

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 4, 2006

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, January 4, 2006 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Ben Sciortino; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Lucy Burtnett; Mr. William P. Buchanan, County Manager; Ms. Jennifer Magana, Assistant County Counselor; Mr. Andrew Schlapp, Director, Government Relations; Mr. John Schlegel, Director, Metropolitan Area Planning Department (MAPD); Dr. Cindy Burbach, Director, Health Surveillance and Disease Control; Ms. Claudia Blackburn, Director, Health Department; Mr. Dave Thompson, Executive Officer, Sheriff's Office; Mr. Ron Holt, Assistant County Manager; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

State Representative Tom Sawyer, Chair, South Central Legislation Delegation.
Mr. David Davis, Wichita, Kansas.

INVOCATION

The Invocation was led by Mr. Ashok Aurora, of the Hindu Community.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, December 7, 2005

The Clerk reported that all Commissioners were present at the Regular Meeting of December 7th, 2005.

Chairman Unruh said, "Commissioners, you've had the opportunity to review the Minutes of the December 7th meeting. Are there any additions or corrections?"

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MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of December 7, 2005.

Commissioner Burtnett seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

AWARD

A. PRESENTATION OF AWARD FOR SERVICE TO REPRESENTATIVE TOM SAWYER, 2005 CHAIRMAN OF THE SOUTH-CENTRAL LEGISLATIVE DELEGATION.

Mr. Andrew Schlapp, Director, Government Relations, greeted the Commissioners and said, "Today, we wanted to take some time to thank Representative Tom Sawyer. What he has the privilege of doing is leading a Saturday morning meeting, I believe every other Saturday during the session. And those meetings can get a little tedious, a little boring. It's very important that they get that input, but it's not always the most exciting place to be. But Tom had a way of keeping those meetings on point, getting the meetings started on time, ended on time and made sure he focused on the issue that they were going to talk about that week and not have the same issue discussed every week after week. And I thought it was a good showing of leadership and also a more productive meeting, because you could focus on the issue of that particular week, and you didn't go and hear the same thing over and over and the same people didn't dominate the meeting, so Tom did a very nice job leading the delegation.

When it came to the arena, again Tom stepped in and said, 'Hey, we're going to have some public

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forums and some public comments' and we at Sedgwick County said, 'Whoa, we've had plenty of public comment on this, we're not sure that we need to do any more'. But it really turned out to be another opportunity for citizens to have the opportunity to voice their opinion, and again, Tom did it in such a way that we were able to hear both sides of the issues, controlled those meetings and in fact, helped the legislators go through the learning process that we had gone through and ultimately come to the decision that that was a good project for this community and that we should move forward.

And finally, Tom has just always been a friend of Sedgwick County. He attends all of the meetings that are happening in our community. When we were doing the unified legislative agenda and no one was sure whether that was a good thing or not, Tom was there providing input, advice and experience from what it would take to be successful at the State Legislature and that was invaluable.

And every time you run into Representative Sawyer, the first thing he's going to ask is 'What can we do for Sedgwick County? Are we helping you? Where are those areas you need help, what can we do?' So that's always nice, because you don't always hear that.

So again, I just wanted to take some time and Representative Sawyer, if you'd come up, to present this plaque for his service as the 2005 South Central Delegation Chair. Thank you."

Representative Tom Sawyer, Chairman, South Central Delegation, greeted the Commissioners and said, "To be very brief here, I'd just like to thank the county commission for recognizing the service. It's not easy chairing the delegation as diverse as ours. You know, somebody asked me one time, 'What's it like' and I said, 'It's kind of like herding cats', you know, we all want to go different directions, but I think we had a very productive year and I think we'll have another productive year this coming session, so again thank you very much for this, I appreciate it."

Chairman Unruh said, "Well Tom, I would just like to not reiterate everything that Andy said, I mean I think he did a very good job of noting some of your accomplishments and the leadership that you expressed as Chairman of a delegation. But I just want you to know that we were very comfortable in the fact that you were the Chair and we appreciate your efforts, not only on behalf of the agenda somewhat of Sedgwick County government, but your chairmanship on behalf of the citizens of South Central Kansas. You did a great job and we're very proud of it. Madam Clerk, would you call the next item please."

CITIZEN INQUIRY

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B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING A LIVING LEGACY.

Chairman Unruh said, “Mr. Davis, I believe that we’re ready to have you speak.”

Mr. David Davis, Wichita, Ks., greeted the Commissioners and said, “It is once again an honor and a great privilege to stand before you, as I address those issues that matter deeply to the heart and those of us who were deeply affected by the tiniest things you do. My name is King David Davis.

Over the years, I noticed throughout my political journeys, learning all that I can about the way things are, the way things were meant to be, and how we got to where we’re at and why we have fallen so far.

The more I learn, the more I find myself in awe and very humbled. Despite all our shortcomings, misgivings and differences, there is greatness in our country, our heritage, the people of Sedgwick County and the God of our nation, who made it all possible. No matter how disappointed, angry I get at times, I still cannot help but to be grateful to be a citizen in this country we call the United States of America.

By now, most of the ones at the higher levels should know that I’m in full pursuit in the highest position of lesser authority in Wichita, Kansas and I am operating in the full confidence thereof until the day therein. We as a community cannot afford another day of degradation that come from the standards of the past. It is my hope, over the next year, as I attempt to give this community a small taste of things to come, by the year’s end, we will all be confident, committed and enthusiastic concerning the opportunities that lie just head.

I would also like to say, because of the respect, due courtesy, and politeness bestowed upon the people’s voice of honor, the leadership standards you have been able to preserve here in Sedgwick County. When the Messenger Boy publication flashlight is pointed in your direction, it will be to spotlight those members of the governing body that make us shine in the world, proud to be citizens of Sedgwick County and good examples of humble servants of the people, a pleasure I greatly look forward to.

Yet, much to my dismay, the leadership of Wichita has chosen a different path. A path that results in bringing to light those things they so desperately wish to keep hidden, while selective members

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of city hall will be entering into what will be known as ‘the hall of shame’. It saddens me much that I have to begin my new relationship with Wichita City Hall by having to bend a few of them over my knee and give them a good, old-fashioned spanking.

I had originally come here to plead on behalf of a dear friend we all share, to one degree or another, the shoeshine man. And from what I hear, things are moving forward in a positive and construction way and for that we can only be gracious and thankful, wishing you and our good friend the utmost success in the endeavor.

Before I close, I would like to mention one other thing concerning our dear friend, who is a part of our rich history, a living legacy, a valued and beloved member of the community. You see, he is not just the shoeshine man. He is one of us. He is us and we are him. He is the little guy in your midst struggling to exist. He represents the backbone in all of us, when we pool our talents, abilities and the marketplace of life.

It was through the likes of our dear friend that enabled our nation to rise from the ashes. It was through the blood, sweat and tears of the little guys that our community will once again rise to a place of honor in history and on the national scene. Thank you for not forgetting the wealth, the wisdom of honoring a living legacy that still dwells amongst us. Thank you for making sure, when the history books are written, the fathers and mothers of Sedgwick County did not let us down.

When the time came to treasure our treasures, while paying respect to that symbol of life that made it all possible, realizing what you do or don’t do, you do to all of us. In closing, commissioners, from the future-elect of the City of Wichita, I thank you once again for your leadership, for having the wisdom and foresight of doing the right thing, especially those times you occasionally have to go against the contemporary grain. Thank you for making us proud, grateful, along with a relationship of respect we all can truly treasure. Thank you.”

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

PLANNING DEPARTMENT

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- C. DR2005-00030 – RESOLUTION AMENDING THE APRIL 19, 2001 EDITION OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE TO AMEND DEFINITIONS AND USE REGULATIONS FOR NIGHT CLUBS IN THE CITY OF WICHITA, PERSONAL CARE SERVICES, PERSONAL IMPROVEMENT SERVICES, SEXUALLY ORIENTED BUSINESSES, OT-O USE REGULATIONS, TAVERNS AND DRINKING ESTABLISHMENTS AND AMORTIZATION OF NONCOMFORMITIES.**

POWERPOINT PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “As you already know, Sedgwick County regulates sexually oriented businesses through its portion of the zoning regulations and they are supplementing the county’s licensing provisions regarding adult entertainment.

And in your regulation of sexually oriented businesses, through the zoning code, you prohibit establishment of these businesses within 1,000 feet on any church, school, public park, residential dwelling or other adult establishment. And up until December 13th, the City of Wichita did not regulate sexually oriented businesses through the zoning regulations. They had relied only upon their licensing code to regulate adult entertainment establishments. However, that changed on December 13th, when the City Council adopted a number of new regulations as part of the zoning code for sexually oriented businesses.

Those are listed out on the graphic in front of you. There are a number of new definitions that were necessary to add to the zoning code. They also limited sexually oriented businesses to only three zoning districts: the General Commercial, Limited Industrial and General Industrial zoning districts and they are also now requiring a 500-foot separation of all sexually oriented businesses from any church, school, park, daycare center, any residential zone and any other sexually oriented business. In addition, these zoning amendments that were adopted by the City Council prohibit sexually oriented businesses in the Old Towne Overlay district and within 500 feet of that district.

These amendments to the city’s portion of the zoning ordinance were heard by the Metropolitan Area Planning Commission at its meeting on October 7th . . . or, I’m sorry, October 20th, and at that time the planning commission recommended approval of those amendments, although one major

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concern that was expressed by the planning comm. . . or several members of the planning commission at that meeting were the fact that they would be allowed in the General Industrial district and you can see on the map before you, that large gray portion of the city, up along I-135 near K-96, is a large General Industrial zone, where these types of uses would be allowed and the concern that was expressed by those planning commission members was that that's an area that the city has developed, the 21st Street North Revitalization plan, and they were afraid that by allowing them in that area it would go against that plan. However, the majority of the planning commission did recommend approval.

The city council heard it, first reading, the amendments on November 1st and approved unanimously the amendments that were presented at that time. The adopting ordinance came back to them for second reading on December 13th and at that time, they approved several amendments. The one, the most substantial amendment that was adopted at second reading concerned extension of the amortization period from what was proposed originally just to be one year to be two years, and then there was also a number of additional due process procedures that were added to the ordinance to strengthen it. A number of other technical and organizational amendments were adopted also at that second reading and so they adopted the amendments, with those changes, at their December 13th meeting.

It's before you today as a resolution, simply to maintain the consistency in the unified zoning code. These are amendments which only affect sexually oriented businesses within the City of Wichita. So the recommended action is there's a correction on the front page of the agenda item request. It should read 'To adopt the resolution' is the recommendation and I'll be glad to take any questions.'

Chairman Unruh said, "All right, thank you John. I don't see anyone asking. We do have a question from Commissioner Sciortino."

Commissioner Sciortino said, "Having sort of gone through this some years ago, the grandfathering element allows them to stay where they're at until the end of 2007."

Mr. Schlegel said, "Correct."

Commissioner Sciortino said, "Well, I just wish my colleagues across the street good luck in their endeavor and they can stand by for the lawsuits at the end of 2007 I would assume, but I just wanted to clarify that there is a grandfathering clause in there. It's not immediate. Is that correct?"

Mr. Schlegel said, "Correct, they have until December 31st, 2007 to cease their operation, if they are not conforming under the new regulations. Now as a point of information, if I can add, I think you might be interested in this. Is that what the city is going to be doing is proactively instigating a

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lawsuit to have a court judge the constitutionality of these amendments. That's why that amortization period was extended to two years, to allow that lawsuit to run its course."

Commissioner Sciortino said, "Okay, so they're going to go ahead and just have a court determine the legality of the resolution."

Mr. Schlegel said, "Correct, because they were anticipating, as you . . . I think, as your question indicates, that there will be lawsuits."

Commissioner Sciortino said, "Well the one thing, it just . . . it's good for the public to know that the ones that supported this resolution that just because they pass it, doesn't mean like tomorrow all the businesses that are non-conforming will be gone. There is a period of time, which is perhaps good to have allowed, to have people start to figure out where to move their businesses.

Is that . . . since looking at the map, it looks like that's going to be . . . have they sort of, de facto, established a 'red light district' for lack of a better word? Because it looks like just that little area is going to be the only area that they allow it in."

Mr. Schlegel said, "No, all the districts that you see, all the parcels on that map that are in color, and there are three colors there: the gray is the General Industrial area, the light blue are the Limited Industrial areas and that kind of pink color are the General Commercial districts. Those would be the areas where these sexually oriented businesses could be."

Commissioner Sciortino said, "Okay. So it isn't just that brown area, that gray area."

Mr. Schlegel said, "Yeah, I just pointed that out because that was a concern that was expressed by a number of planning commission members about that particular zone."

Commissioner Sciortino said, "Okay, thank you."

Chairman Unruh said, "All right, thank you. Commissioners, is there any other question or discussion for Mr. Schlegel? What's the will of the Board?"

MOTION

Commissioner Sciortino moved to Adopt the Resolution.

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Commissioner Burtnett seconded the motion.

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

VOTE

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

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

NEW BUSINESS

D. DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPT.

1. AGREEMENT WITH UNIVERSITY OF KANSAS SCHOOL OF MEDICINE-WICHITA MEDICAL PRACTICE ASSOCIATION TO COLLABORATE IN A TUBERCULOSIS AND OTHER INFECTIOUS DISEASE CONTROL PROGRAM.

Dr. Cindy Burbach, Director, Health Surveillance and Disease Control, greeted the Commissioners and said, "We have a contract here that we have had for several years with K.U. to provide consultation and support of our infectious disease program, primarily TB control through that, and also takes care of the reading of X-rays and taking X-rays for those folks who can't afford them at the K.U. clinics.

Normally, this would just be a simple renewal of a contract. The thing that we're bringing it to you for is that there's some wording that was not real clear, in terms of how much paid for the consultation and how much paid for the X-rays, so that's why it got changed.

But I would also like to take this opportunity to tell you that there is very good news. You've been hearing from me about TB for several years, and prior to 2004, we were averaging about 30 new active cases every year and we ended the year in 2004 and you've spent a lot of effort and we've spent a lot of effort and energies into our TB program. The year 2004, we ended the year with 15,

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as opposed to an average of 30 new cases a year and this year, as of last week, we think that we ended the year with 17 new active cases a year, so we feel real lucky and I say ‘We think’ because there’s always a time lag in terms of testing, cultures take a while to grow out, so whether a person was diagnosed in 2005 or in December or January makes a little bit of difference in the numbers, but we’re very proud of the progress that we’ve made and we thank you a lot for supporting our program. But we’d like for you to approve this partnership with K.U., contract that we get a lot of consultation and expertise for our TB program.”

Chairman Unruh said, “All right, thank you Dr. Burbach. That is good news on the TB program, so congratulations to you on your work in that area. Commissioners, are there any questions about the renewal of this contract? I don’t see any. What is the will of the Board?”

MOTION

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

Commissioner Winters seconded the motion.

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

VOTE

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

Chairman Unruh said, “Next item.”

2. ADJUSTMENT TO THE HEALTH DEPARTMENT STAFFING TABLE TO INCLUDE A TEMPORARY PART-TIME DISEASE INVESTIGATOR POSITION.

Dr. Burbach said, “We have asked to adjust the staffing table to include a temporary, part-time

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disease investigator. We have had a vacancy to one of our epidemiologist positions and we'd like to hold that vacant for a few months, while we kind of reconfigure our epi-work. We would like to add some enhancements, in terms of assessments, data assessment, program assessment and whatnot.

In the meantime, diseases go on, and right now we're sitting at a place where people can't be sick, people can't go on vacation period because we're down by 30% with this vacancy. We would like to add this temporary, part-time position so that we can continue in times of outbreaks to do our disease investigation that is necessary. We will use the money saved from holding that position vacant to staff this temporary, part-time person. We don't intend to simultaneously hire these two people, after the permanent position is filled. However, it gives us the opportunity to pull somebody in on a temporary basis, when an outbreak occurs, such as we're dealing with right now with Pertussis. There's no way we can deal with Pertussis right now, down 30% and somebody go on a vacation or be sick with whatever everybody else has got, so we'd appreciate this. We've got the money to spend on it and we feel like it just makes good sense, in terms of disease control."

Chairman Unruh said, "All right, thank you. The funding for this though, you indicated that you had been able to find those funds within the funds that are available to you, so it's not an addition to the budget."

Dr. Burbach said, "Correct."

Chairman Unruh said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. I'm going to be supportive of this, but you had just said something about you can't deal with Pertussis. What happens if there's an outbreak of Whooping Cough? I mean, I don't want to scare the public here. How do we handle it, if all of the sudden . . . I mean, Cheney had that little breakout of Whooping Cough. What happens if people start showing up with Whooping Cough symptoms?"

Dr. Burbach said, "We're continuing to investigate all the Pertussis that's going on right now, the Whooping Cough that's going on right now, but it's just hard to do it in a timely way if we're down 30% of our staff."

Commissioner Sciortino said, "No, I agree with that but I mean, if someone comes into our health clinic and they've got Whooping Cough symptoms, can we help them? Are we going to be able to do something? I mean, you said you can't deal with it. That frightened me a little bit."

Dr. Burbach said, "Okay, what you're talking about is being treated for the disease. My staff is

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doing the investigation of the disease, so the treatment that would go on in clinics, by nurses and Nurse Practitioners and Physician Assistants in, for example, children's primary care clinic. That's going on as usual. The part that the epi-staff is doing is actually investigation, the surveillance, the dealing with the public information, the dealing with the Cheney school systems, the school nurses, that kind of product."

Commissioner Sciortino said, "Okay, so we're still treating patients."

Dr. Burbach said, "The non-clinic part of it. The treating of it is going on as usual."

Commissioner Sciortino said, "That's what I misheard. Okay, thank you."

Dr. Burbach said, "Good question."

Chairman Unruh said, "Anything else, commissioner?"

MOTION

Commissioner Winters moved to Approve the adjustment to the Health Department Staffing Table.

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, Cindy. Next item please."

- 3. ADJUSTMENTS TO THE HEALTH DEPARTMENT STAFFING TABLE TO PROVIDE STEP INCREASES FOR COMMUNITY HEALTH NURSES, ADVANCED REGISTERED NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS.**

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "As

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many of you know, we are in the midst of a nursing shortage, nationally, state and locally and if the current trend continues, we can anticipate a shortage of 800,000 nurses by 2020, nationally.

This is being addressed by Visioneering Wichita. It is on the unified legislative agenda, the request to increase funding to increase the capacity of nursing education programs throughout the State of Kansas. It is also on the Board of Regents agenda. They're asking for a substantial amount of money to increase the capacity of nursing . . . for nursing education. So it is being addressed, both nationally and at the state level. However, locally the problem continues. The Health Department employs 30 nurses and Nurse Practitioners and Physician's Assistants and we compete with local hospitals and USD 259 and other agencies, but mostly local hospitals for nurses.

What I'm told is that at any one time, our local hospitals have 70-plus vacancies, nursing vacancies, and they've become very creative in their recruitment and retention efforts. They start a new nurse off anywhere from 35 to 40- 42,000 a year, that's with absolutely no experience. The nurses can get sign-on bonuses. They have flexible scheduling and you know, many perks, so they're really trying hard to recruit nurses. Our starting salary for a nurse, experience or not, is \$36,561 a year. Nurse Practitioners and Physician's Assistants are also in demand in this community and they can expect an average salary of \$68,000. It's a good field to go into.

Our starting salary is about \$49,000 for a Nurse Practitioner or PA. So relative to the market, for nurses our range is about right. We need to make some adjustments for experience. For physician assistants and Nurse Practitioners we need to do a little bit more.

The Health Department has experienced a turnover rate among nurses and midlevel providers and Nurse Practitioners and Physician Assistants of about 70% over the last two years. We have had a difficult time recruiting. We have had an average of six qualified RN candidates per vacant position and three for the midlevel positions and it has taken us an average of 74 days to fill an RN position and 65 days to fill a Nurse Practitioner and Physician Assistant position.

So as one way to address the problem, we have worked with, very closely with Jo Templin from Human Resources to complete a market analysis and decide on an appropriate strategy to address the salary issue for nurses and midlevel providers. So what I'm recommending today is an increase for 21 of our 30 community health nurse II positions and our PA, Nurse Practitioner positions, based on a matrix that increases the starting salary and compensates for years of experience. This increase will cost \$112,199 and it is an increase of about 9 ½% for the nurses and 12.8% for the Nurse Practitioners and PAs. Funding for this will come from the elimination of a full-time nursing position and a full-time Fiscal Associate position and then we were allocated to hire another half-time nurse, and the funding for that will also go towards this.

You may ask, how will we survive without these positions. Well, we've been surviving with a

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number of vacant positions for a long time and we feel if we can fill the vacancies, then we have a more stable workforce than we do right now, so it will increase the productivity, overall, in the department and it will be better for the nurses that are on staff. So, any questions?"

Chairman Unruh said, "Well thank you, Claudia. It appears that you are facing a very serious and real problem in our ability to deliver health care in the county and in order to do that, we have to have people and it's tough to compete, if we're paying substandard wages, so I understand the issue and it looks like you've been creative in trying to find a solution and so I'll be supportive of the request, but just wanted to express that I know it's hard to do and it's probably still not where you want to be, to try to stay in budget constraints and get the most out of your people, but it looks like this is at least workable for now. We do have a comment from Commissioner Sciortino."

Commissioner Sciortino said, "Just a question of Mr. Buchanan. You've looked at this and you agree that this is the course of action that we should be approving."

Mr. William P. Buchanan, County Manager, said, "Absolutely."

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

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

Commissioner Norton said, "It's really an adjunct to this subject and Claudia and I have talked about it, but I think this just magnifies what we're doing with technical education and trying to get into those industries that need workers and pools of workers and we need to create a technical training system that draws new people to our community from outlying areas to strengthen the pool of people. Just like AP Mechanics a few years ago, nurses are just being swapped back and forth and you know, throughout the same agencies in hospitals and care providers and we need to work continuously on technical training.

I think when we started really looking at that three or four years ago, obviously we're focusing on the aircraft industry, but the next industry that we thought was vitally important was healthcare and nursing and I'd just like to make sure that we keep that at the forefront now. We've made some great strides on building the aviation tech center. That's moving along. Hopefully, we've solved kind of that for the burgeoning aircraft industry, but right on the heels of that is technology and computer technologies and healthcare and we've got it in our own house. I mean, it's not going to go away until we continue to work on technical training and building that workforce of trained

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people, so just maybe a paid political announcement for technical training, but it came at a good time.”

Chairman Unruh said, “Thank you, Commissioner and you’re exactly right. If we want to try to control this, we need to increase the supply of those trained people. Commissioner Sciortino.”

Commissioner Sciortino said, “Yeah, and I’m sure we all but I had a nice, in depth conversation with Claudia and the crisis is even worse than we think. It’s not individuals willing to get into the nursing business. They have an overabundance of qualified, educated individuals that want to become nurses. It’s the capacity to train them. Now fortunately or unfortunately, this is the responsibility of the state, to provide this capacity and we, to our credit, try to take over when the state isn’t moving as quickly as we feel that they should move, but this is a responsibility of the state.

The hospitals, there’s not enough training hospitals, there’s not enough hospitals that can increase their capacity without some state assistance, and so far that assistance has not been flowing maybe as fast or as quickly as it should, so I think that it’s important to understand that we’re willing to help, but that this is primarily, as far as the capacity for training, a state issue. It’s not one where we can’t attract qualified individuals that are willing to get into the nursing or the healthcare industry. It’s that we don’t have the . . . if I understood our conversation correctly, we don’t have the capacity to train them.

And that, to me there’s something wrong because that goes against supply and demand. If I have a lot of demand for a product and I know if I start a new program, I’m going to have a pretty steady stream of qualified individuals in my program, then that’s a good business decision for me, but for some reason that’s not happening and I encourage us to continue to look at what we can do, but we should feel that the burden of the responsibility is 100% on Sedgwick County. It’s a statewide, nationwide problem that falls to the state legislatures to figure out how to resolve.”

Chairman Unruh said, “Thank you, Commissioner and you’re exactly right and this request from the state to participate in business-driven, technical education is a high priority on our legislative platform and this whole idea of medical training is part of the technical education spectrum, and so we need the state help. Commissioner Norton.”

Commissioner Norton said, “Well, I agree with both of you. I think the dilemma we have is that we’re elected for this local area and South Central Kansas needs somebody to take a leadership role and not sit on their hands and languish and go ‘Oh me, poor me’, we’ll wait on the state and I think

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we've been pretty active in trying to do that here in our local area. I'm proud of us for that and it really gets down does the tail wag the dog and sometimes it does. If we keep pushing new, inventive programs and trying to be the leader in technical education, other people will be adopters too, at the state level and maybe hopefully later at the national level, but I think we owe it to our constituents, our community, our healthcare system here to continue to be proactive and build that capacity here, by whatever means we have to, because it is too important.

This shortage is not going to go away and the need for healthcare, as our population ages even more, is only going to be acerbated by this increase of 'baby boomers' dropping into the healthcare system. So, I think it's vitally important and I'm proud that we continue to push to build that capacity."

Chairman Unruh said, "Well thank you, Commissioner. Well, Claudia we've discussed a wide spectrum and you know the philosophical need for this and we're all in agreement and now we need to make a decision on specific request for Sedgwick County needs here, so Commissioners what's the will of the Board?"

MOTION

Commissioner Burtnett moved to Approve the adjustments to the Health Department Staffing Table.

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. Madam Clerk, call the next item please."

E. AGREEMENTS (SIX) FOR FUNDING OF SERVICES FOR COMMUNITY PROGRAM AGENCIES.

1. Arts Council, Inc.	\$ 13,500
2. Derby Recreation Commission	\$ 25,000
3. Kansas Junior Livestock Show, Inc.	\$ 23,304
4. The Kansas African American Museum, Inc.	\$162,450
5. Sedgwick County Fair Association, Inc.	\$ 21,500
6. Wichita-Sedgwick County Historical Museum	\$ 96,573

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "I'm here before you today for approval of the delegate agency funding contracts. These are annually renewable contracts. They outline the legal relationships between the county and each of these agencies. The funding was actually reviewed and approved and adopted in the 2006 budget. The approval of these contracts then allows us to provide that funding, as the budget . . . based on the budget adoption, so we're looking at the Arts Council at \$13,500, Derby Recreation Commission \$25,000, Kansas Junior Livestock Show \$23,304, the Kansas African American Museum \$162,450, the Sedgwick County Fair Association \$21,500 and the Wichita/ Sedgwick County Historical Museum \$96,573, for a total 2006 funding of \$342,327. I would ask your approval of the contracts and authorize the Chairman to sign."

Chairman Unruh said, "All right, thank you Ron. Commissioners, are there any comment or questions for Mr. Holt?"

MOTION

Commissioner Winters moved to Approve the Agreements and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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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, Ron. Next item please.”

F. ADJUSTMENT TO THE SHERIFF’S OFFICE STAFFING TABLE TO INCLUDE FOUR ADDITIONAL DEPUTY POSITIONS, RANGE 22-1, FOR INMATE TRANSPORT DUTY.

Mr. Dave Thompson, Executive Officer, Sheriff’s Office, greeted the Commissioners and said, “This adjustment for four additional deputies positions is for inmate transport duty. The comprehensive master plan that has already been approved provides for the long-term reduction in the number of persons that must be committed to the detention facility and for an expansion of bed space, to provide accommodation for the inmate population for which custody management is required. A limited reduction is expected, short-term, in the inmate population, as the alternative programs come on-line. However, the full merit of their success lies in recidivism.

The CJCC’s forecast for 2010 for the alternative programs to reach their optimal inmate reduction potential and the expanded facility is expected to take at least three, possibly four years to come on line. In order to meet the inmate population needs over the next three to four years we’ve got two main courses of action that the Sheriff’s Office is looking at taking. The first is a double-bunking plan, which next month the first phase of the additional double-bunks will be installed and we expect to complete capacity for double-bunking during 2006.

When that is completed, then we will be looking at increasing significantly our out-of-county housing. We looked at Johnson County, which is our closest comparator and where we do two trips a day, they’re doing four trips a day. Where we are sending inmates right now, there are at least . . . we try like two weeks away from their court date, they’re having to go as short as a week or less on a turnaround. So we expect that we are going to need to significantly increase our out-of-county housing trips, beginning in 2007.

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The reason I'm making the request now is that due to the length of time that it takes to train and prepare a deputy for active duty, which is 10 to 11 months, in order to be ready for 2007, we need to make the request now, as well as the only scheduled recruit class for the commissioned officers will begin later this month.

If there's any questions, I'd be happy to answer them. Otherwise, I would ask you to approve the request."

Chairman Unruh said, "All right, thank you Dave. We have a question from Commissioner Winters."

Commissioner Winters said, "Just a quick question of information to inform me, Dave. Is it only commissioned officers that are involved in the transport? The detention deputies are not involved at all in transport. Is that correct?"

Mr. Thompson said, "Right now, we do . . . if we do not have an availability of commissioned deputies, if we have to make a last minute trip, we will at times use a non-commissioned detention deputy, although that is not our preference, when you're driving to the western parts of Sedgwick County."

Commissioner Winters said, "Okay. Thank you."

Chairman Unruh said, "Any other questions, commissioners? Well I appreciate the fact that you are looking ahead and doing some future planning. I mean, the training period requires that we make this decision now to be ready for a problem that we anticipate here 11 or 12 months down the line. So it's good planning and we hate to have to invest this way, but that's part of public safety. So commissioners, what's the will of the Board?"

MOTION

Commissioner Burnett moved to approve the adjustment to the Sheriff's Office Staffing Table.

Commissioner Norton seconded the motion.

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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, Dave. Next item please."

G. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF DECEMBER 29, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of December 29th results in six items for consideration today.

**1) ON-CALL REMODELING SERVICES- VARIOUS COUNTY DEPARTMENTS
FUNDING SOURCE: VARIOUS COUNTY DEPARTMENTS**

The first item is on-call remodeling services for various county departments. The recommendation is to accept the proposal from Van Asdale Construction, to establish and execute contract pricing for a not to exceed \$10,000 per project for one year, with two one-year options to renew.

**2) RAINCOATS- SHERIFF'S OFFICE
FUNDING SOURCE: STATE ASSET FORFEITURE (SHERIFF'S OFFICE)**

Item two, raincoats for the Sheriff's Office. Recommendation is to accept the low bid meeting specifications from Red the Uniform Tailor for an estimated initial purchase of \$9,110 and to establish contract pricing for one year, with two one-year options to renew.

**3) STANDBY POWER GENERATORS- FIRE DISTRICT
FUNDING SOURCE: HOMELAND SECURITY- FIRE FIGHTER GRANT**

Item three, standby power generators for the Fire District. Recommendation is to accept the low bid from Atlas Electric in the amount of \$184,930.

**4) 2006 RECOMMENDED INSURANCE RENEWALS- RISK MANAGEMENT
FUNDING**

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Item four, 2006 recommended insurance renewals for Risk Management. Recommendation is to accept the insurance premiums for an estimated cost of \$570,407.

**5) MENTAL HEALTH ATTENDED CARE- COMCARE
FUNDING SOURCE: COMCARE (MEDICAID)**

Item five, mental health attended care for COMCARE. Recommendation is to accept the low proposal meeting specifications from Behavioral Link, for an estimated annual expenditure of \$246,720 and establish and execute a contract for one year, with semi-annual renewals and two one-year options to renew.

**6) FEE APPRAISER SERVICES FOR DOWNTOWN ARENA- FACILITY PROJECT SERVICES
FUNDING: SPECIAL SALES TAX**

And item six, fee appraiser services for the downtown arena for Facility Project Services. And the recommendation is to accept the low complete proposal from Martens Companies for a not to exceed cost of \$93,000.

We'd be happy to answer any questions and I recommend approval of these items."

Chairman Unruh said, "All right, thank you Iris. Commissioners, are there any questions about items on the bid board? Commissioner Winters."

Commissioner Winters said, "I just have one. I'm sure I have the answer but on the very first one, about on-call remodeling, with the \$10,000 limit, does that mean that anything over that we would go out for a more complete bid process?"

Ms. Baker said, "Correct."

Commissioner Winters said, "And is that number high enough? I assume someone has done some investigation, but it seems like you can't get much done for that amount. But everyone is comfortable with that number?"

Ms. Baker said, "Yes, they are."

Commissioner Winters said, "Thank you. That's the only thing I had."

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Chairman Unruh said, “Any other questions, commissioners? What is the will of the Board?”

MOTION

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

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, Iris. Next item please.”

CONSENT AGENDA

H. CONSENT AGENDA.

- 1. Five (5) Temporary Construction Easements for Sedgwick County Project 821-AA, Cowskin Creek. District #2.**
- 2. VAC2004-00057 - Sedgwick County request to vacate street right-of-way established by petition, generally located west of State Highway K-15 and south of 63rd Street South. District #5.**
- 3. ZON2004-04 – Extension of time to complete platting requirement for a zone change from “RR” Rural Residential to “OW” Office Warehouse, generally located at the northwest corner of Highway 254 and 127th Street East. District #1.**
- 4. Ratification and Confirmation of the Actions of the Sedgwick County Board of Canvassers Meeting on Friday, December 23, 2005.**
- 5. Termination letter for space used by the Department on Aging located at 2245**

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South Broadway.

- 6. Lease Agreement with Kansas Highway Patrol for space used at the Murdock Tag Office at 200 North Murdock.**
- 7. Range Reallocation of Chief Attorney, B429, to Assistant County Counselor, B431.**
- 8. Performance Evaluation for Michael S. Borchard.**
- 9. Market salary adjustment for County Appraiser.**
- 10. Waiver of policy to move an Appraiser III from 321-2, Senior Commercial Appraiser, to B321-5, Residential Field Operations Supervisor, effective December 19, 2005.**
- 11. Orders dated December 21 and December 28, 2005 to correct tax roll for change of assessment.**
- 12. Payroll Check Register of December 30, 2005.**
- 13. General Bills Check Register(s) for the weeks of December 21 -27, 2005 and December 28, 2005 – January 3, 2006.**

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

MOTION

Commissioner Sciortino moved to approve the consent agenda as presented.

Commissioner Burtnett seconded the motion.

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

VOTE

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

Chairman Unruh said, “Commissioners, we have arrived at the end of our agenda and we do not need a fire district meeting or executive meeting, so now would be an appropriate time, if there are items of community interest that you want to bring to our attention. Commissioner Burtnett.”

I. OTHER

Commissioner Burtnett said, “Well, last night I was able to attend the Affordable Airfare reception at the new, Old Cowtown Visitor’s Center and you’ll notice you have buttons sitting at your place here. This was for the legislators to listen to our requests to help us out with affordable airfares for Kansas and I think things went very well last night, it was well attended and most of the legislators were very receptive and I think we’re going to have good times with them and hopefully our surrounding counties and other counties throughout Kansas will help us to realize that Mid-Continent is our airport and we need to use it.”

Chairman Unruh said, “Well, just to add onto that, we will be meeting with our legislative delegation this evening, just before they go into their forum, to have the opportunity to share dinner with them and continue to emphasize the fact that affordable airfares is a primary interest of Sedgwick County government and for the citizens of this area. It’s . . . I believe it’s critical to our economic health for south central Kansas.

One other thing I’d want to mention, for citizens who are out in Sedgwick County District #1, and that’s the bridge over the turnpike, on 143rd Street. Mr. David Spears, our Director of Public Works, tells us that that bridge was opened this morning at 9:00, on a temporary type repair, as we await a final solution to that problem, I guess. Commissioner Norton.”

Commissioner Norton said, “Well, I wanted to remind citizens that several of us will be heading to Little Rock to look at the Alltel Arena, as we continue to try to understand what arenas look like and how they function in the community and how they’re built and what the amenities are. So I think that will happen this weekend and hopefully we’ll get some good information from Little Rock, as far as putting the arena together.

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I'd like to comment a little bit on the 'arena on the river'. I know that's continued to be just out there in the public. There was an article in the paper and we haven't really discussed it out in public much, we've had some staff meetings where we've discussed it. But I really wanted to remind people that, you know I continue to hear 'Well, your stodgily, your conservative, you don't want to change, there's an idea on the table and you're not looking at it'. Well, I want to make sure the public knows that there's been plenty of dialogue and concern about this new proposal over the river, and I want to remind people that at the time, we had moved forward for almost a year on the Coliseum, on renovating it and had architecture designs working and had signed contracts.

We stopped, revisited, and changed our course just a little bit and I think we're trying to be prudent and understand the values of the community and we're not inflexible. We've already proved that we can change in midstream, understand new propositions, put them through the filter of the public, use our own conscience to come up with what we think is a good decision, so I'd urge people not to jump to conclusions.

Some things may never change on this, but we're certainly taking it as a proposal from someone whose had some value in the community for a lot of years and we're going to look at it and mull it over and put it through our filters and try to understand it. At the end of the day, it may not change anything but I think people need to know that we have been very flexible in this whole process, we've listened to a whole lot of people and I've got to tell you, there are a lot of ideas out there and if we listened to every one of them and tried to respond to them, we probably never would get anything done in government, so at some time we're going to have to make that final decision but I think we are taking this as an important proposal and it has some value and we'll try to figure that out.

We hadn't talked about it in public, and I just thought it was important that we did that."

Chairman Unruh said, "Well thank you commissioner and I appreciate your comments, indicating that the history of this commission indicates that we're willing to listen and willing to change, even up to the last minute. I'm a little concerned that this idea that's been presented is called a proposal. A proposal to me indicates that it's got something behind it, some sort of facts, and although it's a dramatic picture and very appealing and very romantic, there are so many facts about that that I don't know, before I could get really behind it, but I will give former commissioner Bayouth credit that he's come up with a very dramatic rendering. Commissioner Sciortino."

Commissioner Sciortino said, "Well, I wasn't prepared to speak about this bridge over the River Quay thing, but since you brought it up, I think it does merit some discussion. For folks to think

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that the county hasn't really worked on developing a plan is erroneous. For ten years, the City of Wichita had a concept and that's all that the Dave Bayouth presentation was, is a concept of an arena, but they hadn't gone through the time, effort and money involved in developing that concept into a plan. We had a plan, a well thought out plan on the renovation of the Coliseum and we were moving forward on the plan and we were asked by the business community in Wichita and the City of Wichita, 'Would you please stop what you're doing and look at developing a plan for the downtown arena' because we desperately need to renovate our downtown area. And to our credit, in August of 2003, 2004 . . . Bill, which year?"

Mr. Buchanan said, "Four."

Commissioner Sciortino said, "Four, okay, we came up with a plan and we presented that plan to the business community and to the City of Wichita and it was overwhelmingly endorsed by them. We then went through the methodology of introducing that plan to the community. We had five community meetings. We took input from the public. We further refined the plan. We asked the city, give us the general area that you want this arena built. They gave it to us. We took, after getting input from the public on five meetings, we took this plan to a vote of the people. They endorsed it at the ballot box and we're starting to implement our plan.

Now someone has come up with an additional concept. Well, to my way of thinking, I think we've moved past being totally open to new concepts, sans any plan that is accompanied with the concept, sans anybody, the City of Wichita, the business community officially telling us 'We want you to stop this plan and develop a new plan'.

No one has told us . . . and to the credit of Bill Buchanan and Ron Holt, we've asked them 'Tell us what steps would be needed , we've asked them 'Tell us what steps would be needed to take a concept and develop it into a plan' and what are the costs associated with that and what's the timeframe and they're going to let us know that, but I don't know of anybody that has said, 'Look, it is what we want, this is what we want you to do, we'll pay for the cost of developing it' since that isn't what the public voted on.

And I'm not so sure if we develop a new plan, it won't necessitate going back to another vote of the public. That's not what they voted on the first time. There's going to be substantially more money involved, in my opinion, and I'm willing to listen and I'm willing to try to understand, from staff's point of view, when they let us know what elements are really going to be necessary and how much it would cost, because I think the public is emotionally excited about this concept and the analogy that I like to make, it's like the automobile manufacturers every year, they come up with concept

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cars that are designed solely to excite the public so they can sell them more Chevrolets or Pontiacs, but the concept car never gets developed and sold. It's just to excite.

It's a very creative, it's a very beautiful picture. It's exciting as a concept, but nobody has presented us a plan, as to the feasibility of it and I think it's wrong to expect the county to stop what the voters voted for us to do, and start spending money. I don't know where we would get it, into developing a new plan, when we don't even know what elements are going to be necessary in that development and what timeframe delay that is. So, I'm glad that staff is going to educate us to that point, but this is one commissioner talking. I think we've gone past the point where we can keep changing our mind at every new creative plan, because if we were just to open it up, I'm sure there would be five more creative plans. You know, why don't we build it farther south and clean up a lot of deteriorated neighborhoods and why don't we open up the bottom and allow ice fishing in the winter or all kinds of creative ideas. But that's not what the City of Wichita said they wanted, the business community said they wanted and the public voted on. That's all I have to say on that issue."

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

Commissioner Norton said, "Well, I really didn't mean to stir everything up, but I thought it was important that we have some dialogue. The first thing for me is that, at the end of the day, regardless of what Wichita leaders and the business leaders came to us with, it went to a vote of the people and people endorsed this project and we owe it to that percentage of people and voters to move ahead on this project. Having said that though, I wanted to be sure that people knew that we're not opposed to flexibility and adaptability. We've already shown we can do that. I have some issue with what that might do to the view of the river.

For me, it's what happens down the road. You've got this beautiful icon of a building and you've ruined River Festival, which is an icon of our community. It changes a lot of the dynamics and we need to really think through that.

I mean, if you build it there, it's going to be there for a long time, and it's long-term, residual effects so we need to be sure that we take prudent action and understand this and I'm sure we'll do that. Thank you, Mr. Chair."

Chairman Unruh said, "All right, thank you commissioner. Well, are there any other comments? Seeing none, I will adjourn the meeting."

J. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:08 a.m.

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

BEN SCIORTINO, Chairman
Fifth District

LUCY BURTNETT, Chair Pro Tem
Fourth District

DAVID M. UNRUH, Commissioner,
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2006