “So what type of an increase . . . is this . . . what percentage of increase for the positions that are already there, you know the art director, the . . . we only have one communications coordinator right now?”

Ms. Zukovich said, “That’s correct.”

Commissioner Sciortino said, “So we’re having two other people going to office there? Both of those are not filled at this time?”

Ms. Zukovich said, “That’s correct.”

Commissioner Sciortino said, “Is that person going to physically come over, that same person, and now be working out of your office?”

Ms. Zukovich said, “That is an empty position that’s been transferred.”

Commissioner Sciortino said, “Okay, so the . . . what percentage of increase are we giving the two unfilled positions and the one that’s presently filled? What is that percentage?”

Ms. Zukovich said, “I do not have the actual percent. What the intent was and what the communication, when we worked with HR, was to create career pathing within the organization. We have communications coordinators in departments who are currently at ranges 22 and 23 and so the intent was to create career pathing for the organization that someone could actually come into work at Sedgwick County, work in a department to do communications, have an opportunity to move up into the communications office.”

Commissioner Sciortino said, “I understand that, but it looks like it’s going to be about an 8 or 9% increase in their salary, in addition to the normal cost of living that would go in January of 2006. Is this . . . this would go into affect and then the 3% cost of living increase would be added to that new higher figure, right?”

Ms. Zukovich said, “I can’t answer the percent, I don’t know that, sir.”

Commissioner Sciortino said, “Okay, and what we’ve done is then the unfilled position of community relation, we just said we’ll fill that at 48, as opposed to budgeted at 60.”

Ms. Zukovich said, “Right, redefining the duties of that position have allowed us to use that at a

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different level and at a different purpose.”

Commissioner Sciortino said, “Well okay, okay. So the two existing people are going to get a fairly substantial increase in salary.”

Ms. Zukovich said, “Their positions will move, rather than them moving up a step in the range in January, they will be moved to a different range level, so some of that will be offset from what they would have received.”

Commissioner Sciortino said, “Right, okay thank you.”

Chairman Unruh said, “Thank you. Commissioner Norton.”

Commissioner Norton said, “Will the person coming over from the Health Department be considered a Health Information Officer?”

Ms. Zukovich said, “It’s . . . the title is Communications Coordinator- Health, so it is a communications person, not a health background person.”

Commissioner Norton said, “Okay. I think this is going to be very appropriate. First of all, I think it gives you more community capacity, which I’m in favor of, because it puts more people with the ability of all the things we’re doing in the community to be out there, touching the small towns, touching a lot of areas where we put our tentacles out there, but we still have a lot of ground to plow where we can communicate.

One of the messages I’ve always said is that communication, if you really knew anything about it, is not a one-way path. It’s not just sending out information. It’s making sure people get that information and parrot back to you their ideas. We’ve done a lot of that with the arena, where we’ve gone out and the communication goes out, but we also absorb a lot of information and that’s when communication really happens, so I’m real supportive of that because I think this gives us more ability to connect with the public in these forums and get information from them, because some of our best ideas and certainly feedback come from these public forums and places where we touch the public and they can give us feedback.

I think it’s very important too that we’re going to have more multi-media capacity. You know, we’ve really, I think taken great steps in with some of the things we’ve done with web-casts of our meeting and certainly being able to film vignettes to put on the web, or on television, gets our message out that much more and I think we’ll have more capacity to do that. That will free up someone to really go out and do more of that multi-media capability we’ll have.

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And then finally, with just what we've talked about today, which is jail and public safety, we're going to have to really do a huge job of communicating and getting feedback from the community, just on that issue in the next couple or three years. No different than the arena, that is a huge project and I don't know how you get through it without communicating a lot of information to the public and this will give us increased capacity to do that, so I'm going to be very supportive. I think communication and building relationships with the community is one of the most important things that we do as commissioners. Yes, we make a lot of decisions, but touching the public and letting them understand what we're doing, as their representatives with their money, I think is powerful public policy and this is the way we have to do it, so I'll be supportive, Mr. Chair."

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

Commissioner Sciortino said, "One question, Kristi, I failed to asked you. Will the money be coming over from the Health Department too?"

Ms. Zukovich said, "Yes."

Commissioner Sciortino said, "They had allocated for this position? Okay, thank you."

Chairman Unruh said, "Okay, well it appears to me this is a good job of reorganization. It does what we want it to do. It helps us be more flexible and responsive to our customers. It helps us be more flexible and response internally, to our different departments and it provides career paths for individuals involved in communications and it looks like a winning solution. So Commissioners, what is the will of the Board?"

MOTION

Commissioner Burtnett moved to approve the reorganization.

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

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

CONSENT AGENDA

H. CONSENT AGENDA.

1. **General Bills Check Register(s) for the week of November 23 – 29, 2005.**
2. **Transfer of \$270,000 from General Fund Contingency Reserve – Budgeted Transfers (77001-110) to the Elections Office Equipment Reserve Fund (66001-235).**

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

Chairman Unruh said, "Is this . . . Mr. Manager, normally consent agenda comes last. Is there a reason?"

Mr. Buchanan said, "Yes. Well, . . . Hi, Commissioners. We're moving the consent agenda first, because we're doing the transfer of the dollars in the consent agenda to fund the voting machines that are going to be on the bid board, voting machines."

Commissioner Norton said, "That's part of the voting machines."

Mr. Buchanan said, "Part . . . not all the voting . . . part of the new voting machines, about the printer and the other piece of equipment that will make function better, are in the bid board recommendations."

Commissioner Sciortino said, "Oh okay, so we have that money to do it."

Mr. Buchanan said, "So we're approving the funds here to approve what is next."

Chairman Unruh said, "And this amount of money is what it takes to get the voting machines operable and functional, the way we want them."

Mr. Buchanan said, "Yes sir."

Commissioner Sciortino said, "Well, it takes a million, eight."

Chairman Unruh said, "Well, this is the addition to, to get it functional and operational the way

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we want them to be.”

MOTION

Commissioner Norton moved to approve the consent agenda as presented.

Commissioner Sciortino seconded the motion.

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

VOTE

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

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

NEW BUSINESS

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ SPECIAL MEETING OF NOVEMBER 22, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of November 22nd results in four items for consideration.

**1) DATA STORAGE UPGRADE- DIVISION OF INFORMATION & OPERATIONS/ IT
FUNDING: NETWORKING & TELECOM**

First item, data storage upgrade for the Division of Information and Operations. The recommendation is to accept the quote from XIOTech in the amount of \$31,710.

**2) COMMVault SOFTWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS/ IT
FUNDING: NETWORKING & TELECOM**

The second item, Commvault software maintenance for the Division of Information and Operations.

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Recommendation is to accept the quote from Commvault Systems Incorporated for \$47,692.

3) VOTING MACHINE PROJECT- ELECTION OFFICE
FUNDING: FEDERAL GRANT/ ELECTION OFFICE EQUIPMENT RESERVE

Item three, voting machine project for the Election Office. The recommendation is to authorize an expenditure of approximately \$1,848,500 for HAVA compliant voting equipment with the Kansas Secretary of State, which is federally grant funded, and a not to exceed expenditure of \$270,000 for printing equipment configured into the voting equipment, which would be county funds and establish contract pricing with ES&S Voting Equipment for future purposes.

4) LOFT BUNK BEDS- SHERIFF'S OFFICE
FUNDING: ADULT DETENTION FACILITY

Item four, loft bunk beds for the Sheriff's Office. Recommend the proposal from Kansas Correctional Industries in the amount of \$34,257.14.

Be happy to answer any questions and recommend approval."

Chairman Unruh said, "All right, thank you Iris. We do have a question. Commissioner Sciortino."

Commissioner Sciortino said, "Could you let us know who the other vendors were. I'm surprised that companies that sell these types of beds to correctional institutions would all of the sudden say 'Well, it's too labor intensive'. That's what they're in the business of doing, isn't it?"

Ms. Baker said, "They're in the business of selling the equipment. We contacted each one of these seven vendors before we sent the bid out, and told them we were after an acquisition and an installation, so they all expressed a desire. When they got the bids, they decided that they don't want to mess with the labor. A couple of them said . . . all but one, said the labor was too intensive. A couple of them expressed concerns that they'd have to subcontract some of that labor and they didn't want to have to take responsibility for subcontractors inside the jail. This installation would occur inside the facility during business hours, but there's still a couple of them consider that to be more risk than they were willing to take."

Commissioner Sciortino said, "Did Kansas Correctional Industries have an advantage on the others that maybe they have some kind of a different situation where . . . I can't imagine it, but I mean . . . It's just confusing to me that if we're letting out a bid, and companies that sell and install bunk beds all of the sudden say 'Well, no it's too labor intensive, that just sounds labor intensive', that just sounds confusing to me, unless . . . you follow what I'm trying to get, was there a way that

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we positioned the proposal that gave an unfair advantage to Kansas Correctional Industries, we want left-handed screws here, and they're the only guy that has an employee that can do left-handed screws? None of that occurred?"

Ms. Baker said, "No, the difference is we'd asked for the purchase of the beds, as well as the installation, and Kansas Correctional said, yeah, they'll install. There's no additional advantage. The others say that they just don't want the risk. These guys will do subcontracting as well, but they're taking the risk of installing those on-site. Now the only thing that we could have done differently is split it out, but then that would have created much more management effort to manage."

Commissioner Sciortino said, "So the amount of doesn't even . . . we've already spend more time than the amount of money indicated. I just wanted to make sure that the public knows that everything was above board and we just got one bid back, because that's the only one that wanted to do the work. Okay, that's all I had, thank you."

Chairman Unruh said, "But Iris, on an item like this where we get just one bid, if in the judgment of the Bid Board that it's out of line, then you take alternative action. I mean, you don't just take that because it's the only one."

Ms. Baker said, "Correct, if it's over budget or it looks like some of those requirements are very unfair and at a disadvantage, then we would reject and rebid."

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

Commissioner Winters said, "Thank you. Mr. Chairman, I see no one is asking a question about the voting machine project, but I see Election Commission Bill Gale in the audience and I wondered if maybe he wanted to make just a quick comment. This is a sizable purchase of new machines and equipment to bring us in compliance with HAVA. Bill, will you just make a comment about either the selection process or your working with the State of Kansas and Secretary Ron Thornberg and we're on target and ready to go and we're going to be federally compliant when the time comes. Is that correct?"

Mr. Bill Gale, Election Commissioner, greeted the Commissioners and said, "That's right. Thank you, Commissioner. This is an ongoing process and you were aware of some of what's gone on before, this is an exciting day. It is a big item, a big decision. This is really the second big step to bring us in compliance with the Help America Vote Act. The first one, earlier this year, was when we implemented the new election and voter registration computer system and that's . . . this month, will have been implemented statewide, so that was the first, exciting big step and went through a

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big process for the state selecting the one vendor that would take care of that.

Now this one has been a little different process. There were multiple vendors to choose from that each county got to make a choice. Secretary of State Thornberg select . . . had asked me, among other election officials around the state, to serve on a voting equipment evaluation committee, which I appreciated the chance to and that gave us an opportunity to see more up close and personal the different vendors and the different equipment they had available for us.

But also here in Sedgwick County we've done our own . . . we had our own demonstrations where vendors were willing to come and demonstrate the equipment to those of us in the election office and then also to loan us some equipment to give us the opportunity to take that out to those in the public, to let them see and experience, including those in the disability community, which we felt that was important, since that's one of the main things we're hoping to accomplish, through the Help America Vote Act, I believe is making the elections more accessible to all voters and so we appreciated their input and all the . . . whether it was for accessibility, functionality of the equipment, ease of use and then ultimately also price as well really pointed to the ES&S voting machines and the accompanying software and other equipment to bring us into compliance with Help America Vote Act by 2006, the fall election, the August primary and fall election, was when we'll need to have these voting machines in place to be compliant."

Commissioner Winters said, "All right, thank you. Thank you, Mr. Chairman."

Chairman Unruh said, "Commissioner Norton, go ahead."

Commissioner Norton said, "Just a couple of things. Bill, how many voting precincts or polls do you have presently in Sedgwick County?"

Mr. Gale said, "Currently, we have roughly 200 polling locations. We will be probably looking at, and the new equipment give us the opportunity to look at reducing that and then also a part of the Help America Vote Act is each of our polling places needs to be accessible and ADA compliant, and so that's giving us further challenges to evaluate all of our polling places, making sure that is the case, so we'll probably be looking at a reduced number in the future."

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Commissioner Norton said, “Well, I guess where I’m going with this is there’s two things, this is . . . the HAVA is a nationally legislative act, where money dribbles down to the state and dribbles down to us and buys new equipment. We are giving up quite a few election voting machines that are in good shape, that we just bought recently or had reconditioned to be able to be in compliance, which creates a surplus that could or could not have some value. It’s going to be hard to determine that, because we’re probably not going to be real compliant for anybody else that has to do these voting things, so it is a national standard that has dribbled down that we’ve had to deal with.

Part of the offshoot of that, and you started talking about it, is that there is a movement to change kind of how we vote. Advanced balloting has certainly done a lot of that, but it will also change the number of polling places and precincts, there may be some combinations, some central locations that are open more than one day where you can vote at your own discretion a lot of different times, but that will really change how the public feels and views their ability to vote on election day.

I know Commissioner Winters and I have talked about this a lot, about you know the people feel like they have the right to vote to go to their local polling place on voting day and be able to do that and now it’s changed a little bit. We do a lot by advanced balloting. This new kind of stop in and vote over a couple of day period at central locations, is really a change in philosophy that needs to be started to be communicated to people and I wanted to give you a forum to do that a little bit.”

Mr. Gale said, “Great, thank you yeah and that’s right. We did some of that, you know, in the last few years and in this last year in particular, having more options available to individuals, speaking up, going out in the advanced voting, not only having it offered in the election office, but trying to make it more available, readily available throughout the county and that was well received and a lot of voters took advantage of that this last year, and as a result of that, we had hoped to even expand even more on that, make it more advanced locations open and available and more . . . and a longer time period and this new . . . the new voting machines, the new voting equipment will be a big help in allowing us to do that as well.”

Commissioner Norton said, “One of the other things that comes out of this is that polling places may not be person specific. That you can go not only to your polling place, but go to any of these central locations, and it will advance a ballot that’s good for you at that different location that may not be in your precinct or where you usually vote. Is that not correct?”

Commissioner Norton said, “That’s right and that’s how it works now with our advanced locations, like this last year, when we set up one day out at the zoo for instance. Anybody in the county, not just those in that area, could go and vote, but anybody in the county could vote at that location and we’d be able to produce their ballot, and those at that time were on paper ballots, you know, with the scantron cards, but with the new voting machines, we can actually set up the voting

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machines in those situations and people will be able to come in from any point in the county to that location and vote and that would be in advance, and in the future, there would even be a potential on election day itself and so you're right, the face of elections are changing, hopefully for the better, making sure that they're more . . . not only more accessible, but more secure but hopefully more simpler, we can make it more simpler for voters as well."

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

Chairman Unruh said, "Okay, thank you commissioner. Thank you Bill, for giving us those explanations. Commissioners, any other questions? What's the will of the Board?"

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Iris. Well Commissioners, we've come to the end of our meeting today and there's no need for Executive Session or Fire District Meeting. This is the appropriate time, if there are other comments anyone wants to make. I see Commissioner Norton."

J. OTHER

Commissioner Norton said, "Well, I'll defer to Commissioner Sciortino on this, but we were all at Cowtown yesterday and it was a cold, cold day for a great celebration and I'll let him give the whole explanation. This weekend, Haysville is having their Christmas tree lighting and ceremony

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in the historical district. It starts at 7:00 in the old historical district. There will be a silent tree auction of people donating trees, there will be caroling, there will be lighting and if anybody would like to kind of participate in an old-fashioned, historical tree lighting and celebration, it's happening in Haysville, 7:00 Saturday night."

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

Commissioner Sciortino said, "Well, for the whole story, it was cold and some of the speakers spoke too long. I compliment the chairman on keeping his comments brief and my comments were even briefer, but it is a new beginning for Cowtown and it's been a dream for 10 years and it was a pretty good example of public/ private partnership.

One thing that I felt extremely good about is that when it looked like the big push for the funding wasn't going to be there, and the Board of Cowtown started cutting some of the amenities, like the stone front and I think at one time they even cut out the fireplace, that immediately individuals or companies came forward and said, 'I'll fund the fireplace' or 'I'll fund the rocking chairs that are going to be in' and what have you and it lets me know . . . it lets me have comfort to know that if we can really start to . . . and I'm really counting on this consultants final report, communicate to the public our willingness to blend tourism with living museum and maybe even get some entrepreneurial thinking involved in there, I think the public is going to embrace it and I think that we could use the zoo model to maybe as a beacon as to how to continue an ongoing financial support of this, and I just think this is the beginning of something that could turn out to be very, very exciting and unique, because it's the only attempt, nationwide, to have any type of living, cowboy/ Indian Western museum. I don't know, I'm trying to get away from that museum because it sounds dowdy, but attraction is what I think I'm trying to say and I look forward to continuing to work on the board next year and hopefully some of this will bear fruition, but it was just a little chilly day at the rope cutting, I guess, but the branding went very well on that."

Chairman Unruh said, "All right, very good, thank you. Well I would just remind everyone that it only costs a dollar to go to the zoo on Wednesdays and then finally, I would say to all of our citizens wash your hands, cough into your elbow, and with that, we are adjourned."

K. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 11:08 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