

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

June 26, 2002

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, June 26, 2002 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Ben Sciortino; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters, Commissioner Carolyn McGinn; Mr. Rich Euson, County Counselor; Mr. William P. Buchanan, County Manager; Mr. Brent Shelton, Chief Deputy County Clerk; Ms. Jo Templin, Assistant Director, Human Resources; Mr. Bob Parnacott, Assistant County Counselor; Ms. Irene Hart, Director, Division of Community Development; Ms. Lisa Clancy, Assistant District Attorney; Ms. Chris Kautzer, Systems Integration Coordinator, Department of Corrections; Ms. Debbie Donaldson, Director, Human Services; Ms. Phyllis Gearing-Anderson, Director of Preventive Health, Health Department; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Mr. Chris Chronis, Chief Financial Officer, Finance Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Kristi Zukovich, Director, Communications and Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Ms. Lois Kemp, Member, Sedgwick County Council on Aging.
Ms. Frankie Moore, 3333 S. 137th St. E., Wichita, Ks.
Ms. Joan Cole, 323 N. Market, Wichita, Ks.
Ms. Sharon Fearey, 1323 N. Emporia, Wichita, Ks.
Mr. Ed Woverton, President, Wichita Downtown Development Corporation.

INVOCATION: The Invocation was led by Mr. Mark Brown of Indian United Methodist Church.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, June 5, 2002

The Clerk reported that Commissioner Norton was absent at the Regular Meeting of June 5, 2002. **Chairman Sciortino** said, "Commissioners, I believed you've had a chance to review the Minutes

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of the meeting of June 5th. What's the will of the Board please?"

MOTION

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of June 5, 2002.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Abstain
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Next item."

APPOINTMENTS

A. APPOINTING RESOLUTIONS.

- 1. RESOLUTION APPOINTING LOIS KEMP (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE SEDGWICK COUNTY COUNCIL ON AGING.**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "We've prepared a resolution for this appointment, which is for an unexpired term to expire in February of 2003 and I would recommend that you adopt it."

Chairman Sciortino said, "Thank you."

MOTION

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Commissioner Gwin moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “And I believe Ms. Kemp is here, so if we could get her sworn in we can put her to work for us.”

Mr. Brent Shelton, Chief Deputy County Clerk, said, “Raise your right hand and say I do.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Council on Aging so help me God.”

Ms. Lois Kemp, Member, Sedgwick County Council on Aging, said, “I do.”

Chairman Sciortino said, “Thank you. Lois, come on up. Just come over here to the mic for a moment. I first met Lois down at the Derby Senior Center and I was very impressed how much energy she had. As a matter of fact I was having a hard time keeping my eyes open and I believe she was the one that let me know I wasn’t old I was just chronologically gifted. So right then I knew I wanted her to work for us and we are very appreciative that you’re willing to devote this much time and energy.

Lois, also above all of her other duties, runs the Senior Center down in Mulvane. So, I think you can bring to the table some pretty interesting points of view as to how we might be helping and assisting this very valuable source of our citizens here in Sedgwick County. So, we thank you and if you’d like to say a few words feel free.”

Ms. Kemp said, “I appreciate you appointing me. I feel like this is an honor. I’ve been working at the Mulvane Senior Center going on 24 years in September. You’d think I’d retire, but I’m not going to. I hope that I can be of help to you all. I will try. Thank you so very much.”

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Chairman Sciortino said, "Thank you. Clerk, call the next item please."

2. RESOLUTION REAPPOINTING KATHLEEN GIDEON (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.

Mr. Euson said, "Commissioners, the Board of Zoning Appeals is a five-member board and this is a reappointment for a term of three years to expire in April of 2005 and I would recommend that you adopt the resolution."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "I don't believe Kathleen is in the room so we'll figure out a way to get her sworn in later. Thank you. Next item please."

3. RESOLUTION REAPPOINTING DENNIS GRUENBACHER (COMMISSIONER MCGINN'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.

Mr. Euson said, "Commissioners, we've prepared a resolution for this reappointment and I recommend that you adopt it."

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MOTION

Commissioner McGinn moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Thank you. Commissioner, is your appointee here?”

Commissioner McGinn said, “No, I don’t see him here today.”

Chairman Sciortino said, “Okay. We’ll get this gentleman sworn in at a later time also. Next item please.”

AWARDS

B. PRESENTATION OF CAREER DEVELOPMENT CERTIFICATES.

1. SUPERVISORY/MANAGEMENT

- **KATHY KRAFT, CORRECTIONS**

2. PROFESSIONAL DEVELOPMENT

- **ROBERT CLAPPER, AUTO LICENSE**
- **EREMA COOPER, AUTO LICENSE**
- **SABRINA HENRY, APPRAISER’S OFFICE**
- **VERONICA HERNANDEZ, AUTO LICENSE**

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3. QUALITY CUSTOMER SERVICE

- **VICKI JOHNSON, AUTO LICENSE**
- **SHARON MARTINEZ, APPRAISER'S OFFICE**
- **MILLIE SAIN-TAYLOR, CORRECTIONS**
- **DAVID SHAY, APPRAISER'S OFFICE**

Ms. Jo Templin, Assistant Director, Human Resources, greeted the Commissioners and said, "If I could have all those employees receiving certificates to just come forward now please. Good morning, Commissioners. Jo Templin from the Division of Human Resources. We at Sedgwick County believe that personal excellence drives organizational excellence and we invite you to help us recognize and celebrate with several County employees who have shown their commitment to continuously improve their knowledge, skills and abilities, which helps them provide quality public service and we are so happy that you have provided our abilities to present these programs to our employees. We thank their department heads and managers for allowing them time away from their regular duties to come to these courses and we also just thank those co-workers who are here with them today for supporting them and encouraging them to achieve these certificate programs.

So, I'll just start. Several of them could not make it today but I'm going to go ahead and read their names so that you'll know who they are. Kathleen Kraft is from the Department of Corrections and she has received a supervisory management certificate. Robert Clapper from Auto License, professional development certificate. Erema Cooper from Auto License, professional development certificate. Sabrina Henry, Appraiser's Office, professional development certificate. Veronica Hernandez, professional development certificate. Vicki Johnson, quality customer service certificate. Sharon Martinez, quality customer service certificate. Millie Sain-Taylor, quality customer service certificate. David Shay, quality customer service certificate. Thank you Commissioners."

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Chairman Sciortino said, “Thank you. You know, I just want to say something here about our employees of Sedgwick County. It seems like these days people are really quick to complain and real slow to compliment. And unfortunately, I don’t think the majority of the citizens of Sedgwick County really know everything that our employees do to provide them the services that they receive. And I just want you to know that this Board of County Commissioners does know and we really do appreciate the fact that you’ve taken a lot of your own time to try to even further improve and sharpen your skills and we very much thank you for that. So, I just wanted to let you know that.

Clerk, call the next item please.”

CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING POLITICS.

Chairman Sciortino said, “Frankie, just as a housekeeping, normal housekeeping, we allow you . . . if you would please give your name and address and then you have five minutes to speak.”

Ms. Frankie Moore, 3333 S. 137th Street E., Wichita, Ks. *introduced herself and then played a taped recording from Paul Harvey on the subject of politics.*

Election year’s politicians, including judges, spent millions of dollars hanging onto jobs that are supposed to pay only a fraction of that much. Even smaller towns, politicians, including members of boards and commissions and committees can be more arbitrary than the Washington, D.C. variety sometimes. Our nation was never intended to be comprised of career politicians. Those guys are servants, not masters.

In the beginning, we elected out best men to make decisions on our behalf for a limited time, then we sent them back to work. A term in politics was like jury duty. But something that was Jeffersonian has since turned into something Machiavellian.

Every day my mail includes letters stained with tears from citizens who are

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getting run over by tank town politicians demanding that they, farmers and others, move over, make way for what the politicians call progress and if the law is not clearly on their side, politicians can still outlast citizens in court because the citizens pay the lawyers for both sides. That's why they threw the lawyers out of Jamestown.

If you are getting unjustly shoved around by Main Street regulators and examiners and inspectors and such, let me know. Maybe we can mount a cumulative counter-attack. Those councilmen who administer your town do not own it and they need to be reminded of that.

Chairman Sciortino said, "Hey, wait a second. Take that off. This is not a place to have a political campaign, I'm sorry."

Ms. Moore said, "Thanks Paul Harvey at 333 North Michigan Avenue, Chicago, Illinois, 60601 on May 20th, 2002. Any questions? Thank you."

Chairman Sciortino said, "Thank you very much. Yes, Commissioner Norton."

Commissioner Norton said, "I think it's an abomination that we have someone that would use this for political reasons and I will defend Mr. Sciortino. He happened to be the Chair and it was someone running against him that he had to request to be pulled off but I guarantee if I'd been sitting in the Chair's seat, I would ask for the same thing. This is not the place to be doing that and I'm appalled that you would use it as that forum. And I will defend you Ben for that because I don't think that was right to put you in that position. There's another place and another time."

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

NEW BUSINESS

D. RESOLUTION APPOINTING CAROLYN MCGINN AS REPRESENTATIVE TO THE GOVERNING BODY OF THE REGIONAL ECONOMIC AREA

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PARTNERSHIP (REAP), AND APPOINTING THOMAS G. WINTERS AS AN ALTERNATE MEMBER TO THE GOVERNING BODY OF REAP.

Mr. Euson said, "Commissioners, we've prepared a resolution for both of these appointments to REAP and I would recommend you approve the resolution."

Chairman Sciortino said, "Thank you. Commissioner Winters, you have a comment."

Commissioner Winters said, "Yes, thank you very much. I've been privileged to serve on the REAP board for two years and find it a very meaningful group. I mean, this is really sort of a council of governments, local governments in a seven-county area, which includes counties and a number of cities in that area. Commissioner McGinn has expressed an interest in becoming more involved in that organization. I think we visited about this at a staff meeting a few weeks ago and I'm certainly going to be supportive of Carolyn's participation in that group. I know Commissioner Norton has participated as a mayor from the mayor's side and I'm sure that if you so desire, before your terms are over here, you'll participate from the county side too.

But again, I think REAP is a good organization. It's bringing people together on issues they can agree about. There's always things that we can't all agree about, but I think REAP's main task is getting folks together in the same room that have common interests and I think it's a worthwhile organization. I'm going to be pleased to have Commissioner McGinn begin participation in that. Thank you."

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

Commissioner McGinn said, "Thank you. And if you all should decide to vote for me, I want to thank you for that. But I do want to share that Commissioner Winters has been very, very involved in REAP and has done an excellent job in reporting back to us as to what's going on in the south central Kansas area and I'm glad that you're still going to be staying on there in some capacity because I think it's very important, as new people come on, that we have the experience of others that have been on there to lean on and to get advice as to what has happened in the past.

And I will guess, Tim, that your chance will be in about a year because I would like to serve for about a year and then pass that on and give someone else an opportunity. Because I think it's very good for all our surrounding communities to see all of us involved in some way in work to cooperate to make their communities better, as well as ours. And so, thank you if the vote does go in a positive direction."

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Chairman Sciortino said, "Well, but now we're not to sure which is the positive direction, vote no or to vote yes."

Commissioner McGinn said, "Oh, okay."

Chairman Sciortino said, "Commissioner Norton."

Commissioner Norton said, "Well, I was one of the . . . As mayor of Haysville, was one of the founding members of REAP and sat on there for the first couple of years. Tom kind of came on as I moved on from there. I do have a great admiration for the group because it gave me a chance to meet folks from Hutchinson and Winfield and Ark City and many of the other communities that are involved in the seven-county area. And it does give us a good forum for trying to decide what we need to do as a central part of Kansas. You know we constantly have a conundrum that we don't get our legislative issues shown to us at the state level and this is a group that really can pull together and lobby and do those kinds of things for us. So, I'm going to be very supportive.

I've had some time on there. Yes, I would like to participate again but I know it is also an open forum. I can go and sit on the back row, not at the table, any time and be a part of that. So, it's not like I feel like I'm being left out."

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

Chairman Sciortino said, "Any further comment? I'd like to make a comment because I think Commissioner McGinn is right on with something. As society grows, no individual city is an island, no county is an island. You have to look at yourself as part of a larger community and our mayor, Bob Knight, from the City of Wichita was always in the forefront of trying to work with various communities, realizing that sometimes a decision that Wichita might make could have an effect on a lot of other communities and he really was involved in REAP because he knew that

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Wichita was just part of the entire area and working as a community and as a larger group you can effect some positive change and not just get it to the point where you're just myopic and just looking at your little corner of the area. It's like the adage you're in a canoe and you're at the back end laughing because the guy in the front end has a hole in it. And I always felt that his attitude about the regionalization of anything that we do is important to take into consideration how it could have an effect on everybody. And I think that you'll be an excellent person on that board and I thank you for taking the initiative to be willing to serve. So, thank you. Clerk, call the roll please."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. Next item."

E. RESOLUTION AUTHORIZING SALE AND CONVEYANCE OF REAL PROPERTY UNDER AUTHORITY OF K.S.A. 19-211(d).

OVERHEAD PRESENTATION

Mr. Bob Parnacott, Assistant County Counselor, greeted the Commissioners and said, "I'm here to present a solution to a situation we've been working on in the North Broadway area. We've got the Big Ditch here of course and then this is, I believe, probably 41st Street and then Broadway is up in here and we're looking at Kratzke's Addition but it's next to a business by the name of Larry's Trailers and a brief history of the project is that we took title to that through a condemnation action several years back and it is essentially just a drainage channel. And the drainage channel had been filled in some time ago and leveled off and Larry's Trailers has been using it to store trailers on.

The solution that we've worked out is a three-way deal involving Larry's Trailers, the City of Wichita and the County. And the different roles are is that Larry's Trailers has agreed to vacate the property temporarily to allow the City to use their manpower and equipment to excavate the drainage channel and return it to original contours at which time Larry's Trailers will pay for the design and construction of a box culvert to be placed in that drainage channel, which will then allow the City to go back in and fill over the top of that and level it back off. Once the project is successfully completed, in exchange for Larry's Trailers incurring a significant cost of preparing and constructing the culvert, the County will then convey title to the property to Larry's Trailers.

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The City is really the lead agency in this. They are overseeing the project plans and our role is fairly limited to just deeding the property over once the project is successfully completed. Under 19-211(d), K.S.A. 19-211(d) this property is worth less than \$50,000, so in order to convey this property at the completion of the project the Board has to by a four/ five vote must approve the resolution authorizing the sale under these terms and then we will publish the notice twice in the official County newspaper. And if there are any questions, I'd be more than happy to answer them."

Chairman Sciortino said, "Thank you, Bob. I do have a question from Commissioner McGinn."

Commissioner McGinn said, "Thank you. Just so you all will know, this has been a problem for many years and it's backed up drainage and I'm not sure how it happened. I think it happened accidentally, as a business grew, needing space and that kind of thing and so the drainage ditch was filled in.

They are going to build the box culvert so that they can continue to use the top portion of that and then that's when we will deed the property to them."

Mr. Parnacott said, "That is correct. We won't actually deed the property over until the project is fully completed and has been signed off on by the City. The other part of the deal is that we will then assign the drainage easement that we will retain over to the City, because it is in the city limits and it's more appropriate for them to have responsibility for it."

Commissioner McGinn said, "And that was the other thing I wanted to make sure of. If they don't maintain that drainage, the City can intervene and make sure that it's taken care of."

Mr. Parnacott said, "Yes."

Commissioner McGinn said, "So, okay. Thank you. That's all I have."

Chairman Sciortino said, "Okay. I don't see any further comments. So, what's the will of the Board on this item?"

MOTION

Commissioner McGinn moved to adopt the Resolution by 4/5ths majority vote; and authorize the Chairman to sign all other related documents.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

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

F. GRANT APPLICATION TO KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR LOCAL ENVIRONMENTAL PROTECTION PROGRAM.

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "Each year the Kansas Department of Health and Environment grants funds to county boards of health or to county commissions for specific environmental protection activities. For many years the Wichita/ Sedgwick County Board of Health applied for and received these funds. Since the reorganization of the health department last January 1st, Sedgwick County must now submit that application. The L.E.P. or the Local Environmental Protection program, L.E.P. was nearly \$150,000 last year. The allocation for this year has been reduced to \$126,000.

There is some income generated by the program. Fees for inspections when properties change hands and in-kind support by local government and that income goes back in to support the program. The program application has eight components that must be addressed by explaining how the service will be provided through coordination, subcontract or direct service. In this application, we propose to subcontract grant funds to the City of Wichita Environmental Health Department to continue providing specific services within the City of Wichita and in Sedgwick County.

In summary, the eight components are as follows. The first one is a countywide environmental protection plan. They ask for the steps that we would take to begin to design a countywide environmental protection plan. The second component relates to the sanitary code and how we'd regulate domestic on-site waste water systems. The county would do the regulation in the unincorporated area and in any city that adopts the county sanitary code. The City of Wichita

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would do that regulation within their own borders. The third component has to do with private drinking water wells and we propose that environmental health continue that program countywide. The fourth has to do with information, education and technical assistance and both City and County would provide that, as we have in the past. The fifth is subdivision water and waste water, both entities sit on the subdivision committee and advise the committee according to their jurisdiction. Hazardous waste management, we propose coordination with environmental resources.

Hazardous waste management is in the Solid Waste Plan and they would remain the lead agency. The seventh component is non-point source pollution and we propose to continue coordination with the conservation district. And the eighth one is a new one this year that has to do with public water protection and the K.D.H.E. has added a component regarding assessment of non-public water supplies. Non-public water supplies would be businesses in the county that operate from a drinking water well rather than on a public supply system. They're designing an assessment program and when that's available then we've agreed that we would assess those . . . that the water supply as requested. I'd be happy to answer any questions you might have. The actual administration of the grant would occur in the Code Enforcement department and Glen Wiltse is here to answer questions and we request that you'd take the recommended action."

Chairman Sciortino said, "Okay, thank you, Irene. Any questions of Irene on this item? I don't see that there are any. So, I'll ask what's the will of the Board on this item please?"

MOTION

Commissioner Norton moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including the grant award agreements containing substantially the same terms and conditions as this Application.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye

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Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you, Irene. Next item please."

G. GRANT APPLICATION TO KANSAS ATTORNEY GENERAL'S OFFICE FOR FEDERAL S.T.O.P. VIOLENCE AGAINST WOMEN GRANT FUNDS.

Ms. Lisa Clancy, Assistant District Attorney, greeted the Commissioners and said, "I'm here today for a continuation of a grant with the Attorney General's Office. This grant application actually the time frame is October 1st through September 30th of 2003.

This funds both a case coordinator and an investigator. They both assist victims of domestic violence, sexual assault and stalking cases. Currently, the request for this project is \$85,177. Of that, there's a 25% cash match, which is coming through the County contingency funds in the total of \$21,294 and a 75% federal fund for \$63,833. So, I'm here today to ask for approval of the grant application and also approval of the award when . . . if it is awarded."

Chairman Sciortino said, "No, no, be positive. When it's awarded."

Ms. Clancy said, "I'm always positive."

Chairman Sciortino said, "Well we do have a question from Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. Ms. Clancy, this is a program that's ongoing that the D.A. established several years ago, correct?"

Ms. Clancy said, "That is correct. This is going into our fifth year, actually."

Commissioner Gwin said, "Okay. And are these just annual grants? You have to reapply every year?"

Ms. Clancy said, "Yes they are."

Commissioner Gwin said, "Okay. It would be nice . . . I think the program is probably very worthwhile, it would be nice if we could get a multi-year commitment."

Ms. Clancy said, "I would love that."

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Commissioner Gwin said, “Appreciate you coming back here every year to continue this. Thank you, Mr. Chairman.”

Chairman Sciortino said, “All right. I don’t see that there’s any other comments. We have a Motion and a Second. No we don’t.”

MOTION

Commissioner Norton moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including the grant award agreements containing substantially the same terms and conditions as this Application.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Thank you very much. Next item please.”

H. DIVISION OF HUMAN SERVICES.

1. FUNDING REQUEST TO KANSAS JUVENILE JUSTICE AUTHORITY FOR CONTINUED FUNDING OF EXISTING JUVENILE JUSTICE PROGRAMS.

- **ADMINISTRATIVE STRUCTURE – PREVENTION**
- **COMMUNITY TRUANCY IMMUNIZATION PROJECT**
- **JAC CASE MANAGEMENT**
- **FAMILY GROUP CONFERENCING**
- **PARENT TRAINNG**
- **FUNCTIONAL FAMILY THERAPY**
- **JUVENILE INTAKE AND ASSESSMENT CENTER**

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- **ADMINISTRATIVE STRUCTURE – INTERVENTION/
GRADUATED SANCTIONS**
- **DISTRICT ATTORNEY'S DIVERSION/IMMEDIATE
INTERVENTION PROGRAM**
- **DETENTION ADVOCACY SERVICE**
- **MULTISYSTEMIC THERAPY**
- **JUVENILE CASE MANAGEMENT**
- **JUVENILE INTENSIVE SUPERVISION PROGRAM**

OVERHEAD PRESENTATION

Ms. Chris Kautzer, Systems Integration Coordinator, Department of Corrections, greeted the Commissioners and said, "I'm here this morning to present the recommended budgets for state fiscal year 2003 for our local state funded Juvenile Justice programs. The state process involves the submission of a grant application to the state Juvenile Justice Authority that details each of the programs. You approved our application in April and the state approved it in June and notified us of the amount of funding that we would be receiving. Now we need to submit a detailed budget to the state for each of the programs showing how we will spend the money.

For the coming year, the major difference in funding made by legislation involved elimination of what is called the local purchase of service fund. This cut was 1.9 million statewide, which translates to about \$854,000 to Sedgwick County. The most significant local impact of this change was the loss of funding for day reporting and closure of our only such program operated by DECCA since 1994. DECCA Day Reporting served approximately 120 of our juvenile offenders per year. Other impacts caused by the loss of the local purchase of service fund included planning for additional costs for transportation and for clothing in our Juvenile Case Management program. And we planned four shifts in service demands due to the loss of the day reporting services in our continuum.

The budgets that we are presenting to you today reflect those shifts in funding and continuation of existing programs without any new initiatives. As the overhead shows, the award for prevention programs is \$1,371,975, which is slightly more than the current year and the award for intervention and graduated sanctions programs is a total of \$3,093,319, which is a flat budget when you eliminate the local purchase of service funds.

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Team Justice, our Sedgwick County Juvenile Corrections Advisory Board, with the assistance from their two subcommittees, approved these budgets on June 14th. We are asking you to approve these budgets for submission to the state. I'd be happy to go through any of the programs that you'd like me to or address any other questions that you may have at this time."

Chairman Sciortino said, "Thank you. I don't see that there's any questions. Excuse me, I do have one. Commissioner Winters."

Commissioner Winters said, "Yes. Chris, could you talk just a moment about the loss of the day reporting activities and what that's really going to mean."

Ms. Kautzer said, "What it will mean, and it's reflected in our budget for a juvenile case management program, is they're proposing to add a couple of additional intensive supervision officer positions because they expect that the demand for their services will be greater because of the closing of this program. Also, we have several programs on our local funded programs here, like Functional Family Therapy, which is a prevention program sponsored by Family Consultation Service, which will be able to accept more referrals and hopefully help pick up some of the slack of those kids."

Commissioner Winters said, "But something is not going to get done. Something is in place with these juveniles that were on day reporting, something is going to have to fill the gap someplace. It's not like there's not a need to have them be in day reporting routine. They're either going to go unsupervised or not receive a service. And I know that's not necessarily what we're here today to talk about. I'm certainly going to be supportive of the request of moving forward with what we do have. And we're certainly thankful that we've got the funds to continue on with the prevention programs and the intervention programs and graduated sanctions as much as we can. But it still, with the loss of those funds, there are activities that are going to be lost. So, thanks for your report. I'm going to be supportive. That's all I have."

Chairman Sciortino said, "Well, I'd like to piggy-back on what Commissioner Winters' . . . we're in a very volatile time, as far as our budgeting is concerned. I know the state has demonstrated they have serious problems and I'm not convinced we've seen the last shoe drop on what might happen. And I think it would be very beneficial for us and also the general public to know that when we get a cut as serious as this one, that you let us know what happens because if nothing happens, then I'd have to side with the state. Why fund something if it wasn't needed. But if they take away something and some vital services are not going to be filled because of that, then we need to know

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that and so does the public. So, I would encourage you, if you could, to maybe have someone from the department give us a report and let us know exactly what the negative aspects are of closing this day reporting center. I think that would be beneficial for us.”

Ms. Kautzer said, “We will do that.”

Chairman Sciortino said, “Okay, thank you very much. What’s the will of the Board on this item please?”

MOTION

Commissioner Gwin moved to approve the funding request.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Thank you very much. Clerk, call the next item please.”

2. SECOND AMENDMENT TO CONTRACTS WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS AND BREAKTHROUGH CLUB OF SEDGWICK COUNTY TO PROVIDE COMMUNITY-BASED SERVICES.

Ms. Debbie Donaldson, Director, Division of Human Services, greeted the Commissioners and said, “Marilyn Cook is attending a meeting regarding the children’s campaign and so I will be handling the mental health items.

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This first item is a second amendment with these two organizations and it does provide some additional protections for them through their billing of Medicaid and I would recommend your approval.”

Chairman Sciortino said, “All right, thank you. Any questions of Debbie on this item? What’s the will of the Board please?”

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Next item please.”

3. THIRD AMENDMENT TO CONTRACT WITH FAMILY CONSULTATION SERVICE OF WICHITA, INC. TO PROVIDE COMMUNITY-BASED SERVICES.

Ms. Donaldson said, “Commissioners, this particular amendment is just some technical adjustments, in terms of compensation. I would recommend your approval.”

Chairman Sciortino said, “Thank you.”

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MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you very much, Debbie. Next item."

4. AMENDMENT TO TITLE XIX CERTIFIED MATCH SYSTEM AGREEMENT WITH SOCIAL AND REHABILITATION SERVICES DIVISION OF HEALTH CARE POLICY TO PROVIDE SERVICES TO YOUTH IN FOSTER CARE PROGRAMS.

Ms. Donaldson said, "Commissioners, as you're aware we have taken on a big initiative in terms of providing mental health services to youth who are in foster care who need specialized, non-traditional services. This contract provides the state portion of Medicaid for us, that part of the match and upon signing this agreement, we receive 50% of that, which is \$101,299. I would recommend your approval."

Chairman Sciortino said, "Thank you, Debbie. Any questions of Debbie on this item? I don't see that there's any."

MOTION

Commissioner Gwin moved to approve the Amendment 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 Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. Next item."

5. NOTIFICATION OF GRANT AWARD FOR START-UP FUNDS TO BE SUBMITTED TO THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES DIVISION OF HEALTH CARE POLICY.

Ms. Donaldson said, "Commissioners, this particular item involves the Community Developmental Disability Organization and these are start-up funds for individuals who are leaving either a state hospital or a nursing facility for mental retardation and these allow some funds that can be given to the provider to help in terms of things. For example, to set up an apartment or what people might need so they can integrate into the community. The amount is \$160,000 and we are hoping to serve 130 individuals with those funds. We'd be glad to answer any questions and would recommend your approval."

Chairman Sciortino said, "Thank you, Debbie. Any questions on this item? What's the will of the Board please?"

MOTION

Commissioner Norton moved to approve the Notification of Grant Award and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. Next item."

6. DELETION OF ONE OFFICE SPECIALIST POSITION, RANGE 15, FROM THE DEPARTMENT OF CORRECTIONS STAFFING TABLE; AND ADDITION OF ONE HUMAN SERVICES DIRECTOR OF SPECIAL PROJECTS, RANGE 26, TO THE HUMAN SERVICES STAFFING TABLE.

Ms. Donaldson said, "Commissioners, we are recommending your approval of this position. This position will take on critical programs and projects within the division and will be used division-wide within Human Services. Examples of those projects would be the development of a crisis resolution services which will be critical to keep folks from overusing emergency rooms and actually will be a cost savings to the community. We believe that this position will help increase the efficiencies throughout the division. I request that you approve the deletion and then the addition of the position and also would request a waiver to allow hiring at a step five. Be glad to answer any questions."

Chairman Sciortino said, "Thank you, Debbie. I don't think . . . Yes, we do. Commissioner Gwin."

Commissioner Gwin said, "I'm going to be supportive of this position in the Director of Special Projects because it seems to me this division, this department has a lot of challenges and a lot of need to serve the public. You mentioned one. Will you keep us posted as, hopefully, this position goes along as to what projects, how you're using this individual and how the Division of Human Services is better served by having this position here? Will you keep us posted on that?"

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Ms. Donaldson said, “Absolutely. We already have a list of projects. They’re going to be so busy, starting day one.”

Commissioner Gwin said, “That’s what I was thinking. Well, I’m certainly going to be supportive of it and look forward to the positive improvements for your division. Thank you, Mr. Chairman.”

Chairman Sciortino said, “Thank you. Any other comments or questions of Debbie on this item? I don’t see any. So, what’s the will of the Board please?”

MOTION

Commissioner Norton moved to approve the deletion from the Department of Corrections Staffing Table and addition to the Human Services Staffing Table.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Next item please.”

I. ADDITION OF ONE FULL-TIME ADVANCED REGISTERED NURSE PRACTICIONER TO THE HEALTH DEPARTMENT STAFFING TABLE.

Ms. Phyllis Gearing-Anderson, Director of Preventive Health, greeted the Commissioners and

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said, "I'm here requesting and recommending approval of the addition or reinstatement of one full-time equivalent advanced registered nurse practitioner. The Kansas Department of Health and Environment awards the Sedgwick County Health Department funding annually to provide family planning services to Sedgwick County residents. Last year's funding totaled \$195,704. The KDHE goal of family planning is to provide individuals the information and means to exercise personal choice in determining the number and spacing of children, prioritizing these services to low income and we define low income as those below the 150% of poverty and high-risk individuals aged 19 and under.

The contract requires the Health Department to provide family planning services to 5,000 users during the contract year with an established fee schedule for services and supplies. The contract also requires that any revenue generated from these services be used to support the maintenance and expansion of family planning services. Currently, this grant supports the salary of one full-time advanced registered nurse practitioner and the partial salary of a family planning case manager. We are requesting the reinstatement of a 1.0 FTE ARNP position and we will delete two part-time technical support positions to support this position.

Also, I just want to say that the 1.0 FTE ARNP position was recently used to expedite the D.I.O. plan for the Health Department and we'd like to reinstate that position or re-add that position to the staffing table of the Health Department. Any questions?"

Chairman Sciortino said, "I don't see that there's any questions. I do have one. Did I hear you say that the definition is 150% below the poverty level?"

Ms. Gearing-Anderson said, "One hundred and fifty percent of the poverty level. Below 150% of poverty is our definition of low income."

Chairman Sciortino said, "So if their income is 150% below the income that is defined as poverty level? Is that what you said?"

Ms. Gearing-Anderson said, "You know, maybe I'm incorrect in that. One hundred and fifty percent of poverty and that means poverty level at a certain . . ."

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Chairman Sciortino said, “Fifty percent above the actual . . . Okay. That’s what I thought you meant. When I heard the other one I thought ‘wow, that would really be low’. Great, just wanted to clear that point up. Okay, thank you. What’s the will of the Board on this item please?”

MOTION

Commissioner Gwin moved to approve the addition to the Health Department Staffing Table.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Thank you very much. Next item.”

J. RESOLUTION DETERMINING SUFFICIENCY OF PETITION FOR CREATION OF A LIBRARY DISTRICT PURSUANT TO K.S.A. 12-1236.

POWERPOINT PRESENTATION

Mr. Euson said, “Commissioners, this is a matter involving the City of Andale and Sherman Township and Sherman Township is shown on the map. It’s in the northwest quadrant of the County. And the voters of Sherman Township and the City of Andale have petitioned the County to allow an election to form a library district. And the petitions before you have been submitted by . . . The statute requires them to be submitted by voters both within the City of Andale and voters outside the City of Andale but within the boundaries of the township. And so before you are petitions of 188 voters in Andale and the signatures of 108 voters who live outside Andale but within the boundaries of Sherman Township.

The law says that the city and a township can form a library district if 10% of the voters in the township petition you and if you determine those petitions are sufficient, then it’s your duty to call

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for an election on the question of forming that district. And so that is really what is before you. The Election Commissioner has determined that these petitions do contain 10% or more of the signatures of voters in both jurisdictions and so I believe you can find that the petition is sufficient and go ahead and call for the election.

We've prepared a resolution for that and the election would be held in conjunction with the statewide primary, when ever that may be. And so, if you approve the resolution, it will be on that ballot for approval by the voters in the township and the city. What happens after that is that if they approve it then this matter will come back before you and you will be required to form the district and then the district is set up and is governed by a seven-member governing board, which is elected by the electors within the township and it has the ability to issue bonds and to levy an annual tax for maintenance of the library.

So, we would certainly recommend that you would find the petitions sufficient and adopt the resolution and I would be glad to answer any questions and I see that Marilyn Chapman, the Election Commissioner, is also present and I'm sure she would be glad to do the same."

Chairman Sciortino said, "Thank you. We do have a question or a comment. Commissioner Winters."

Commissioner Winters said, "All right, thank you. Well, I was just going to speak to my colleagues on the Bench and encourage you to support this Motion or this resolution. I think it's pretty simple there. With a valid petition being circulated, there is at least sufficient indication that there's enough people in Andale and Sherman Township that request this be placed on the ballot. I would say on the resolution the wording seems to be pretty clear, 'Shall the City of Andale and Sherman Township join in the creation of a library' and a yes means yes we will and no is pretty simple. There's no backwards kinds of readings there. So it seems pretty clear to me.

Rich, if we take a positive action today it's my understanding that this needs to be published in a newspaper and I believe the newspaper for this area is the Mount Hope Clarion. Is there anything special that you will do or the Clerk needs to do or the people that are supporting this in Andale need to do?"

Mr. Euson said, "We will work . . . I've already talked to Marilyn Chapman about that. We will work with her office to make sure that the notices are published and that's really the extent of our involvement."

Commissioner Winters said, "Okay. All right, thank you. That's all I have at this moment."

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Chairman Sciortino said, “Thank you. I just have a question maybe perhaps of Marilyn. Will this be on this, the regular primary ballot in Andale, so it will just be a normal election cycle thing? And what we’re doing is just allowing the citizens of that township to tell themselves what they want to do, so we’re just allowing them to vote. I certainly can’t see any reason why we would deny that. So, I’ll be very supportive of this. What’s the will of the Board on this?”

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

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

K. AMENDMENT TO CAPITAL IMPROVEMENT PROGRAM CIP# R260 TO WIDEN 85TH STREET NORTH ONE HALF MILE EAST OF MERIDIAN.

Mr. Pete Giroux, Senior Management Analyst, Budget Department, greeted the Commissioners and said, “This is a request to increase the approved amount on project R-260, which was in the 2002 CIP. The amount of increase is \$400,000. Valley Center is managing this project and it widens 85th Street to a three-lane urban section from Meridian to the west branch of the Chisholm Creek diversion channel on the east edge of the community.

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The project also adds left turn lanes at the intersection of 85th and Meridian and should greatly improve the traffic flow on both 85th North and Meridian. As the project progressed, revision to the initial plans and estimates were required and those revisions included storm sewers, detention pond and a storm water pumping station to provide drainage for the road and the adjacent area.

Source of funds is from the local sales tax road and bridge fund and there are adequate funds to support this increase. Both staff and the CIP Committee have reviewed the project and recommend approval. Do you have any questions?"

Chairman Sciortino said, "Thank you. We do have a comment from Commissioner McGinn or a question."

Commissioner McGinn said, "Thank you. I just want to share that as County government, we can partner with towns that are under 5,000 in populations with interlinking roads. This is a very good project because, in looking at the road, it was a good road when it served the town of about 1,500 and now there are over 4,000. And their school has grown greatly in that period of time and this is going to help their traffic flow and as an interlinking flow for people traveling to and from communities in Sedgwick County. The reason . . . part of another reason for the increase that they were not aware of is the fact that, you know, they build roads up when you have open ditches but then when you have to put them underground and then they have to lower the road and they ran into a water pipeline and so, some of these other kinds of problems of course flared up. But I wanted to share with all of you that this will be a very good project in our County. Thank you."

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

Commissioner Norton said, "Just a clarification, this is in the corporate city limits of Valley Center, or is it on the fringe area?"

Commissioner McGinn said, "It is . . . It goes through the corporate city limits."

Commissioner Norton said, "That's what I thought. Okay."

Mr. David Spears, County Engineer/ Director, Public Works Department, said, "It is a connecting link."

Commissioner Norton said, "Right. Okay."

Chairman Sciortino said, "Okay. Any further comments?"

MOTION

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Commissioner McGinn moved to approve the Agreement and authorize the Chair to sign

Commissioner Norton seconded the Motion.

Commissioner Gwin said, "Question."

Commissioner McGinn said, "Thank you. I need to back up. I'll take away my Motion."

AMENDED MOTION

Commissioner McGinn moved to approve the CIP Amendment

Commissioner Norton seconded the Motion.

Commissioner McGinn said, "I got ahead of myself."

Chairman Sciortino said, "Oh, you're just assuming we're going to approve the next item."

Commissioner McGinn said, "I was at L and we were at K."

Commissioner Gwin said, "I'm clear on the Motion now."

Chairman Sciortino said, "I'm not to sure if we had a Second. Do we have a Second?"

Commissioner Norton said, "I Seconded it."

Chairman Sciortino said, "On the clarification of the Motion. Okay Clerk, call the roll on Item K."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

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

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L. AGREEMENT WITH CITY OF VALLEY CENTER TO WIDEN 85TH STREET NORTH ONE HALF MILE EAST OF MERIDIAN. CIP# R-260. DISTRICT 4.

Mr. Spears said, “Item L is an agreement between Sedgwick County and the City of Valley Center for the road improvement project on 85th Street North between Meridian and the west branch of the Chisholm Creek diversion channel, designated as R-260 in the Capital Improvement Program. Certain improvements will be made to the intersection of 85th Street North and Meridian to increase the level of service. The roadway itself will be constructed to three lane urban standards including curbing, guttering, auxiliary lanes, storm sewers, storm water detention pond and a storm water pumping station. Sedgwick County will pay for one half of the cost of the project, not to exceed \$1,000,000. I recommend that you approve the agreement and authorize the Chairman to sign.”

Chairman Sciortino said, “Thank you, David. Do we have any questions of David? Commissioner Gwin, you have a question.”

Commissioner Gwin said, “Not a question, just a comment that as Commissioner McGinn and others of us know that when we have an opportunity to partner with cities to improve their roads, I think it’s a very healthy partnership. We have a responsibility on connecting links through towns of less than 5,000, and if those communities want to further enhance that for them to be partners with it is even a bigger plus. So I appreciate Valley Center’s willingness to be a part of solving a road project and a road problem and I’m certainly going to be supportive of it.”

Commissioner McGinn said, “And they are paying more than half.”

Commissioner Gwin said, “Right.”

Chairman Sciortino said, “Thank you. Any other questions or comments. I don’t see any. So, what’s the will of the Board?”

MOTION

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Commissioner McGinn 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 Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, “Thank you. We’re going to take just a real quick five-minute break and we’ll be back.”

The Board of Sedgwick County Commissioners recessed at 10:07 a.m. and returned at 10:20 a.m.

Chairman Sciortino said, “We’re back in session. Clerk, call the next item please.”

M. BOARD OF BIDS AND CONTRACTS.

1. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF JUNE 20, 2002.

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “You have the Minutes of the June 20th meeting of the Board of Bids and Contracts and there are six items for your consideration.

1) A & E TO REMODEL MUNGER BUILDING- FACILITY PROJECTS FUNDING: CAPITAL IMPROVEMENT PROJECT

Item one, A & E to remodel the Munger Building for Facility Projects. It was moved to accept the low proposal from Wilson, Darnell and Mann for \$25,000.

2) KITCHEN EQUIPMENT FOR CAFETERIA- FACILITY PROJECTS

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FUNDING: CAPITAL IMPROVEMENT PROJECT

Item two, kitchen equipment for the cafeteria for Facility Projects. It was moved to accept the bid, including alternate 16, which is an ice maker to Sunflower Restaurant Supply for \$140,319.

**3) SYSTEMS FURNITURE FOR PSI RELOCATION- FACILITY PROJECTS
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item three, systems furniture for PSI relocation for Facility Projects. It was moved to accept the quote from Goldsmith's, \$37,019.44.

**4) ROCK SALT- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

Item four, rock salt for the Public Works Department. It was moved to accept the bid from Ritchie Sand for \$80,255.

**5) ASSOCIATION OF COMMUNITY MENTAL HEALTH MEMBERSHIP
RENEWAL- COMCARE
FUNDING: COMCARE ADMINISTRATION**

Item five, Association of Community Mental Health membership renewal for COMCARE. It was moved to accept the expenditure with Association of Community Mental Health Centers of Kansas for \$35,863.87.

**6) MEDICAL COLLECTION AGENCY SERVICES EMS/ FINANCE/ HEALTH
DEPT./ COMCARE
FUNDING: EMS/ FINANCE/ HEALTH DEPT./ COMCARE**

Item six, medical collections for agency services, EMS, Finance Department, Health Department and COMCARE. It was moved to accept the low proposal from Omni Credit Services to execute a two-year contract for collection agency services at a 24% collection rate.

I'll be happy to take questions and would recommend approval of the Minutes of the Board of Bids and Contracts."

Chairman Sciortino said, "Okay, thank you. Do we have any questions on . . . Oh, excuse me. Commissioner Norton, go ahead."

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Commissioner Norton said, "Just one on number five. How is that dollars amount, how do we come up with that? Is that a percentage? How is that . . . population?"

Mr. Phipps said, "I don't have that information with me, Commissioner Norton. I'm sorry. I will get that information by the end of the day."

Commissioner Norton said, "Okay. If you'd just forward it to me that's kind of an odd amount and a little larger amount than most dues."

Chairman Sciortino said, "Commissioner, would you like to defer this item until you get that input, to get comfortable?"

Commissioner Norton said, "Is Debbie here? Maybe Debbie can give us that information."

Ms. Donaldson said, "Dues with the Association of Community Mental Health Centers is based on revenues received and so is proportional to the revenues received from the state and that's how they base those. And there's a certain amount and that's the cap and that is the highest amount you can pay. But we do receive the greatest amount of revenues from the state."

Commissioner Norton said, "Describe that organization. It's non-profit, it has a board . . ."

Ms. Donaldson said, "It's a non-profit organization. The board is made up of the mental health center director and a governing board member and so there are two representatives from each mental health center in the state. There are 29 mental health centers in the state and it provides a wide range of activities, including training, negotiations with the state, negotiations with the state agency, a lot of work at the capitol, that type of thing. It's been a very effective organization."

Commissioner Norton said, "How long have we belonged and how long has the organization been around?"

Ms. Donaldson said, "I think it's been around since the '70s. We've belonged full-time and have provided strong leadership in that organization during that time."

Commissioner Norton said, "Okay. Thank you, Debbie. That's all I have."

Chairman Sciortino said, "Okay, thank you. I don't see that there are any other comments. So, what's the will of the Board on Item M-1 please?"

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MOTION

Commissioner Gwin moved to approve the recommendations of the Board of Bids and Contracts for the regular meeting of June 20th, 2002.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Next item please."

2. SPECIAL MEETING OF THE BOARD OF BIDS AND CONTRACTS.

1) SALE OF 207/ 209 N. EMPORIA- FACILITY PROJECTS

Mr. Phipps said, "You have the Minutes of the June 24th special meeting of the Board of Bids and Contracts and there's one item for your consideration.

It was moved to accept the high bid from Shirkmere Partnership for \$120,000 for the sale of 207/ 209 North Emporia facilities."

Chairman Sciortino said, "Okay, thank you. Is there any questions? We have a comment or a question from Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. On this item, I have had several calls of some individuals that would like to speak to this item today. I know we don't generally always do that but would like to give them that opportunity and I don't know if this is the appropriate time or

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not.”

Chairman Sciortino said, “It probably is the appropriate time to ask and I don’t know that we have ever done that but if you feel that that would be something you would like to have done, I don’t . . . What’s the will of the Board on that? Is that okay? Is that fine? Okay, fine. Is there anyone here in the audience that would like to speak for or against this item? Please come forward. State your name and address and you have five minutes. Well, you know the routine, Joan. What am I telling you for.”

Ms. Joan Cole, 323 N. Market, Wichita, Ks., greeted the Commissioners and said, “I both live and work at 323 North Market Street in the center of downtown. I am here today both as a member of the Wichita Downtown Development Corporation and also as a supporter of quality redevelopment, quality housing in the downtown area where I both live and work. I’m here primarily to ask you to provide additional time, additional opportunity for potential developers of this property to submit proposals for these buildings that you own in the 200 block of North Emporia.

I regret that I am here in such a tardy fashion but I really became aware to a large degree of this property and its sale through the Wichita Downtown Development Corporation. We met last week and spent a great deal of time considering this property, which is of course in the downtown area. And then a number of us began to contact Commissioner McGinn and so I am . . . I regret that I didn’t do this two months earlier, but I really did not understand the situation at that time.

There may be others here to indicate that one of the major goals of the Wichita Downtown Development Corporation is to provide additional housing, quality housing in the downtown area. We also understand that housing must be affordable. Eaton Place, the Mosley Street Apartments and the Innes Street Apartments and I mention those because I was involved in the development of those properties as a City Council member. They all have a percentage of units that we call affordable, along with other units that rent at market rate.

I’m here to ask you to consider doing a request for proposal again that would provide or request information from the potential owners of this property as to what they intend to do with it and use that as one of the criteria in determining whose bid you shall choose.

The downtown area, as you are very well aware, is very vulnerable and we believe it is important that redevelopment be done by people with good track records for maintaining property well and providing housing that is in compliance with city codes and attractive. In other words, will improve the neighborhood in which it is located.

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You may be aware of the developer from St. Paul, Minnesota who was the developer/ partner of the City of Wichita on Eaton Place. One of the reasons the city chose Metro-Planes was their commitment to stay and manage those units, a commitment that we had observed in other cities where they carried out their development. Several years ago, Metro-Planes began looking for additional buildings in the downtown area to develop as apartments. Their goal was to have over 200 units to manage. That evidently is some magic number.

When I learned about the property last week, I contacted Metro-Planes to see if they would be interested. They sent their manager over immediately to view the property and called yesterday to say they are very interested. They plan to fly into Wichita on the 15th of July and would like to investigate the possibility of developing this property. I understand that you must be fair and equitable and I am not suggesting for one minute that you decide to award this property to someone who hasn't even made a bid, but I use it as an example of ways in which I believe that the Wichita Downtown Development Corporation could assist in trying to find someone willing to purchase the building with the kind of track record that Wichita Downtown Development Corporation is so anxious to have working in the center of the City.

I called my city council member, Sharon Fearey, to talk a little bit about this. I use Metro-Planes primarily because that was a group that I worked with. And they worked, of course, with the City. We did not use local tax dollars but we did use a combination of home funds that the City has, tax credits, federal tax credits. Now of course we have a state tax credit, which makes these kinds of things far more attractive here in this state.

So, I'm using that as really just an example. I had an e-mail from Gary Stenson, who is the principal of Metro-Planes. I believe that went to . . . Is my time up?"

Chairman Sciortino said, "Uh-huh. If you have somebody else who can just pick it up in the middle of a sentence?"

Ms. Cole said, "May I have just one minute?"

Chairman Sciortino said, "You can certainly have another minute."

Ms. Cole said, "Thank you. I would share that memo with you that indicates a very, very strong

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interest in that and a willingness to begin due diligence instantly if you would find a way to provide additional opportunity for a group such as this, plus any other that might come along. We're very committed, as an organization, to assisting Sedgwick County if you would allow us to, to find a use for this building that is an enhancement to the downtown area. And if you would be willing to factor in conditions, as you choose the potential property owner, besides price in the determination of who shall become the owner of the property. Thank you very much for hearing me."

Chairman Sciortino said, "Okay. Joan, I think we have a question of you. Commissioner Gwin."

Commissioner Gwin said, "Just real quickly, when was the Downtown Development Corporation created?"

Ms. Cole said, "The vote to do so took place in the spring of 2001. Am I correct? We began meeting shortly thereafter. We hired our full-time director, Ed Wolverton, who is here along with Joe Johnson and Council Member Fearey, who sits on the Board. He joined us in February. So, we really have just begun working. We have our goals and objectives. We've done a retreat of sorts and our interest is, as I said earlier, very much in quality redevelopment and most especially residential housing."

Commissioner Gwin said, "Thank you. Thank you, Mr. Chairman."

Chairman Sciortino said, "Thank you."

Commissioner McGinn said, "I have one quick question. Has anyone checked on the federal and state tax credits, if those were on the chopping block or anything because of the state's financial crisis?"

Ms. Cole said, "I don't really perceive how that would effect it but the answer is no. I really . . . We really didn't start doing anything on this until about Friday and that is one of the things that Metro-Plane certainly would participate in and that's something that WDDC could do as well. It is my understanding there are home funds available through the City but I don't know the extent of the tax credits."

Commissioner McGinn said, "Okay."

Chairman Sciortino said, "Thank you. Anyone else that would like to speak? You might want to comment on the quality of the dinner we had last night. I though it was excellent."

Ms. Sharon Fearey said, "The dinner was excellent. I was kind of a last minute stand-in and I feel very fortunate."

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Chairman Sciortino said, “Why don’t you share with everybody. I think . . . because the press wasn’t there. We had a dinner honoring the Ambassador of the Organization of American States and it’s Mr. Roger Noriega. Tell a little bit about it.”

Ms. Fearey said, “Is this part of my five minutes?”

Chairman Sciortino said, “No, no. This is just ad lib, because I think it’s important that we get some kind of press coverage on that.”

Ms. Fearey said, “Yes. Hopefully there is a luncheon today too and I am hopeful that the press will be there. He spoke about the trade corridor, the South America, Mexico, U.S.A., Canada corridor, how important it is. I was very surprised and I can’t remember any of his figures right now but the export/ import business we do with Mexico and Canada as compared to Europe, like I say, I was very surprised how high it is. It was certainly an honor to meet him and to hear him talk about some of the trade and trade agreements that are going on and what they can do for us and for our economy.”

Chairman Sciortino said, “Yes. And the other thing that I thought was important, he’s a hometown boy. I mean, he was born and raised here and he’s a terrific role model for Hispanic youth and he was just a very . . . We met his mother and his sisters and his aunts and I was in heaven because I was practicing my Spanish back and forth and I made a couple of mistakes. I called eggs, which is *wavos*, *wavas*, which is Thursdays, so I asked for two fried Thursdays but other than that we were okay. Okay, now the five minutes starts.”

Ms. Fearey said, “Okay. Thank you. I am here this morning I guess with several hats on. This part of downtown that we’re talking about, 207 and 209 North Emporia, is in my district, the 6th District. I’ve also been an advocate for downtown redevelopment for many years, partly during my years as the Historic Midtown Citizens Association president, board member of that organization and just residing in the area for many years. I think that the partnerships that have been formed in downtown and everything that the government has done is certainly moving it in a wonderful direction. And I would like to thank you for the opportunity to speak this morning about this and for waiving your normal procedures to let us come before you.

I do want to echo many of Ms. Cole’s comments and foremost encourage you to not award the sale of this building and to instead issue a request for proposal. The County is in a unique position with the ownership of this building. Downtown redevelopment is usually viewed, and rightly so, as a

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city initiative and goal. However, with the ownership of this property, you all have the opportunity to become a part of this ongoing process. By formulating a request for proposal, you can set the perimeters for what you want to see happen. It would give you the opportunity to contribute to increased quality housing in the core area, which in turn increases all of our tax base.

Commissioner McGinn and I had the pleasure last night of attending the ribbon cutting ceremony for the new Inter-Faith Ministry's Villa. This is a low-income housing project that serves our community and provides quality housing. Eight of the units in this 37 unit project are set aside for people who have been homeless, some of them up to 7 years. Roy Johnson, the City's Housing Director, worked with Inter-Faith in getting this project developed and I think that if the right developer came along, he could certainly be instrumental in the redevelopment of the La Louisianan property.

The Inter-Faith Villa is a low-income housing project and it does serve the community. The La Louisianan property could be a similar project if awarded to the right developer under the right conditions. On the other hand, it could become a low-income property that would provide slum housing or poor, un-maintained housing if sold to the wrong person.

I urge you to please take this opportunity to lend a hand to downtown revitalization by sending out a request for proposal that will make this property a housing opportunity that will truly serve the citizens of the community. Thank you. Are there any questions?"

Chairman Sciortino said, "I don't see any at this time."

Ms. Fearey said, "And if I could, the question that you had, Carolyn, about the state tax credit, that was not ever considered as a cut for this year. So I think that it's pretty far out there in what they were looking at. But, who knows. It is the state."

Commissioner McGinn said, "Thank you."

Chairman Sciortino said, "Anyone else that would like to speak?"

Mr. Ed Wolverton, President, Downtown Development Corporation, greeted the Commissioners and said, "I am here today to speak to you in my capacity as the President of the Downtown Development Corporation. And in hearing both Ms. Cole and Ms. Fearey talk about the project, I'm going to do my best not to be too repetitive on some of the issues that they brought up.

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However, I do want to address a couple of issues that I've heard.

The Downtown Development Corporation is a fairly new entity that I take as starting in February of this year, with my arrival as their first full-time staff. We are a non-profit organization and we contract with the City to provide development services for the downtown area. Our goal is very simple. We want to stimulate both investment and activity in downtown to help stimulate more growth and more positive development in the area. And in terms of this particular project, we do think that it would be appropriate to consider the re-bid of this project through the creation of a request for proposals. In fact, our organization did spend a significant amount of time talking about this very issue and are even willing to dedicate both staff and financial resources to assist the County and partner with the County in this redevelopment process. And I can tell you a little bit more about some of my ideas of how that could work.

But we are concerned about the use of this asset and we do view this as an asset or an opportunity for us to really try to attract something better that will achieve our goal of revitalizing downtown and perhaps help achieve your goal of getting this property back on the tax base to a long-term user that will build our tax base even further.

We think that there is interest in the development community that we can work with and nurture to get them involved in the process and perhaps the RFP would be the way to do that if we can start identifying some of those issues that would be involved in the development community that create some uncertainty in redeveloping the project. Such as doing a very quick assessment of lead-base paint, of assessment, of the structural condition of the building, finding out those things, getting them done up front and getting them out to the development community as part of the development package, so they know those things are out there and can get a better gauge what would be involved with the redevelopment of the project.

The risk to the County, as I see it, are really twofold. One is what will, if we do re-bid, how much would those bids come back at. That's something we really don't know. The second . . . and I would hope to think that we can get a higher bid for you by going after a better quality project but I can't guarantee that obviously. The second question is will we get bids. I think you have bid this property before and were unable to attract any bidders for this particular one. This is the second time, if the County Manager can correct me on that, but it is my understanding this is the second

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time. On a staff level, we did work with trying to spread the word about the availability of this property to developers and we just targeted some local developers, some architects, some real estate professionals. We think that list can be expanded upon and we can go after some more regional and national developers to come in on that as well.

There is certainly a trend in downtown center cities across the country in terms of housing, this becoming a residential opportunity and most of those as you look at them are both a mixed income projects or market-rate type projects and we think this one is uniquely positioned to follow that trend and when you look at Innes Place and you look at Eaton, both of those are examples, locally, of this trend occurring.

In terms of finding those developers, these downtown projects are slightly more complex but the City does have about \$500,000 in home federal funds that could go towards affordable housing. You also heard reference to a state and federal local tax credit. Those provide a 45% tax credit for an investor who comes in and redevelops these buildings to historic standards. This building certainly will qualify for those standards because of its age. An experienced developer will know how to blend those programs together to create a project that meets all of those goals.

So, in conclusion, we do think that there is a good opportunity for us to partner together with you to attract a better quality user for this project and this building and we stand prepared to work with you to help accomplish that.”

Chairman Sciortino said, “Thank you. I just need to ask you one question just to clarify something that was of concern to me, what Ms. Cole said. I got the indication from Ms. Cole that you all just found out about this last week that the building was available. Is that true or did you know about the bid process when we submitted the bids?”

Mr. Wolverton said, “We knew about the bid process when it started and we worked very closely, on a staff level, I worked very closely with Ms. Baker.”

Chairman Sciortino said, “Did you share that with your board members that you were looking at that? I mean, I was concerned that Ms. Cole said that she hadn’t heard about it until last week.”

Mr. Wolverton said, “Last . . . our board meets on a monthly basis, so last week was when we really delved into it on a board level of what we need to do to try . . .”

Chairman Sciortino said, “Hang in there just for a second. When did we send those bids out?”

Mr. Wolverton said, “I believe it was April 12th.”

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Chairman Sciortino said, "Is that right? Okay, April 12th, and you didn't share with your board that you were aggressively looking at a way to submit a bid or get somebody?"

Mr. Wolverton said, "Actually, I did."

Chairman Sciortino said, "I just wanted to clarify that, because I was concerned that maybe the board didn't know about it until last week. I just wanted to make sure that was clarified. Okay, any other questions of this presenter? Okay, anyone else that would like to speak for or against this item? Okay, then if there is no other, we'll reserve comments from the Bench. Any comments or questions from the Bench? Commissioner Winters."

Commissioner Winters said, "I'd like to ask either Rich or someone about where we are in the timeline thing? I know that it's been out there. Do we have the opportunity to defer this for three weeks or four weeks and still hang onto these bids or where are we at, technically, in the bid process?"

Mr. Euson said, "Commissioners, this matter has been out for bid once and no bids were received and so the statute requires you to sell the property publicly to the highest and best bidder. The documents under which the current bids were made said that those bids would expire in 60 days and that 60 days runs out this week. So, I think you could go out and extend this but the bidders who have already submitted their bids would have to consent to that and then you would have to determine the fairness of that, based on the fact that their bids have been exposed at this time."

Commissioner Winters said, "All right. So do we have the opportunity, can we legally reject all these bids and start this process over in some other fashion if we desire to do that?"

Mr. Euson said, "You certainly have the right to reject all the bids."

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

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

Commissioner Gwin said, "Mr. Chronis, you were there so lets talk to you a little bit. I guess a couple of questions that came up. When did we first bid this? Were you a part of that?"

Mr. Chris Chronis, Chief Financial Officer, said, "No, I was not part of that. It was originally bid I believe it was October the 12th of last year and the bids were received some time in November or the bids were to be received some time in November. None were received. It was then re-advertised and re-bid. We sent out a new RFP, as Mr. Euson said, in early April of this year and those bids were received on April the 30th."

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Commissioner Gwin said, "Okay. You sent us, back in May, a fairly long analysis of the bids that we received. Do you have that in front of you?"

Mr. Chronis said, "Yes I do."

Commissioner Gwin said, "Do you, on that one I think there is great discussion about other uses and those kinds of things. Did you have a synopsis or a recommendation of your analysis for us and does it differ than what the bid board recommended?"

Mr. Chronis said, "No, the bid board adopted the administration's recommendation. The conclusions that we came to . . . and, incidentally, after my memo was sent on May the 13th to the County Manager and then he distributed it to you, later I received several additional memos, some of which had been sent to you and some were sent to the Manager's Office from various players in the criminal justice system and from one mental health organization in town, all indicating to some degree or other support for the proposal put forth by Mr. Rowe, Alternative Correctional Placement.

I also received, just this week, a memorandum that was addressed the Alternative Correction Housing board members from Kirk Schroeder who is the Superintendent of Central Inspection for the City of Wichita and in it he addressed the zoning and licensing requirements that would apply to this location for the use that had been proposed by Mr. Rowe. And so it was on the basis of those additional memos, as well as my original analysis, that the administration recommended that the bid among these four bids be awarded to the high bidder, Shirkmere Partnership, who we've been told intend to use the property, if awarded the sale, for low income housing."

Commissioner Gwin said, "Okay. Along the process, I'm aware that we had . . . I don't know that we had a formal appraisal done, but that we did have a local appraiser go and look at the property and give us an opinion of value."

Mr. Chronis said, "That's correct. Well, our Appraiser's Office estimated the value to be just a little bit over \$200,000, as I recall. I'm not finding it in my notes here."

Commissioner Gwin said, "Yes, well and that's the County Appraiser's value. The private fee appraiser who I know who looked at it gave us a value of substantially less and in visiting with that person recently, trying to ascertain about value and what was right, it was recommended in no uncertain terms that the County is very fortunate to have found somebody who is willing to pay \$120,000 for the parcel and should sell it forthwith and never look back. That person didn't indicate that there seems to be much value there. Was concerned about the quality of the

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improvements or the whatever and I think I've said all along that, having been inside those buildings, I thought whatever value it might have might have as bare land. That might be more appropriate.

If I . . . and Mr. Euson, maybe I'm missing something here, but if the County should decide to take the recommendation of the special meeting of the Board of Bids and Contracts, that doesn't prohibit anybody from approaching whomever the owner may be to try to purchase or otherwise buy the property from that person, does it?"

Mr. Euson said, "No, it does not."

Commissioner Gwin said, "I'm . . . Well, I have several concerns that this facility has been vacant for quite a while. That at our first bid that we received no bids. At our second one, which again was public and law says we should take the highest and best. Again, such a limited selection of folks, I'm thinking that there are folks in the community who are interested in developing property certainly need to be aware of what's being disposed of. This property sat vacant for several months, as we've relocated to Central and has not gotten much attention until recently. I'm willing to hear the comments of others but I'm certainly . . . I'm at this point going to support the recommendations of the special meeting. Thank you."

Chairman Sciortino said, "Thank you, Commissioner. I'd just like to ask one question of Mr. Euson. It was recommended to us by I think a couple of people that presented to us that we should take into consideration, when we send it out for bid, not only the price that's being offered, but how it's going to be used. Legally, can we take into consideration either supporting or rejecting something because we don't particularly like what it's going to be used for or we like what it's going to be used for, assuming that there is no additional benefit to the County on how it's going to be used but just our personal opinions as to whether we think we like what the person that buys it is going to use it for? Can we take that into consideration, in making our decision?"

Mr. Euson said, "In general, I would say no. The law requires you to take the highest and best bid, as you determine. And so you can determine what the best bid is by considering a number of economic factors but I don't think a subjective factor of you like one bid over another because it's a use that's more compatible, in your mind, than another use that may not be is appropriate."

Chairman Sciortino said, "All right, thank you. I'm not too sure which was first. Commissioner McGinn."

Commissioner McGinn said, "Go ahead Chris."

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Mr. Chronis said, "Could I ask a question? It's a question of Rich. If we were to issue a new RFP, could we in that RFP establish conditions on the use of the property and award to the highest and best bid that satisfies those conditions?"

Mr. Euson said, "I think it just depends on what the conditions are. I think to the extent that they're more economic than not, yes you could do that to the extent that they are . . . Unfortunately, there's no case law on this and it's a very difficult answer."

Chairman Sciortino said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I guess I'd like to speak in defense of the Wichita Downtown Development Corporation. They did just get a new executive director on board in May and knowing when you bring folks in, just with my Cowtown experience, you're spending a whole lot of time getting them caught up and getting acclimated to the community. And I certainly . . . I can understand the comments about they missed the bid and therefore it's over. But I guess I'd like to go back to the things that I have learned and gained from sitting on the Downtown Development Corporation organization. I just started a couple of months ago myself and listening to the dream and some of the things that they have planned to revitalize the City of Wichita, I certainly endorse.

Probably in my district has the oldest neighborhoods, the oldest part of where we all began and we certainly have a lot of areas in need of revitalization and we have something very good going on right now in Old Town and this building is just a stone's throw away from Old Town, from the Eaton Hotel and I would like to see that revitalization effort continue. I'm seeing more and more people starting to move and live downtown. Something that we thought would be impossible 10 years ago is now beginning to occur and I just see good things happening in that area.

And so what I guess I'm going to throw out is that I support throwing out all bids, allowing us to write a new RFP and opening the bid process up again. What I saw at the last meeting of the Wichita Downtown Development Corporation was some very key leaders in our community that were very interested in this property. Yes, they didn't get the bid in on time. They didn't get their heads together but again I go back to when you bring in a new director, you've got a lot of other business you have to take care of and sometimes things just slip through the cracks. I would hate to see us make a quick decision today on a bid without giving them that opportunity, since that area happens to be in their development district. And so, I'm going to support throwing out the bids and starting over with a new RFP."

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Chairman Sciortino said, “Thank you. Commissioner Winters.”

Commissioner Winters said, “Thank you. Well, I appreciate Commissioner Gwin’s comments and I tell you I think up until about maybe yesterday or this morning I agreed with that and that was going to be my plan was to move forward today and be done with it. But I also said that you know I’d be interested to hear what comments people would give this morning. And as I look at what’s happened downtown, we do have a stake in downtown. In 1993 and 1994, we agreed to be involved in a \$20,000,000 project to help downtown and our project was Exploration Place and anybody who drives through downtown has got to believe that it’s a much, much better environment than it was ten, fifteen years ago.

This building is really pretty . . . in a sense I want to say insignificant in the whole scheme of things, yet if we could play a positive role with these buildings and a small part to continue to enhance downtown, I think our risks are pretty small really. I mean, there is some risk that we may come out with less than we’ve got now but I think on the up side, the thing I guess that really made me think about this is just the close proximity to Eaton Place, the Eaton Hotel. I mean, if there’s something real positive could happen here that would plus that building, I think we should consider that. I think we’ve got an asset here and I think if the Wichita Downtown Development Corporation would like an opportunity to work with this asset, I’m going to support Commissioner McGinn’s idea to disregard all of these bids and see if there’s not some way we can work something with the Downtown Development Corporation that will be positive.”

Chairman Sciortino said, “Thank you, Commissioner. I will remind the Board that this facility I understand is only a stone’s throw away from the Eaton, but it’s also only a stone’s throw away from our new Adult Detention Center. And the same arguments that we’re concerned to the people in Wichita about locating the detention center down there were basically the same here. The thing that disappoints me the most is that I’m convinced that the Development Corporation knew about this. I believe the City of Wichita had to know about this well before that, because they’re pretty attune to what we’re doing with the Adult Detention Center, which meant we were moving it from the La Louisianan. So for as long as we were talking about moving the detention center, the City definitely knew that that facility would be available, and when we let it out for bid the first time I really can’t believe that City officials weren’t aware that we were doing something like that and that would have been an opportunity to come forward and probably have been the only bid at that time and could have maybe acquired the property.

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I would have liked to have heard some support from the City, if they really believe in this, maybe guaranteeing us if we take this leap of faith that we wouldn't get anything less than \$120,000 but I didn't hear that. As a matter of fact, I heard there could be no guarantees and I'm going to be supportive of Commissioner Gwin's position. I think \$120,000 is probably the outside end of what that property is really worth and I don't think any developer is in the business of losing money and when they go in there and inspect that building and see all of the massive repair work and remodeling work that has to be done, especially if we're talking about elevating it anywhere near to the quality of the Eaton Hotel. I could envision half a million dollars being poured into that facility without any heartbreak. So, I can't see a developer getting any more aggressive than this and now that he knows this is gone, I can't see them getting real aggressive just to help the County out and even giving us a more attractive bid.

And there is also a position of fairness. I mean, we did this very much aboveboard. We had one person coming to us and saying 'Why don't you just sell it to me and I've got this idea' and we said, 'No, we couldn't do that, we have to have it bid'. And all of these people that come to the table, they've let everyone know now what their bid is, so I can't see any developer giving us more than \$120,000. I can see them saying, 'Well, maybe we'll give you a little less'. So, I don't know that it's of benefit to the taxpayers for us to lose. I think it's not fair to these four individuals that followed our rules and did it the proper way.

And again, there is also a case . . . I don't know how to say this properly, but there is an element of our society that can only afford 'x' number of dollars for a home and I understand what Ms. Cole was talking about but even those that are set aside tax credit-wise, to get the tax you've got to set aside a certain amount of homes, that's still a pretty hefty price because you're talking about something that's . . . I don't know what the Eaton Hotel is but it's hundreds upon hundreds of dollars for an apartment that the people that are maybe staying at the Shirkmere can't afford.

And if, all of the sudden, we have a mentality of 'we don't care where you live, but we don't want you here' where do those people go. And my fear is that we're just going to increase the rolls of our homeless people and we've got a very, very serious problem there right now and we haven't got our hands around the seriousness of the homeless problem and the Shirkmere apartment complex does a lot, goes a long way at least providing them some kind of housing and I don't share the fear that this is prime developmental property when it's only a stone's throw away from a detention center and the site of an industrial area that by having a lower-income apartment complex there is

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going to further deteriorate the area and I don't believe we have any plans to move our detention center. So, I am going to support, for all of those reason, Commissioner Gwin's proposal that we take the highest offer that we've been given and that would be the Shirkmere Apartments. Thank you. Commissioner Norton."

Commissioner Norton said, "Well, I just wrote down some notes. First of all, the property has languished for a pretty long time. I can remember when it was really a pretty nice hotel. In fact, Susan and I spent our first married night there when it was brand new and it has digressed since then I can tell you.

This all started out as a pretty simple bid process and sale, you know, and it's gotten awful complicated. We've been lobbied in several directions. We've got from no market value to several proposals. One of them transitional housing, now affordable housing we presume and now we've got new proposals and the new proposals have kind of come at the eleventh hour. But I would urge us not to . . . to kind of stay in group-think which is we had our minds made up and we got grid-locked into that because we want to be sure, now that we've already expended all of this energy and conversation and time trying to figure this out, that we come to good public policy and a good decision and I really am looking towards deferring this and let's make sure we make the best decision. I think we can . . . Yes, we've let this go for a while. I don't know that everybody had the information they should have. We can debate that all day long but in the final analysis, we want to be sure that we're participating in doing what is best for our constituents in the downtown area and the things that we hold in stewardship.

And even though it's gone for a long time and we'd like to be able to just be able to dust our hands off today and be done with it, I don't know that that's good public policy and that we need to take everything into consideration. So I think I would support a Motion to defer it and look at it further and then if we have to bid again and that's the final analysis, then that's what it's going to have to be but I think we're . . . even information that comes at the eleventh hour is still good information and might be appropriate for us to consider. If you think back to the people like Morton, when they were making decisions, they probably should have considered some eleventh hour information and I think we should too. So, I'll be supportive of a Motion that goes that way."

Chairman Sciortino said, "Thank you. I'll just have one closing comment and then ask for the opinion of the Board. This is . . . at least it's never occurred since I've been on, this idea of adding another element to our decision of what we have had, which is a very straightforward bid board. We've actually established a bid board to make sure that politics didn't get involved in the bidding process so we couldn't be accused of supporting something for purely political reasons. And I am concerned that we are establishing a precedence now that may start eroding what I felt was a very good procedure that we have established to separate politics from the bid process. And I'm

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concerned now that in the future, since we're going to be doing this, that that could open the door that we could be making those kind of decisions again and getting us maybe more deeply involved in this process and not keeping it straight, aboveboard and according to the rules that we accept. So that's just a concern that I have that I would ask you take into consideration.

I see there's another comment from Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I guess I've been around here long enough to know that we have made some changes on bid board from time to time, depending on the situation and I don't know if you're alluding to this being politics but I don't see it that way at all. I see it that we have some great things happening in the core part of Wichita. It's an area, it's an older area. It's an area that needs attention. It's an area that we're trying to improve because it's going to help our tourism in this city. And so I agree with Commissioner Norton that sometimes information comes in at the eleventh hour and just because we've always done it this way or that way, whatever that I don't think that it hurts for us to take a little more time to re-look at this situation. So if there aren't any other questions . . ."

Chairman Sciortino said, "There are some other questions here please. Commissioner Norton."

Commissioner Norton said, "Only one and that's that we have a lot of advisory boards and a lot of insulation to try to keep it from being political. In the final analysis, we still have to make the decision, political or not. You know, we have a Solid Waste Committee that makes recommendations and you know what. We go against it sometimes. And we have a Planning Commission that votes lockstep and when it comes to us we change our minds and think we have the will of the Board. So, I don't know just because we have insulation and advisory committees and people trying to do that work for us to keep it non-political that it still doesn't ultimately come down to us trying to analyze it, make sure that it's the best public policy and then voting for it. So, just a final question and then I'll pass it on. Thanks."

Chairman Sciortino said, "I don't see that there's any further comment. So, what's the will of the Board please?"

MOTION

Commissioner McGinn moved to reject all bids.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	No
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	No

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

Commissioner McGinn said, "Excuse me. Can I make a comment about this before Council Member Fearey leaves? Another thing I'd just like to bring to, I guess, our community's attention is one of the bidders on this was an alternative correctional placement center. And I attended the Wichita Assembly probably four to six months ago, along with Commissioner Winters and at the time they took all the information and a couple of months ago Sheriff Hill, who was the chairman of that, came back and gave a report and if I remember right, part of what he said was now it's up to us as a community to move forward. And there are a lot of people that don't want an alternative correctional housing area in their backyard. District four has seventeen. I think that's over 95% of all correctional housing facilities in that district.

And I think it's time for us to take a look at where do we locate these facilities. Should they all be located in one area or can they be in other areas. At one time the argument was transportation, courts and jobs. Well, I know that there's at least one facility that takes their people to their work of employment. Their work of employment is not in downtown Wichita. A lot of times it's down south, it's up north in communities up north. And so, now we're down to the courts and parole officers. Well, parole officers can move around for their appointments and that type of thing.

And so, the reason I bring this up, this was a concern for some people that this area would increase even more halfway houses or correctional facilities and I guess the reason I asked Council Member

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Fearey to stay here, her district is also inside of mine. I think it's time for us, as leaders of this community, to take that next step as Sheriff Hill said, or Mike Hill, former sheriff said and we need to be talking to Secretary Simmons and we need to take that step, as a community, to say where are these people going to go.

People are being released from correctional facilities and what they shared at the Wichita Assembly was we, as a community, have to figure out how do we integrate them back into our communities. We can't just bury our heads in the sand. It's time that we take the lead and figure out how we integrate them because if we don't, then it's just going to be haphazard how they come back into our community. And much of what we learned is these people, they get out of jail, they get a hundred dollar bill and a bus ticket. And as one person said you wouldn't send your kid off to college with a hundred dollar bill and a bus ticket. And so how are they going to succeed in getting back into our community.

And so I guess I'm just sharing this as maybe a kick-off. I'll be visiting with Council Member Fearey and other people from the City Council and all of you and Secretary Simmons that we need to take that step in figuring out how we integrate people into our community that have had problems in their past and move forward and make sure our community continues to remain safe as well but also, as these people come back, that they are successful in doing so as well. So, thank you for giving me that opportunity."

Chairman Sciortino said, "Just a question. Am I led to believe that you are considering at least looking into or exploring a way that it could be a government run halfway house, I mean, run by the City or the County or a partnership with the County, as opposed to private halfway houses?"

Commissioner McGinn said, "No, I think we need to look at both public and private but I think we need to get the ball rolling because the problem is not going away."

Chairman Sciortino said, "Okay, thank you. Next item please."

CONSENT AGENDA

N. CONSENT AGENDA.

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1. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V020032	\$375.00		Joe Luinstra
V020038	\$430.00	2	Country Walk Apts.

2. The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V2053	\$288.00	\$375.00
V2047	\$600.00	\$600.00
V010101	\$449.00	\$517.00
V2047	\$523.00	\$600.00
V020035	\$232.00	\$218.00
V01025	\$365.00	\$419.00

3. Order dated June 19, 2002 to correct tax roll for change of assessment.

4. Agreement with Saint Raphael Home Care, Inc. providing payment of supplemental funding to Community Developmental Disability Organization Affiliated Service Providers.

5. Lease Addendum with Clear Channel Outdoor, Inc.

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- 6. Ratification of Acts and Proceedings of the Sedgwick County Board of Canvassers Meeting of June 21, 2002.**
- 7. Agreement with City of Wichita regarding Health Department transition.**
- 8. Plats.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2001 and prior years have been paid for the following plats:

W. J. R. Addition
Winding Creek Estates

- 5. General Bills Check Register(s) for the week of June 19-25, 2002.**

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

MOTION

Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Chairman Ben Sciortino	Aye

Chairman Sciortino said, "Thank you. Is there anything else to come before this Board? I can't believe I don't have any lights on."

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O. OTHER

Commissioner Gwin said, "Okay, I'll turn mine on."

Chairman Sciortino said, "All right, Commissioner Gwin."

Commissioner Gwin said, "Just real quickly, to recap last weekend, Kechi Fair was a big success, lots of folks, very warm. Cowtown appearances that some of us spent some time at Cowtown all dressed up and trying to act like interpreters. Especially difficult when we don't know what we're doing. But I spent some time out at the DeVore Farm on Sunday afternoon, had a great time. It was not nearly as warm as Kechi, found a little shade."

Also, on the upcoming, tomorrow evening the Chairman has asked me to stand in for him and I'd be glad to do so at the 2nd Annual Employer and Educator Recognition Dinner. That's sponsored by Breakthrough Club, COMCARE and Mental Health Association and Via Christi. So, I represent him and you all there with that good group of folks. And then again, Friday evening is the Relay For Life at the Zoo. And I want survivors there. I mean, we need survivors there. We know you're out there. The event starts at 7:00 this Friday at Sedgwick County Zoo. If you are a survivor and can join us for the first lap, be there about 6:30 or so. Look for the survivor's table and check in and come and join us. For the rest of you who want to see what the event is like and stay with us for a while, we invite you to do the same. Thank you, Mr. Chairman."

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

Commissioner Norton said, "I'll be joining Commissioner Gwin out at the Zoo for the Relay For Life. We'll be out there at midnight. We always like the new guys dressing up. But Saturday I'll be at Cowtown. The group of wagon masters is going to go out and we've adopted the saloon and that's something that Commissioner McGinn had kind of put together with her Spruce up the Town and we didn't get to it then, but we're going to be painting and caulking and repairing with about 30 wagon masters out at Cowtown. So it should be . . . hopefully the saloon will look better having had some wagon masters there."

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

Commissioner McGinn said, "I just want to thank Commissioner Norton for doing that. As we did Spruce up the Town and found out what a big task it was, when Tim finally said 'Look, why don't I

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just take over the saloon and we'll get this adopted and I'll do it all'. It's like, 'Okay, fine, thank you'. Thank you Tim for doing that. I won't be able to be there because I am attending a conference on laws on planning and zoning. So, when I get back watch out. I'll have some new stuff for you all."

Chairman Sciortino said, "Great. Commissioner Winters."

Commissioner Winters said, "Just very quickly, I was able to attend the Sports Commission Banquet last night. They recognized some high school, local high school athletes, some college athletes, local professional athletes and then of course Johnny Bench was there and Steve Garvey. Steve Garvey being the 1974 National League Most Valuable Player of the Year. So, the Sports Commission had a great banquet last night."

Chairman Sciortino said, "Well last but not least, Saturday I went out to Cowtown dressed up with my Shady Brady and my sidearm and western gear and sat underneath a tent with Bonnie Bing and read stories to children and it was interesting. Bonnie brought just some regular story books for kids but they gave me these . . . an 1848 story book and an 1869 story book."

Commissioner Norton said, "That you read as a kid?"

Chairman Sciortino said, "Well, but this is a little bit . . . Thank you. Go back to your saloon. The thing that got me is the level of English that they were thinking 3rd graders could understand. Because I start reading this book and the little kids are, you know, about two seconds they're looking up and Bonnie says, 'Would you like to hear the story about the horsy'. Oh yes. I mean, but it was interesting that they couldn't understand the concept that 3rd graders back in 1870 were supposed to be challenged to read. And then I saw all the people at the Prairie Rose. They were putting on . . . Orin Friesen and his group and that was a neat partnership and Steve MacIntosh from radio was dressed up and we had a really neat time."

The only thing that caused the director concern and it was panicking half the staff, they had just gotten a request from Commissioner McGinn to drive her pickup on the grounds and they didn't know how can we do that. I hope they figured out a way so that you could get the stuff that you had to take back. But it was neat and I was there at 10:00 and it was . . . it wasn't packed but there was an extraordinary amount of people coming and then as soon as Prairie Rose started playing their stuff, everybody was into that. They had a horse guy riding his . . . they wouldn't let me on the horse. But we had a lot of fun and if you did come dressed as one but you were one of the celebrity presenters, you went into this other room and they dressed you up as one. But they looked at me and they said, 'Yes, you look tacky enough to be part of the group so we'll let you stay'. So,

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anyway it was fun and I enjoyed myself.”

Commissioner Gwin said, “Did you notice the variety of people too. One thing we talk about when we talk about Cowtown and its draw to this community. I visited with a couple from Kentucky who came specifically to see Cowtown. Another lovely young woman who brought her family from Iran who were visiting. They didn’t speak English but she was trying to interpret and translate for us. But I was amazed at how many folks from different countries and different parts of this country come to Cowtown. It was wonderful.”

Chairman Sciortino said, “I want to tell you something. I don’t even know if this can be done and I’m just . . . Wouldn’t it be neat to have a bed and breakfast located right in Cowtown where you could get up and go to the restaurant and have a breakfast with the flatware. He wants to go. He wants me to shut up. I know it when he does that. Anyway, that was neat. Anything else? This meeting is adjourned.”

P. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 11:20 a.m.

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

BEN SCIORTINO, Chairman
Fifth District

BETSY GWIN, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

CAROLYN MC GINN, Commissioner
Fourth District

ATTEST:

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Don Brace, County Clerk

APPROVED:

, 2002