

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

September 1, 2004

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, September 1, 2004 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem David M. Unruh; Commissioner Tim R. Norton; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Mariann Fountain, Clinical Manager, Comprehensive Community Care (COMCARE); Mr. Robert W. Parnacott, Assistant County Counselor, County Counselor's Office; Mr. Joe L. Norton, Gilmore & Bell, P.C., Bond Counsel; Mr. Brad Snapp, Director, Housing Department; Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation; Ms. Monical Cissell, Program Manager, Department on Aging; Ms. Marilyn Cook, Director, COMCARE; Mr. Mark Borst, Engineer, Public Works Department; Mr. Don Brace, County Clerk; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Mr. Bob Lamkey, Director, Public Safety Department; Mr. Kent Koehler, Project Manager, DIO; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Ms. Liz McGinness, Chair, Suicide Prevention Task Force.
Mr. Abel Vasquez, Suicide Survivor.
Scott, recovering substance abuser.
Mr. Kent Hixson, City of Mulvane.
Mayor Carlos Mayans, City of Wichita.
Ms. Mildred A. Edwards, Member, Sedgwick County Advisory Board of Health.

INVOCATION

The Invocation was led by Pastor John Shellenberger of Derby Church of the Nazarene.

FLAG SALUTE

ROLL CALL

The Clerk reported, after calling roll, that Commissioner McGinn was absent.

Chairman Winters said, "Next item."

Regular Meeting, September 1, 2004

PROCLAMATIONS

A. PROCLAMATIONS.

1. PROCLAMATION DECLARING SEPTEMBER 4 - 6, 2004 AS “BLACK ARTS FESTIVAL WEEKEND.”

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

PROCLAMATION

WHEREAS, this year our community will celebrate the 36th Annual Black Arts Festival; and

WHEREAS, the Black Arts Festival will be held on Labor Day weekend at McAdams Park and will feature a number of events including a basketball tournament for girls, children’s village, and a senior citizen luncheon as well as a number of vendor and food booths; and

WHEREAS, this year the entire Black Arts Festival is focused on ‘Family and Unity’; and

WHEREAS, the goal of the festival is to bridge the gaps of communication and socialization within the family; and

WHEREAS, the entire community is invited to attend the festival September 4-6 from 11 a.m. to 10 p.m. at McAdams Park, 16th and Ohio.

NOW THEREFORE BE IT RESOLVED that I, Thomas G. Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 4-6, 2004 as

‘BLACK ARTS FESTIVAL WEEKEND’

in Sedgwick County and encourage all employees and citizens to take part in the festival and work toward bridging the gaps of communication within our families.

Dated September 1st.

Commissioners, what’s the will of the Board?”

MOTION

Regular Meeting, September 1, 2004

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “And we have Carl Stovall here I believe to accept this proclamation. Is Carl here in the audience? All right, well the dates of that are this coming weekend, the 4th through the 6th, at McAdams Park and we would encourage everyone to attend the Black Arts Festival.

Madam Clerk, call the next item.”

2. PROCLAMATION DECLARING SEPTEMBER 5 – 11, 2004 AS “SUICIDE PREVENTION WEEK.”

Chairman Winters said, “Commissioners, I have another proclamation.

PROCLAMATION

WHEREAS, suicide is now the eleventh leading cause of all deaths in the United States and 13th in the State of Kansas; and

WHEREAS, one out of every six Kansans who die from suicide is from Sedgwick County. In 2003, there were 58 suicides in Sedgwick County, one suicide occurring every 6.3 days; and

WHEREAS, in Sedgwick County in 2003, youth and older adult suicides declined, although the number of suicides of adults in their 40s and 50s increased by 136% over 2002; and

WHEREAS, firearms are now the most frequent method of suicide for men and women of all ages

Regular Meeting, September 1, 2004

in Sedgwick County. Physicians, therapists, friends and family members should be informed that nothing short of removing the guns from the environment will reduce the suicide risk associated with firearms in the home; and

WHEREAS, for every suicide that occurs, at least 6-8 people (family members, friends, co-workers, neighbors) are directly affected; and

WHEREAS, perhaps the most important factor is our resistance as a society to speak openly about suicide. Our lack of understanding keeps us from detecting signs, asking direct questions, and acting to get immediate help; and

WHEREAS, perhaps the most important factor is our resistance as a society to speak openly about suicide. Our lack of understanding keeps us from detecting signs, asking direct questions, and acting to get immediate help; and

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 5th through the 11th, 2004 as

‘SUICIDE PREVENTION WEEK’

in Sedgwick County and I encourage all citizens to make themselves aware of the warning signs and risk factors associated with suicide and make suicide prevention a community effort.

Dated September 1st.

Commissioners, what’s the will of the Board?”

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

Regular Meeting, September 1, 2004

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “And we have Liz McGinness with us this morning. Liz, welcome.”

Ms. Liz McGinness, Chair, Suicide Prevention Task Force, greeted the Commissioners and said, “Pleased to be here this morning. I feel very honored to talk about this topic because it is such an important issue in our society. The week of September 5th to 11, as you just announced, is National Suicide Prevention Week and September 10th is National Suicide Prevention Day. This year’s prevention theme is ‘Work Together to Save Lives’ and that’s what we’re all about here in the county.

Prevention and awareness activities are going to be held nationwide and worldwide, as well as here in Sedgwick County. The goal of National Suicide Prevention Week is to promote awareness and knowledge so that people can prevent suicide across the globe.

To underscore the critical need for this, I would point out some sobering statistics: over 1,000,000 people die each year by suicide. Sedgwick County is not immune to this tragic phenomenon and in the year of 2003 we lost 53 residents to suicide.

During the first six months of 2004, we have lost 20 Sedgwick County residents to suicide. That’s a rate of almost one per nine days, but there is hope. We can make a difference. We can prevent and increasing awareness is just how we can do that.

The Sedgwick County Suicide Prevention Task Force is devoted and committed to preventing suicide deaths and we will be out in enthusiastic force on September the 10th handing out over 10,000 flyers that give facts and information about suicide prevention. We will be at the following seven sites: we will be at City Hall, so look for us, the Sedgwick County Courthouse, the SRS building, Sedgwick County Public Health Department, Friends University, Newman University and Wichita State University.

Sedgwick County Suicide Prevention Task Force also thanks you for your ongoing commitment to our project and thank you for proclaiming September 5th through 11th National Suicide Week.

I would also like to ask the members of our Suicide Prevention Task Force who are with us here this morning if they would please stand. This is an incredible group of people who are devoting

Regular Meeting, September 1, 2004

great passion to this topic to help save lives.

I'm now extremely pleased to introduce Mr. Abel Vasquez, who will speak to you about his personal experience involving the tragedy of suicide loss and how he is working to help prevent suicide in our county. We have a great gift in his compassion and dedication and contribution to our Suicide Prevention Task Force. Thank you very much."

Chairman Winters said, "Thank you, Liz."

Mr. Abel Vasquez, Suicide Survivor, greeted the Commissioners and said, "I am a survivor of suicide. This coming October, my son decided he no longer wanted to live. I went into a state of darkness, of grief that I never knew existed. And while I was in that state, I found anger, I found resentment, my dislike of God, every negative thing I could think of. There were points during that first two weeks that I was going around, just driving around hoping that someone would be angry at me so that we could duke it out, and I didn't know why I was going through that.

I had a phone call from my ex-wife at that time, and she told me that my son had talked about suicide for five years. I did not know that. I did visit him before he did it, and he had just purchased a 375 magnum gun I think it was and was taking up shooting. And also I did notice that there was some alcohol on the side that he had started drinking and he was 25 years old and why he started I don't know.

When I talked with her, I probably found so much anger in me and I found out the Hitler inside of me. I called Mother Teresa to ask her one time and say, 'What made you start your order?' and she said, 'When I found the Hitler inside of me'.

And so I, at that point, decided that I needed some kind of help and I reached out and I went to a counselor and I happen to find a gentle lady that helped me through all this that I was going through.

There was so many things that was going on at this point in my life that, for two weeks there, I didn't know where I was driving or I'd take off and I didn't know where I was going. I've got a very supportive family, they're all in New Mexico, and within 24 hours every one of them was there for me.

Because being a survivor of suicide, it's an everyday thing. It never goes away. It's something that I have flashes back of when I see someone riding a bicycle, because he rides a bike and I see curly hair, I have flashbacks of him, so that never goes away. It softens up. It softened up. I've had some really nice people help me through my recovery. I went up to a lady that I know real well and all she did was just hug me and that was the most compassionate thing, is she just held me,

Regular Meeting, September 1, 2004

and I remember it today.

My whole family was affected, there's still questions about it, they still ask me, even after 15 years.

I work at Boeing, and there was a young man that hung himself a few weeks ago and I go through the shop now, there's another little job I've got, and there's a guy that I . . . David, I worked with him and I worked with this young man but he had known him 20 years and he had questions. I didn't know what questions, but there was different things he could read and find out.

I . . . we have started, well with the help of all these people, a Survivors Of Suicide. We are located at Murdock and Market and we meet the first and third Monday of every month, except on holidays, from 7 to 8 p.m.

I would like to read something, how we open our meetings at S.O.S.

Welcome to the circle where we hope you can find space to grieve, to search, to listen and reach out. Each one of us brings here a story, the story of brokenness and sorrow, the story of our survival, our need to get more out of life. We come here to be with people who understand our struggle and our hurt. They too have tears in their hands and pain in their hearts. This is a sacred place where we can explore our feelings, our loneliness, our shock, our anger, our guilt, our sadness at whatever is hurting us inside. This is a place where we can share humanity and find strength and inspiration in each other. Although we remain deeply wounded people, let us find comfort and healing in what we believe and in our ability to care for each other.

A little poem from a lady whose son committed suicide by drug overdose. She didn't try to talk to me, she didn't try to quote scripture. She didn't give me platitudes or religious jargon, but she just sat there with me.

During this darkness, there was a time I took my granddaughter, and she was about four or five, over to College Hill and I'm sitting here and she wanted me to go with her, and I said, 'You find Candace, I don't feel good' and so she was over on the swings and all the sudden I'm reminiscing at College Hill, that playground they have for kids over there, that here's the circle I took my sons there when they were younger and now I'm taking my granddaughter.

And so she runs up to me and she sees the tears in my eyes, she says 'Grandpa, I know you miss Randy, but you know it's not very nice to pick your nose'. So you know, only out of an angel can this happen. Thank you for your time. I appreciate it and I pray for you guys and what you have to

Regular Meeting, September 1, 2004

go through. Thank you.”

Chairman Winters said, “Sir, thank you very much for sharing that with us and we wish you the very best. And Liz, we do thank you for your leadership of the Suicide Task Force. We appreciate, Liz, your leadership there and we appreciate all the task force members. So thank you all for being here today. Madam Clerk, next item.”

3. PROCLAMATION DECLARING SEPTEMBER 2004 AS “NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH.”

Chairman Winters said, “Commissioners, we have one more proclamation.

PROCLAMATION

WHEREAS, National Alcohol and Drug Addiction Recovery Month is an opportunity for our community to highlight the benefits of treatment and encourage people with drug and alcohol problems to begin their journey to recovery; and

WHEREAS, this years’ theme ‘Join the Voices for Recovery’ encourages everyone to take that first step towards breaking the silence and eliminating the stigma surrounding alcohol and drug use disorders; celebrating the stories of those in recovery. It calls attention to those who have overcome denial, stigma, and other barriers to recovery, and who as a result are leading healthy and productive lives; and

WHEREAS, we celebrate the successes of people in recovery and acknowledge the men and women in the treatment field who dedicate their lives to helping people with alcohol and drug use disorders and the education provided by them to the public about alcoholism, drug dependence, co-occurring disorders and treatment issues;

NOW THEREFORE I, Tom Winters, Chairman of the Board of County Commissioners, do hereby proclaim the month of September 2004 as

‘National Alcohol and Drug Addiction Recovery Month’

in Sedgwick County and encourage all residents to promote the benefits of drug and alcohol treatment and recovery, and to support community treatment programs.

Dated September 1, 2004.

Commissioners, what’s the will of the Board?”

Regular Meeting, September 1, 2004

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “And we have Mariann Fountain here from COMCARE.”

Ms. Mariann Fountain, Clinical Manager, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, “September is our 15th annual recovery month and I am here again today to represent a community-wide group of substance abuse and prevention providers who encourage you to join us in celebrating our successes. Many of these providers and other Recovery Month supporters are in the audience today and I’d like to take this opportunity to recognize them by asking them to stand up. All right, isn’t that great. Thank you so much for being here.

Recovery Month provides a platform to celebrate people in recovery and those who serve them. Each September, thousands of treatment programs around the country celebrate their successes and share them with their neighbors, friends, colleagues and government officials such as yourselves, in an effort to educate the public about treatment.

Substance abuse treatment providers have made significant accomplishments, having transformed the lives of thousands of Americans. These successes often go unnoticed by the broader population, therefore recovery month provides the opportunity to celebrate these successes.

In Sedgwick County alone last year, nearly 4,000 adults in need entered a substance abuse treatment center, funded in part by the State of Kansas or through the City of Wichita through the special liquor tax funds. Over 600 of these admissions were youth 18 years of age or younger. Eighty-five of the nearly 4,000 admissions included pregnant women.

Regular Meeting, September 1, 2004

For every one dollar invested in treatment, there's a return of between 4 and 7 dollars in reduced drug related crime, criminal justice cost and theft. When savings related to health care are included, total saving can exceed costs by a ratio of 12 to 1. Individuals who chose to be in recovery become contributing members of society, as employers, employees, taxpayers, fathers, mothers and more.

The societal costs of a person in recovery can be enormous. Recovery Month also serves to educate the public on substance abuse as a national health crisis, that addiction is a treatable disease, and that recovery is possible.

Recovery month highlights the benefits of treatment for not only the affected individual, but for family, friends, co-workers, society as a whole, including Sedgwick County. Educating the public reduces the stigma associated with addiction and treatment. Accurate knowledge of the disease helps people to understand the importance of supporting treatment programs, those that work within the treatment field and those in need of treatment.

It is now my pleasure to introduce Scott, who is here today to share his story of recovery from substance abuse. Scott.”

Scott, Recovering Substance Abuser, greeted the Commissioners and said, “I don't suppose I'm like any other individual. When I was a child, I dreamed of growing up and accepting the Heisman Trophy or winning the Masters or something like that. I certainly didn't think I'd be standing in front of the County Commission and the mayor talking about being in recovery, that's for sure. But that's part of the unusual thing about addiction is that kind of the society view is that we just kind of wake up one day and decide we want to be a drug addict or an alcoholic and that's just not the way it works.

My name is Scott and I have a long history of alcohol abuse and I'm so grateful today to be here and grateful to be alive. There was certainly a time when that was a question as to whether or not that was going to be the case, so I'm very glad to be here today.

I have no idea why I started using drugs and alcohol. I come from a very normal family with wonderful parents who are here today. I'll be 44 years old in a couple of weeks, so this abuse lasted for 25-plus years. The reason I share that is so that people are aware that this disease can attack anybody, anywhere, at any time. It's not particular about who it affects.

I've chosen not to share many specific stories of my past today but I will share with you, in general terms, that this disease took me to hell and I took all my loved ones with me. That's what happens.

The toll it took on my life, legal consequences, financial, career, divorce, lost homes, numerous lost jobs, vehicles, just long-term damaged relationships.

Regular Meeting, September 1, 2004

Also health problems, on April the 4th 2001, I was in the trauma unit at a local emergency room and mom and dad were there at that time too. My legs were so swollen from the fluids backing up, I had congestive heart failure and cardio-myopathy at age 40. That scared me so bad, I drank heavily for another 13 months. You see, alcoholism by definition is a primary chronic disease with genetic development manifestations. The disease is progressive and often fatal. The term disease refers to an involuntary disability. That's a long, drawn out definition for we lose the ability to make a choice.

In the later stages of my addiction, I could not function. I could not take care of myself, much less hold a job or carry on a healthy relationship. Alcoholics and addicts have to drink or use drugs to function. I could not differentiate between right and wrong or true and false. My alcoholic life seemed normal. I refer to that as hell.

I'll share with you one brief example of what that is like. I was brought out of a blackout one day, in my home, by two Wichita Police Officers. Standing in the street was my ex-wife and my son, who would have been about 11 at the time. I had missed a football game of his and even in the depths of my disease, that was highly unusual. The last thing I remember was maybe a Wednesday or a Thursday. This happened on a Sunday and I'll never forget the look on his face. The affects this disease has on our children are some of the most painful that we endure in sobriety. My journey of recovery began May the 17th of 2002, when I walked into a local treatment center and asked for help.

What I would come to learn later was that alcohol was but a symptom of my disease. I just, plain and simple, did not know how to live life on life's terms. In my recovery, I found my disease, I found my life and a relationship with God that I never felt worthy of. The three most important things in my life today are that relationship with God, my recovery and my relationships within my family, because without number one I don't have number two and without number two I don't have anything else. Everything else will be lost.

I had been sober for less than a month, I was still living in the treatment center I had checked into and I began volunteering time to assist other clients with Job Search, developing resume, interviewing skills, things of that nature. Shortly after that, I began working in the detoxification unit on third shift, then second shift, then first shift and I moved into a case management position. Finally, I managed that de-tox unit, which is funded by the very liquor tax dollars that Mariann referred to.

Regular Meeting, September 1, 2004

For the first time in my life, I learned how fulfilling it was to help others, to dress or feed somebody who was shaking so violently that they could do neither. For the first time in my life I was concerned with helping others without personal gain, at least that I was aware of at the time. Selfishness is a common trait of addicts and alcoholics and I had never, ever done anything in my life that did not benefit me in some way. And at that point in my life, it had finally begun to change.

Today, I have not missed a day of work since June the 18th of 2002. At that time, I was 31 days sober and it was my first day of employment in the field of addictions. I'm currently employed at SACK, which is the Substance Abuse Center of Kansas, and I'm a case manager for felony DUI offenders. I have returned to school. I carry a 4.0 GPA in the Addiction's degree program. I will be certified drug and alcohol counselor by the spring semester of 2005. I pay my bills. I'm no longer an absentee parent, employee, family member. I have rebuilt family relationships. I do not miss games anymore. I have not missed a game or many practices because of my disease since May the 17th of 2002.

Before I close, I'll share with you one other personal story and the reason I share this is because it relates to the stigma that surrounds drug and alcohol abusers. I mentioned my son earlier. He is 15 now and my best friend in the whole world. About three weeks ago he, somewhat abruptly, moved to Michigan with his mother and her boyfriend. His entire maternal and paternal family are here. All of his friends are here. He was pre-enrolled at Maize High School, where he had been in the Maize school district since the age 7. He has no ties to Michigan whatsoever. He had already been working out with the Maize High School football team.

Yet it was determined, right here in this building, that it was best for him to move to Michigan. I got deposed for three hours and 15 minutes about being an alcoholic, not a sober alcoholic mind you. Questions like, 'Are you aware that May the 16th of 2002 you received a DUI?' Yeah, I'm aware of that. 'Are you aware that's illegal?' I'm very aware of that. 'So you condone drinking and driving?' 'No sir, I don't'. 'How can you be a good role model for your son, when you went to keg parties and drank beer in high school?' I'm not in high school.

And this one, that flatly characterizes the lack of public understanding of this disease, 'Mr. Day, I'm led to believe that stress is a big factor in relapse among addicted persons'. Yes, it is. 'This is a stressful situation'. Yes it is. 'Have you had to drink over this?' Now understand, I explained everything to him that I've explained to you, only in much further detail. It took three hours and 15 minutes for them to finally decide that there was no other way to ask me if I used to drink.

And I told him that if I would have had a drink, you and I wouldn't be having this conversation.

Regular Meeting, September 1, 2004

We just don't have a drink and stop. As one of my friends tells me, 'My favor drink is the next drink, and then the one after that and the one after that'. And people just don't understand that and maybe someday, maybe they will. No one bothered to ask how it is now about being an alcoholic in recovery, about my relationship with my son and how we've rebuilt that or even asked my son what he wanted to do. Rest assured, the only reason he is not with me today is because I'm an alcoholic, pure and simple.

The irony of it all, I lived all those years as an active alcoholic and consequently I missed a great deal of his life. I missed so much of his life because I'm an alcoholic and now I get to do it again because I'm an alcoholic, only today I get to do it in recovery. Not so long ago, he was 15 miles away and I could not or would not attend a football game that he wanted me to be at, could not or would not, it doesn't matter, I did not and that's what matters. Today, he is 1,500 miles away and I can go if I want to. I have a choice.

If it wasn't for the people like the people that are here today that God has placed in my life and the lessons that they have taught me since May the 17th of 2002, I don't know that I could have handled that situation. All of this transpired in a matter of 37 days from the time I found this out until he was gone.

That's what I learned, that's what we learn in treatment centers is about how to deal with those kind of situations. It's truly unbelievable the stigma that surrounds alcoholics and addicts. However, I will tell you this, I'm so grateful that God allowed me to walk the path I took. It took every drink, every drug, every minute in jail, every lost job, every failed relationship, every bit of humiliation for me and my family to shape what I am today. And without my disease, I wouldn't have met the people that are so important in my life today, people that say 'Call me if you need anything' and mean it. I've been blessed to get to know the most caring, compassionate, spiritual, really good people because of my disease and I'm very grateful.

As Dr. Robert Anthony stated, you can spend the next 24 hours reaching your true potential or sliding down into your own particular hell. The choice is always yours. Today I have a choice that I once did not have, and just for today I chose to live in sobriety. Thank you very much and may God bless you the way he blessed me."

Chairman Winters said, "Thank you very much, Scott. Commissioner Sciortino."

Commissioner Sciortino said, "Well, just as a friend of Bill W., I just want to say thank you very much to all those dedicated workers out there. You do a hell of a job. Thank you."

Chairman Winters said, "Yes, thank you all. Scott, thank you, thank your parents for being with us and sharing this story and thanks for all of you who are working in this profession and we hope September is a meaningful month. Madam Clerk, call the next item."

Regular Meeting, September 1, 2004

APPOINTMENT

B. RESOLUTION APPOINTING MILDRED A. EDWARDS (CHAIRMAN WINTERS' APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY BOARD OF HEALTH.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Commissioners, we've prepared this resolution of appointment for a four-year term to expire September 1, 2008 and I recommend you adopt the resolution."

Chairman Winters said, "All right. Commissioners, we have a resolution appointing Mildred Edwards. Any discussion?"

MOTION

Chairman Winters moved to adopt the Resolution.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "And Mildred is here and Mildred, if you would come forward, County Clerk Don Brace will swear you in."

Mr. Don Brace, County Clerk, said, "Please raise your right hand."

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 Sedgwick County Advisory Board of Health, so help me God."

Regular Meeting, September 1, 2004

Ms. Mildred A. Edwards, Member, Sedgwick County Advisory Board of Health, said, "I do."

Mr. Brace said, "Congratulations."

Ms. Edwards said, "Thank you. To the Board of Commissioners, thank you for permitting this opportunity to serve my community, to improve health status and to prevent disease among the Sedgwick County residents. Thank you."

Chairman Winters said, "All right, well Mildred, we appreciate very much your interest and your wanting to do this job. I certainly have the feeling that you will be very helpful to the board and Sedgwick County does pay a great deal of attention to our advisory boards and so we appreciate very much your work and wish you the best of luck. Thank you. Madam Clerk, call the next item."

NEW BUSINESS

C. ISLAND ANNEXATION REQUEST FROM CITY OF MULVANE, KANSAS.

POWERPOINT PRESENTATION

Mr. Robert W. Parnacott, Assistant County Counselor, County Counselor's Office, greeted the Commissioners and said, "Let me get my map up on the screen. This is an island annexation, which is the type of annexation that consists of essentially three elements. The property has to be wholly within the county. The landowner has to consent to annexation. It must not be adjoining to the city and, as you can see, we're looking at a . . . we've got 111th Street South here and Webb here, so the yellow area of course is Mulvane already. You do see that this property here is the subject property. It's adjacent to some property that's already within the city limits of Mulvane. However, on an island annexation, it's where it's . . . if there's intervening unincorporated area between the city limits, then this can't be considered an adjacent annexation for the purposes of a unilateral annexation, and they have to go through the island annexation process.

Under an island annexation process, they have to provide you a resolution and within 30 days of the resolution receipt, you have to make a finding whether or not this would hinder or prevent the proper growth and development of the area. As you can see, this is clearly within their general area. It's within their small city growth area as provided for in our comprehensive plan. We have a representative of the city here to speak, if you have any questions. This . . . as a matter of fact, I believe this little strip here was annexed in 2002 as an island annexation as well by this board.

Having said all that, I'll answer any questions and if not, it's not a public hearing type situation, but you certainly can take comment from the public if you would like and then make your finding

Regular Meeting, September 1, 2004

whether or not this would hinder or prevent the proper growth and development of the area. We see no indication why it would have a problem and that it should be annexed by the city.”

Chairman Winters said, “All right, thank you Bob. I see no questions. Again, this is not a formal public hearing, but we would take comments from anybody that does have a comment or would like to make any issues known to the commission. Is there anybody here in the room that would like to address the commission? Actually, I see no one. Kent Hixson is here from the City of Mulvane. Kent, welcome to our meeting.”

Mr. Kent Hixson, City of Mulvane, said, “Good morning. This is a petitioned annexation by the school district, the Unified School District 263 and the purpose of being . . . wanting to come into the city is we’re going to extend sewer to them. They’re going to use this tract of ground for a new transportation bus facility and in order to provide the sewer and the water to them, they have to be within the city limits. It’s a congenial and friendly annexation and it’s something that both entities have agreed upon.”

Chairman Winters said, “All right, thank you very much, Kent. Commissioner Sciortino, do you have any comments? This is in your district.”

Commissioner Sciortino said, “This was a close call, but I’m ready to make a Motion.”

Chairman Winters said, “All right, let’s have the Motion.”

MOTION

Commissioner Sciortino moved to make a finding that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County.

Commissioner Norton seconded the Motion.

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

Regular Meeting, September 1, 2004

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Thank you, Kent. Thank you, Bob. Next item.”

D. RESOLUTION CREATING A ROAD IMPROVEMENT BENEFIT DISTRICT AND AUTHORIZING IMPROVEMENTS THEREIN (GAITHER ADDITION).

Mr. Joe Norton, Bond Counsel, Gilmore & Bell P.C., greeted the Commissioners and said, “For your consideration this morning is a resolution which would create a road benefit district in Gaither Addition. This project has been started by petition signed by 100% of the property owners within the proposed benefit district.

On the screen before you is a map, which depicts the area of this district, which is located approximately at Seneca and 79th Street South. On the screen before you is a map depicting the proposed benefit district. North is actually to the right of this map. There are three lots within this proposed benefit district.

Bureau of Public Works has worked up a cost estimate of approximately \$45,000 for creating this road improvement district and building the roads therein. The petition requests that the property be equally assessed against all three lots, which would amount to a principle component of a little less than \$15,000 or, if spread over 15 years at 6%, about \$1,542 per year.

Mr. Weber at Public Works is here also to answer any questions you may have. Otherwise, we’d recommend adoption of the resolution.”

Chairman Winters said, “All right, thank you. Commissioners, are there questions or comments? Seeing none, Commissioner Norton.”

Commissioner Norton said, “I haven’t had any protests, any information on this.”

MOTION

Regular Meeting, September 1, 2004

Commissioner Norton moved to adopt the Resolution.

Commissioner Unruh seconded the Motion.

Chairman Winters said, "I have a Motion and a second. Any other discussion? I guess I would ask, is there anyone here in the audience who wanted to address the Commission on this issue? Seeing no one, we do see a Motion and a second. Any other discussion? Seeing none, Madam Clerk call the vote."

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Thank you, Joe. Next item."

- E. RESOLUTION AUTHORIZING AND PROVIDING FOR CALLING OF A SPECIAL QUESTION ELECTION FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE COUNTY THE QUESTION OF IMPOSING A SPECIAL COUNTYWIDE RETAILERS' SALES TAX FOR THE PURPOSE OF FINANCING A REGIONAL EVENTS CENTER AND RELATED IMPROVEMENTS AND COSTS.**

POWERPOINT PRESENTATION

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Ron Holt is in charge of this project, but since it's going very well, I'm going to do the presentation. If it was going poorly, Mr. Holt would be given that opportunity to explain. This project has been given to us as an opportunity and it has fallen into place with incredible cooperation from the Chamber of Commerce, certainly the downtown development group, the Sports Commission, the business community and the City staff and elected officials in ways that are unusual and very helpful.

Regular Meeting, September 1, 2004

So, let me walk through for you, if you will, where we are . . . Where we have been, where we are and where we're headed. The purpose today is overview the plan timeline, what happened at the community engagement process, the final plan, the ballot question and what happens next. The downtown arena plan timeline began certainly in the spring when opportunities . . . when the business community approached us and asked if we would consider doing something else besides the Coliseum. Your response at that time was show us a plan and in fact that's what occurred.

On July 14th, the commissioners approved a plan for the downtown arena. It was to assure a world class entertainment venue and that will happen either in downtown Wichita or at the Coliseum site. It allows citizens an opportunity to vote, which is always a good thing. County will conduct, did conduct community engagement process. All costs would be covered. The simple, easy financing plan and the end date, predetermined end date for the tax would be established and the county would own and operate the facility.

The downtown original plan, and I show you this because of how much sense both plans made and not . . . it's not for . . . it's to show how joint these plans really were. The business and city plan was \$130,000,000. We've increased that a couple of ways, one was for site of environmental items on a fourth item and then for some contingency and we added those two things, which increased the project to \$141,517,000. We also talked about other projects, the asterisk, that were not included, parking garage and operating reserve and we would ask citizens about that.

Earlier than expected, and pleasantly surprised through Mayor Mayans' efforts, the Council endorsed the downtown plan a couple of weeks ahead of what we expected, which gave us an opportunity to move even faster. And on August 9th we, through some great efforts of some folks, coordinated a community engagement process that was both educational and helpful to us.

The engagement process, composed of a couple of components. One was an on-line public forum. That opened on July 14th. We've had 116 entries from all kinds of creative ideas and some people who were very supportive and some who were not supportive. We've had nine open house meetings, in excess of 800 citizens, 800 citizens took the time and energy and although Joe Johnson was there a lot, we only counted him once.

We had 800 citizens participate in a process of coming to find out about what was going on in their community, how they could participate and gave us their opinions of what they thought. That's frankly pretty exciting democracy in action and I was extremely pleased at the turnout. And then you had a traditional public hearing on August 25th that lasted for a couple of hours with a number

Regular Meeting, September 1, 2004

of speakers.

In our open house meetings, we went to those nine locations and they were all over the community.

We had city, county, business and community experts. The open house meetings, we had six information centers, costs and finance options were staffed by our finance people and Chris Chronis led that effort. The timeline for construction was often done by Andy Schlapp and some of the interns. The future of the Kansas Coliseum was people from DIO, mostly Jim Osterlund who was very helpful, economic impact, the work . . . perhaps the work horse of the project . . . I hope that's the right animal, Ed Wolverton who really did work, John Nath and his staff did other arenas and the City staff, their traffic engineers did the parking and traffic. And we had folks from city staff and Kristi and Andy, Kristi Zukovich and Andy Schlapp, Lucretia and Jessica Johnson who were there taking names and being hosts and hosts [sic] and it was very helpful. I saw some of the city staff more than I did some of my own staff during that period.

Gather citizen . . . we gathered citizens' input by that survey. We used the standard scale, one to six. The survey of those six areas, what people thought about support of the sales tax, did you support that or not. Was it for the sales tax rate and duration, we asked that question and explained it to citizens. We had a timeline for construction. We talked about the future of the Britt Brown Arena and the Kansas Coliseum and we talked about seating capacity and parking.

And here is some of the input. This is not scientific. These are the people that showed up. So, not everyone filled out a survey and some people chose . . . some people did not fill out surveys. Some people chose not to answer all the questions, but the information that we received from those 800 who attended shows that . . . you know, that the 54% here strongly agree or agree about a support sales tax for financing the arena.

Sales tax amount, people did clearly prefer a one cent sales tax, 68 strongly agree or agree. If you add the slightly agree, that's up to 74%. Timeline for construction, they want it done quickly, overwhelmingly want it done as quickly as possible. Future of the Kansas Coliseum, they ask that we revisit the mission of the Britt Brown Arena and that, there was some discussion about what that might be and including tearing it down. We didn't ask that question because we're not sure where we are in that whole process.

Use of the sales tax, we asked three separate . . . support of sales tax to fund the arena. Clearly, that was 68% and when you add the slightly agree it's 75. It starts dropping off when we ask questions about sales tax to fund the garage, but again that's 60% when you add the slightly agree and then sales tax to fund operating reserve, it was somewhat less, but clearly a majority thought that that

Regular Meeting, September 1, 2004

was a wise decision to proceed.

Seating capacity, people liked the big arena, people liked the little arena, so we're going to talk a little bit in this presentation how we can satisfy both those who want big arenas and those that want smaller arenas."

Commissioner Sciortino said, "You're going to satisfy both. This one we do want to hear, how you can satisfy both."

Mr. Buchanan said, "The support for 15,000 seats was 49%. Support for higher was higher . . . higher than 15,000 seats was significantly high. Again, parking there was a . . . people did like the concept of urban parking but they liked the idea of a parking garage even better and I think there's a way to, again, kind of have a compromise and maybe accomplish both.

So here's what we hear, or at least this is our interpretation of what we heard. We heard that people do want to support . . . there is a support for a sales tax downtown arena. The plan would be for, as we had presented earlier, one cent for 33 months. I'll show you what we're going to recommend in a moment. Build as we go, and finish quickly. We had proposed a strategy that would not do that. We thought that was and I thought it was a grand idea. The public was clearly smarter than us and said, 'We want to start building and finish as quickly as possible'.

They do want to revisit the mission of the Britt Brown Arena and there is clear an ambiguity of what that might mean, 15,000 or more seats, close parking for convenience and reserve funds for deficits. That plan, if we did that the way we originally proposed, as we indicated in this report that we gave clear back in July, would be around \$211,000,000.

The recommended final downtown arena plan is for a multipurpose center, 15,000 fixed seat, that allows more for concerts. Now, when we have fixed seats there is a concern that when you have events that only sell 5,000 and 6,000 tickets, are you going to have a building that is so overwhelming that it's going to make it not fun. Is it going to be almost not fun. Is it going to be almost a detriment for entertainers and acts who want to come who don't want to play to a half-empty house, who don't want to play to a three-quarter empty house.

Well, looking at some designs around the country, we've seen that there's a way in which curtains can be installed within the facility so that you block off some of the seats so that you can have a much more intimate venue of seven to eight thousand, but still have a fixed seating capacity of 15.

A fixed seating capacity of 15,000 allows us then to put seats in the floor, which we do at the

Regular Meeting, September 1, 2004

Coliseum, which increases the capacity to 16 . . . in this case, 16 to 17,000 seats, depending upon the concert, depending upon how big the stage is, depending upon the rigging, so that in fact you can have your cake and eat it too in this case, that you can satisfy those needs.

The Kansas Coliseum complex preliminary design and the design and construction for the improvement of the pavilions are needed. We need to proceed with those pavilions. There are three of them. We receive 40% of our revenue for those events, including a lot of the agrarian activity. And land acquisition, the site improvements and then structure and design.

What I'm recommending is also that we include \$19,400 for additional parking."

Chairman Winters said, "Nineteen million."

Mr. Buchanan said, "Nineteen million, four hundred thousand for additional parking. We originally thought about a \$39,000,000 package for one large parking garage, but what we heard was that in fact people thought that maybe a different approach might be needed and I think we can determine how many garages that might be. Certainly not one, but maybe two, maybe more surface parking but we want to assure folks that in a downtown arena there will be sufficient parking and that we will spread that parking around, that we'll hopefully have the synergy of doing some economic development during the day, while this arena is not being used.

We also recommend \$23,000,000 for an operating reserve. What we heard was that we know that there will be deficits for this complex and what we know is that the combined facilities will continue to produce a deficit and what we heard is 'Don't come back for more money, but include it in this project'. Clearly, people were pretty astute in saying 'If you're going to ask us for money, let's do the deal, let's do it one time, let's take care of the problem and put it aside and move on'.

And so I'm recommending that we proceed in this fashion. So the arena and the pavilions, the parking and the garage would be \$184,528,000, rather than \$211,000,000 as we had previously proposed. So I think that's a pretty good reduction and I'm pleased that the staff came up with the ideas to make that work.

The final downtown arena plan, what citizens said they'd support, is one cent for 33 months and opens the end of 2008. What I'm recommending to you and this ballot question that I'm about to show you, is one cent for 30 months, that's two and a half years. Two and a half years, not very long, for \$184,528,000. It's 26,000,000 less than what we had proposed. It's three months less than the initial arena plan. It opens at the end of 2008.

The ballot question . . . and so when you go to school learning about PowerPoint, you know that you don't want more than a couple of words on each slide, but here's the question, and we didn't

Regular Meeting, September 1, 2004

want to mislead anybody. And the question will be yes or no, do you approve: Shall Sedgwick County, Kansas be authorized to impose a special one percent (1%) county-wide retailers' sales tax (the "Arena Sales Tax"), the proceeds of which shall be used only to pay the costs of (a) acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the City of Wichita, Kansas, (the "Downtown Arena"); (b) design for the Kansas Coliseum complex and construction of improvements to the pavilions; and (c) establishing an operating and maintenance reserve for the Downtown Arena and the Kansas Coliseum complex; the collection of such Arena Sales Tax to commence on July 1, 2005, or as soon thereafter as may be permitted by the Kansas Legislature, and terminate not later than 30 months after the commencement of the Arena Sales Tax? Yes or no.

Projected summary of costs, you can see those. We've been over these a number of times. Again, this sales tax for two and a half years would produce \$180,000,000. We believe we could earn \$4,000,000, almost four and a half million on interest and we have designated what we believe are some of the components of the project costs and this would be part of the advertisement. It will not be part of the ballot, so that you can see what those costs are and you can hold us accountable to whether these are exceeded or not.

So what does this mean? Well, it means a one percent, one cent sales tax increase. It means a new downtown arena, surface and parking facilities and road improvements. The complex design and construction improvements of pavilions and operating reserve to cover the deficits of the combined facilities downtown and Kansas Coliseum.

Begin July 1st, if it's approved by the legislature and end in December of 2007. What happens next? Well, the private sector advocacy campaign will hopefully . . . will begin soon. Now, the general election will be November 2nd and we will talk to the legislature for approval after that.

So the recommended action today is for you to approve the one-cent, 30-month, \$184,528,000 sales tax, approve the ballot question for the November 2nd ballot through the resolution and authorize the public notice . . . publication of the public notice. If there are any questions, Joe Norton is here to answer them."

Chairman Winters said, "All right. Commissioner Sciortino has a question."

Commissioner Sciortino said, "Yeah, Bill, could you . . . Bill, would you please go back. I just want to make sure . . . keep on going back until I can tell you . . . Okay, whoa. It says up there a one cent county-wide sales tax and that's true, it's one cent per dollar but it should be a one percent.

Regular Meeting, September 1, 2004

So I just want anybody . . . they buy a car and they want to know why they're being charged so much and it should have only been a penny, it's a one percent sales tax."

Mr. Buchanan said, "Thank you."

Commissioner Sciortino said, "Okay."

Chairman Winters said, "Okay. Commissioner Unruh. Were you . . .?"

Commissioner Sciortino said, "Sure, I'm going to have a lot more, but I'll let other people . . ."

Chairman Winters said, "Okay. Commissioner Unruh."

Commissioner Unruh said, "Okay. I had two questions. One, what is the thinking or what is the contingency if the sales tax revenues do not meet the goal? I mean, what happens then? Or another way to say that question is how did those sales tax revenues get calculated? Are they calculated conservatively or . . .?"

Mr. Buchanan said, "I think they're calculated conservatively. In another meeting, the Chief Financial Officer said if that occurs, then the county has a problem and the new Chief Financial Officer will provide the solution. But in all seriousness, if that happens and we will monitor that routinely, the collections from the state. Sales tax is collected, sent to the state and returned to us. Sometimes there is a couple of month delay. We will monitor that very closely and be on top of that and be able to tell you where we are in the process.

At some point, if you don't collect enough money, there is only two options: One, to stop the project or go back to the voters to add a few more months. We think that . . . we believe, and I have full faith and confidence in Chris Chronis' projections, we have looked at those, we have pushed them, we have thrown them up against the wall. I've pushed him intellectually to justify his reasons for why he recommended what he had and I'm perfectly comfortable to use this estimates and my best guess, it's what's going to happen with this economy. And if it improves, there's a possibility of ending the sales tax early."

Commissioner Unruh said, "Okay, and so potentially and a good scenario, this may end up being a 25 month. I mean, we're heading for a certain amount is what you're saying."

Mr. Buchanan said, "Yes. I need to caution us that you can only start and you can only stop sales tax at the quarter. So we would have to collect enough to reduce it to the next quarter."

Regular Meeting, September 1, 2004

Commissioner Unruh said, "Okay, thank you. One other question, how did we calculate the operating reserve? I mean, what was our basis for that number?"

Mr. Buchanan said, "We took the information that we have, of what we know is going on in an industry now. We took a look at the buildings and the cost of operating both the Kansas Coliseum complex, the pavilions, and they're pretty stable. I think they're going to . . . but combined with the downtown arena, we've taken a look at what happens nationwide on these kind of buildings and did another estimate, based on that experience and information to come up with this operation and maintenance fund."

Commissioner Unruh said, "Okay. Well, the question is based on the fact that it was clear that folks don't want to pay any more, so we need to make sure that's a good number."

Mr. Buchanan said, "There had been a number of . . . part of the studies that had been done in the past, the Horrow study, the KPNG study, other studies that were examining what type of facility and how big it should be and where it should be also talked about operating costs and we used that information too. So we just didn't use our own information. We used the pros that we had hired in the past to make those estimates."

Commissioner Unruh said, "Okay, very good. Thank you."

Mr. Buchanan said, "Thank you."

Chairman Winters said, "All right Commissioners, at this point, before we go on, we've got a couple of more questions, but I did want to say that Commissioner McGinn is absent today and she had been scheduled to be out of town for several weeks she has been scheduled to be out of town today and we were in the position where we had to have our discussion today if we were going to get this . . . make this decision and have it to the Election Commissioner in time to get it on the ballot. So Commissioner McGinn wanted everyone to know that she has been briefed on this item and, I mean, she had just been planning on being out of town for a number of weeks. All right, Commissioner Norton."

Commissioner Norton said, "Mr. Manager, what happens if we collect more revenue, as opposed to less? There's a possibility we will and what do we do with that revenue? What can it be encumbered to do? Do we rebate the taxpayers? Do . . . I mean, I am concerned that the economy could turn around in the two and a half years, we collect a lot more revenue, and then we've got a pool of money sitting there with no mission."

Regular Meeting, September 1, 2004

Mr. Buchanan said, "Again, we can terminate the tax sooner if we collect sufficient amount. If we collect more . . . if you can't terminate the tax sooner but still have an extra month or so of collections, that money would stay and help go into the fund that would be used for operation and maintenance of that facility. Joe, is that . . . and that's the . . . the possibility is that you would have more money in the operation and maintenance than you would need. But whether that's accurate . . . I mean, whether that's really true or not . . ."

Commissioner Norton said, "Okay. Well, I wanted to be sure we talked about that, because I think there's a feeling out there among the community that we could take that money and next thing you know, we're using it for something outside the mission and I want to be sure that we understand that it would have to be used for the defined mission and not for other mission creeps.

And I say that because, you know, we're hoping that there will be economic development around the arena and I don't want a little pool of money sitting there and all the sudden people are going to go, 'Well, help me out, grow our business, help me do this for the economic development around there', when those are not tied together. Those are not the same."

Mr. Buchanan said, "The mission is clearly stated in the ballot and I'm comfortable that it is as pretty clear as it can be. And the other thing that I've heard, that Commissioner Sciortino and Commissioner Winters were talking about is an idea . . . and I would strongly recommend that we do this, that we have a citizens' oversight committee. That citizens review these expenditures. Part of our difficulty with passing ballot questions is that people trust government or don't they. And I think one of the ways in which we can do that and one of the ways in which we always try to do that, is be as transparent in our transactions as we can. And I would welcome a citizens' committee to look at every expenditure and every piece of this project and say, not only after the fact but before the fact, 'Is this appropriate?'"

Commissioner Norton said, "Okay. My second question is we defined, I think, a solution to parking, which I heard a lot about through the conversations with the citizens. What about ingress, egress, infrastructure of streets, the area surrounding it? I think there's a lot of people still worried that the traffic flow, streets, infrastructure, ingress, egress off Kellogg is just not going to support the kind of flow you'll get after that and who pays for that? Where does that money come from?"

Regular Meeting, September 1, 2004

Mr. Buchanan said, "We have budgeted \$4,000,000 in infrastructure improvements. We have . . . we understand that parking, the additional parking and infrastructure improvements, the 19.4, would require some improvements to the streets and some ingress and egress improvements."

The design, the magic of having the downtown arena in a number of those locations is that you can . . . we're not funneling all the traffic in one area. That, from the east side, you may chose Central or Douglas. From the west side, you may chose Maple. You may come off and even if you come off Kellogg, there's three or four choices. To get off at Main or get off at Market or get off at Broadway or any one of those streets that would divert the traffic flow and make it, oftentimes, easier for ingress and egress because you have . . . people have so many choices."

Commissioner Norton said, "Well, I just want to be sure we cover that. Four million dollars just doesn't sound like enough money, to the kind of infrastructure improvements we're going to have to do."

Mr. Buchanan said, "Well, we ran those numbers, along with the parking facilities, past the city engineers and our engineers and architects and that's the number we came up with."

Commissioner Norton said, "Okay. Well then, smarter folks than I tried to put that number in there, so I'll acquiesce to it. It just seems like that's not enough, but that's all I have for right now."

Chairman Winters said, "Okay. Well, Mr. Manager, it looks to me like that you've put together here a very good plan, a good ballot question and I assume that this kind of information then will be published, along with the notice of the election? These source of funds and use of funds will be public information, published?"

Mr. Buchanan said, "There is a resolution that we have that we're going to ask you to adopt that will have not only this summary, but several whereases and description of the project."

Chairman Winters said, "All right. Well, it appears that we're headed down a road here and this looks like a good plan to me. This is not a public hearing and we're not going to take public comment today. We did that last week. I know that Mayor Mayans is here and Mayor, I would certain offer to you if you would like to make any comments now or after we pass this resolution, if you would like to make comments then, I certainly want you to know that you're welcome to make comments. Commissioner Sciortino."

Regular Meeting, September 1, 2004

Commissioner Sciortino said, “Well thank you. Two things, first of all and I don’t know, Mr. Euson, if this would be appropriate for us to make an actual motion and a second and pass it as a resolution, but I would strongly encourage us to add that filter that we’ve been talking about and that’s that citizens’ oversight committee, so that they can look over our shoulder and be able to assure the public that we’re spending these monies only on these line items.

So like the concern that you had, that we weren’t all the sudden building a road or a bridge or doing something at the zoo or whatever, that it could only be spent on this project. So my question to you is, Mr. Euson, would that be appropriate for us to take that up as a separate item and I don’t know how to make a resolution pending a vote or whatever, but at least for us to let the public know that it is our intent to do this.”

Mr. Euson said, “You could either take it up as a separate item or you could make it part of the motion, to adopt the resolution and direct the county manager to bring back to you a report as to how this committee should be formed and how it should function.”

Commissioner Sciortino said, “Okay. Well, I think I’m getting from Mr. Buchanan, he thinks it would be more appropriate if we did it as a separate motion, so maybe we could do that after we deal with this item.

The second thing that I want to say, unless there is anybody that is harboring any doubt, I really believe this project is in the best interest of all the citizens of Sedgwick County. I look at Sedgwick County like a wagon wheel and that the hub of this wheel is the City of Wichita and this wheel has 19 spokes on it and that represents the other 19 cities. And if you’ve got the economic vitality of Wichita really humming, the bearings are greased and that wheel is spinning very quickly and very efficiently, some of the economic benefit, just by centrifugal force, will spin out to the other communities.

An example of which, I had been talking to the Mayor of Goddard last week at one of these meetings and he was kind of struggling with, well why should the citizens of Goddard vote for and tax themselves so the City of Wichita can have a brand new downtown arena? What’s in it for us? And I explained to him that being so close to the City of Wichita, every meaningful job that this projects and subsequent projects that will come along that’s created in the City of Wichita, there’s one more family that can make a decision where they live. Maybe this family has come from New York and they’ve always fantasized living in a more rural setting. Well, what better place for them to go . . . and since I was in Goddard, I inserted the name Goddard . . . to Goddard and I said,

Regular Meeting, September 1, 2004

conversely, if you were having a hub that was hurting and there wasn't any grease in the bearings and the bearings were locking up and it was smoking and the wheels started to wobble and maybe fell off the axle, one of the spokes could be broken and we lose a job. I said, I venture to say that occasionally that moving van is in front of a house in one of these 19 cities and the furniture is being moved out of a home that's in that town and that family is leaving the area.

And the economic impact, there's so many secondary impacts to this. I've heard some people say, 'Well, I'm on fixed income and why should I vote for it, I'll never go to those concerts, I don't understand those concerts, why should I have to pay a tax for something I can't use?' Well, I agreed with that lady and candidly folks, I haven't gone to a concert since Elvis died, but I really believe that people on fixed income should be lined up five deep voting for this because they're going to benefit more than a rich person living on a country club.

And the reason I say that is that while they may not go to the arena to partake of a venue or an event that in the arena, these people draw upon our social programs more than the wealthy people do. I mean, they use our senior centers, they use our transportation brokerage, Meals on Wheels, other social programs that they desperately need and deserve but the funds to fund this program comes from the City of Wichita, the county, etcetera and where we get our dollars is in tax dollars. When the Britt Brown Arena and where it's at right now, every ticket that's sold, the City of Wichita doesn't get any benefit at all.

Now they're going to get benefit because they're going to receive some tax dollars. Any new business that comes as a result of this downtown arena, that's new property taxes for the City of Wichita and additional sales tax on any goods or services that are sold out of that building and that means the City of Wichita is going to have more dollars in their general fund to be able to adequately fund some of these social programs that people on limited income desperately need. This project will benefit all of us.

The second thing, and just in closing that I want to say, needless to say if you don't know it, I probably am going to vote for this. Okay. I am so energized over the procedure that we have done here and I want to compliment all of the city and the county staff that work these many weeks in getting this educational process out through these open house meetings. I was energized by the fact that people on both sides of the issue came to us. We had elected officials from the city, from the county there. They could approach us. It wasn't like just get up at the mike and we just sit here, and okay 'Next speaker, you've got five minutes'.

We engaged the public and I think it was the right process to do and I hope that in the future we look at maybe this type of bringing government closer to the people being governed, a concept that

Regular Meeting, September 1, 2004

we started with this project. I compliment Bill Buchanan. I agree, if Chris Chronis is wrong, we find another finance guy, but I think this has been very well thought out. I too had the same questions that Mr. Unruh and Mr. Norton had and Mr. Cherches [sic] has assured me . . . Mr. Chronis, excuse me, has assured me that on the revenue side, he was very conservative, on the expense side he tried to cover for all contingencies and I think it's a very realistic budget that he's put forth. And it's kind of nice that we've actually been able to shrink it, as opposed to at the last day expand it. So that's all I had and I just am excited about the possibilities."

Chairman Winters said, "All right, thank you. Mr. Buchanan, just one quick question and I know I know the answer to this but the way this ballot question is worded, yes means yes to a sales tax, no means no to a sales tax? I mean, there's no double, flip-flop meanings here? It's very clear."

Mr. Buchanan said, "You're absolutely correct and if you look at the exhibit in front of you where it says A-1, the vote in favor of the question submitted on this ballot is press the gray button on the right, the word yes. The vote against it, press the gray button on the right to vote no."

Chairman Winters said, "Okay. Commissioner Unruh."

Commissioner Unruh said, "Thank you. Before you call the vote, I just also wanted to make a couple of editorial comments here. I think this whole process has really been an illustration of good government. I mean, we've had incredible and unprecedented cooperation I think between both the city and the county government and it has produced measurable, tangible results that make for progress. So I think that's worthy of comment. And the business community has also been involved with their various associations and their activities to promote a great lifestyle or quality of life for our citizens. So I just think that it's . . . when we have the good cooperation, we need to tell folks about it and that is what's happened.

It shows that government can respond to popular demand, not only from the business community and people with economic interest in this, but I think that a lot of the rank and file citizens of Sedgwick County have demanded an opportunity to have a voice and bring this issue to some sort of resolution. So it's good that government can respond in that way.

And lastly, I'd say that it's good for government, for it to be known that we can make something that's a simple, clear, understandable plan that comes down to a question where we can answer it where our 'yes' is yes and our 'no' is no and that's what we promised at the outset and that's what we've produced.

Regular Meeting, September 1, 2004

So whether this issue fails or whether it prevails, I think that there's really a lot of very good things that have come out of it and so I guess I'll stop talking there and just say that it's a good exercise, we did well. Now let's see what the people say."

Chairman Winters said, "Okay. Well I would just . . . Commissioner Norton."

Commissioner Norton said, "Go ahead, unless you want to have the last word."

Commissioner Sciortino said, "He wants to have the last word."

Commissioner Norton said, "The Chairman always wants to have the last word, so I just want to make it clear that I will be supportive of the resolution that we'll pass today and the ballot question. I think it's critically important that citizens get the chance to weigh in. We've engaged them, one on one, but nothing is going to speak louder or more prevailing than a vote at the polls on November 2nd. I think we'll bring resolution to an issue that's been at the forefront of our community for a while. I hope that we can move this forward and also continue what we're doing with visioning. I think both those tracks are so critically important to the future of our community and I'm glad we did it the way we did it.

It's been a long, arduous process. We've moved it pretty fast and I would encourage the taxpayer, the voter to get out. It is a presidential election year, so hopefully there will be a big turnout and we'll get a clear mandate, one way or another, on the downtown arena so that we can move forward, move our community forward and have progress on this very important issue. So, thank you Mr. Chair."

Chairman Winters said, "All right, thank you. Well just very briefly, the only thing I wanted to say in conclusion is I certainly want to thank all staff and elected officials who participated in the community meetings. We had a good group of people there and they were energizing meetings. I thought they went very well and we want to thank the 800 citizens who came. And our process was to listen to those 800 folks that came and then hopefully put together the best question, the best program that we could do for this project and now it's an opportunity for the citizens to decide whether we're going to do the project or not. So, Commissioners if there are no other questions or comments, we're ready for a motion to adopt this resolution that you have in front of you."

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Regular Meeting, September 1, 2004

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Mr. Mayor, would you like to make a comment. We certainly appreciate your attendance at today’s meeting, but if you’d like to make just a comment, we’d certainly appreciate that.”

Mayor Carlos Mayans, City of Wichita, greeted the Commissioners and said, “You have taken an extraordinary step in moving Wichita and Sedgwick County forward, I believe. I want to commend you, Mr. Chairman, the members of the County Commission for your efforts in this process. It was a huge challenge. And as I heard the two individuals today, Abel and Scott, you know, they had real challenges, you know, but this was also a tremendous undertaking. And I want to recognize also our staff here. I know Alan Bell is here, Latricia Harper and our manager was here earlier, George Cole, but he had to leave and they’ve all been very excited and they have all been working very hard, along with the county staff, to bring this to fruition.

And I think what people like the best is that we have come together and acted as leaders should act, and that is to have the people hear what the people have to say and certainly the format that was used to have the different information booths available so that each person that had a particular question could have their questions answered was tremendously important.

Also, you had an open meeting. You had the on-line input and because of all that information, then we came together with the business community. We also heard what the business community concerns were. So I think the input has been tremendous. I think that Manager Buchanan, I certainly want to commend him for his efforts on this endeavor and I noticed during his presentation he used the word ‘opportunity’ twice, at the beginning and later on in the presentation. And this is

Regular Meeting, September 1, 2004

really what this is about, it's about an opportunity. We have a window of opportunity here that we have not seen in the pass seven years when this issue has been brought up. This is an opportunity to move our city, our county into the future.

We recognize the opportunity because others in the community have recognized it and we have come together with others in the community to make this thing happen. I totally believe that it's going to happen. I would like to thank you for all of your efforts. I would like to say that I and the city council will be available to help you in any way we can in partnership with the business community to bring about a positive outcome. I think the community wants this, I think the community needs this.

As we look at the preliminary input that we have received from the visioning process, you see time and time again the three top concerns of folks in the community are economic development, the quality of life and education. You have, through this process, educated the people as to why we need the arena.

The people want economic development. The arena is economic development. And the people want quality of life and the arena is quality of life, so I think that we have been right on track with what the people want for our community. They want us to move forward. I'm so happy to see that we have come together and your efforts on this has been tremendous. Again, I want to thank you. Let's keep this partnership not only on this project, but on others. Thank you very much."

Chairman Winters said, "All right, thank you Mr. Mayor. We look forward to working with you and the other 19 mayors in Sedgwick County as we proceed on with this project. So Commissioners, if there's nothing else, we're going to take a 10 minute . . ."

Commissioner Sciortino said, "Are we going to try that thing about the oversight committee? How do we do that?"

Chairman Winters said, "Well, maybe we ought to . . . Mr. Manager, do you have a suggestion about the oversight committee?"

Mr. Buchanan said, "Yes I do."

Chairman Winters said, "All right, let's hear it."

Regular Meeting, September 1, 2004

Mr. Buchanan said, "I would recommend that you instruct me to bring back to you, no later than 30 days, a plan of how we would institute a citizens' oversight committee."

MOTION

Commissioner Sciortino moved to approve the Manager's recommended action.

Commissioner Unruh seconded the Motion.

Chairman Winters said, "We have a motion and a second. I think if there's a way to do that in less than 30 days, I think we'd like that. I mean, we just need to be very clear and let the citizens know that this is the plan and as they go through their deliberation process, know that that's part of the plan."

Mr. Buchanan said, "Want it next week?"

Chairman Winters said, "No. We've got a motion for 30 days but let's just try to get it . . ."

Commissioner Sciortino said, "No later than 30 days."

Mr. Buchanan said, "Yes."

Chairman Winters said, "Right. Commissioners, we have a motion and a second. Is here any other discussion? Seeing none, call the vote."

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Now let's take a 10-minute recess."

The Commission recessed at 10:36 a.m. and returned from recess at 10:46 a.m.

Chairman Winters said, "Madam Clerk, would you call the next item."

Regular Meeting, September 1, 2004

F. HOUSING DEPARTMENT.

1. RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF ALL NECESSARY DOCUMENTS IN CONNECTION WITH THE SALE OF GNMA SECURITIES ACQUIRED WITH PROCEEDS OF SEDGWICK COUNTY AND SHAWNEE COUNTY COLLATERALIZED SINGLE FAMILY MORTGAGE REFUNDING REVENUE BONDS, 1988 SERIES C.

Mr. Brad Snapp, Director, Housing Department, greeted the Commissioners and said, “These resolutions are really a mouthful. In short, we’re closing out two old bond issues. It’s a regular thing we do at the county. Approximately 10 years after the issue, we sell the government securities, pay off all expenses, the rest of the bonds and sometimes get money back for the county. If there’s any questions, I’ll try to answer them. Otherwise, I have experts in the back ready to help me.”

Commissioner Norton said, “And who might those be?”

Mr. Snapp said, “Chuck Bouilly. Joe Norton will pinch hit.”

Chairman Winters said, “One question. Will there be any money coming back to Sedgwick County after this, at the conclusion of this?”

Mr. Snapp said, “Yes there will.”

Chairman Winters said, “Do we know how much it is? Will that just have to wait and be determined when it’s finalized?”

Mr. Snapp said, “Well, we have a round number but we don’t know for sure. It’s about \$400,000, 450.”

Chairman Winters said, “Okay.”

Mr. Snapp said, “And that’s with both of these issues.”

Chairman Winters said, “All right. Commissioners, do you have any questions of either Mr. Bouilly or Brad Snapp?”

MOTION

Regular Meeting, September 1, 2004

Commissioner Unruh moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

Chairman Winters said, "All right. And I guess we have two resolutions, there are two bond issues right?"

Mr. Snapp said, "Right."

Chairman Winters said, "So, on item F-1, we have a motion to adopt that resolution and Commissioner Norton seconded that. Any other discussion? Seeing none, call the vote."

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Madam Clerk, call the next item."

- 2. RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF ALL NECESSARY DOCUMENTS IN CONNECTION WITH THE SALE OF GNMA SECURITIES ACQUIRED WITH PROCEEDS OF SEDGWICK COUNTY AND SHAWNEE COUNTY COLLATERALIZED SINGLE FAMILY MORTGAGE REFUNDING REVENUE BONDS, SERIES 1994A-II, 1994B-II, 1994C-II, 1994A-III, 1994B-III AND 1994C-III.**

Mr. Snapp said, "Commissioners, it's the same deal on this issue. I just ask that you approve the resolution for the sale of these bonds."

Chairman Winters said, "Commissioners, are there questions or comments?"

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

Regular Meeting, September 1, 2004

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Thank you, Brad. Thank you, Chuck, for being here. Joe, thank you. Next item.”

G. GRANT APPLICATION TO KANSAS DEPARTMENT OF TRANSPORTATION FOR FUNDING OF KANSAS *CLICKS* SPECIAL TRAFFIC ENFORCEMENT PROGRAM.

Sheriff Gary Steed, greeted the Commissioners and said, “I’m here to request your approval of a grant application for the Kansas Department of Transportation for funding for our Kansas Clicks special traffic enforcement program.

This is the fifth year that we participated in this program and generally we receive about \$15,000 each year that funds overtime for officers to do special traffic enforcement out in the unincorporated areas of Sedgwick County. We generally do that in four different programs as we go out there. Generally, from . . . the Thanksgiving mobilization focuses on occupant protection and DUI and runs from November 22nd to November 28th. We focus on child passenger safety week, which focuses on occupant protection from February 13th to February 19th and on Memorial Day, Buckle Up America, which focuses on occupant protection, runs from May 23rd to June 5th of 2005 and on Labor Day we focus on alcohol, which runs from August 26th to September 11th.

We are occasionally crit . . . a lot of folks . . . law enforcement is occasionally criticized for focusing on traffic tickets and traffic safety in our community, as opposed to more serious crime,

Regular Meeting, September 1, 2004

such as homicide. I want to point out a statistic that I look at, that I look at quite often, that I think drives some of my decision-making in pursuing some of these traffic issues. Since I have been Sheriff in Sedgwick County in the unincorporated areas of Sedgwick County we've had two deaths by homicide. During that same time period, we've had nine teenagers killed in traffic accidents. In those nine traffic deaths, one involved alcohol, so perhaps we're making some inroads in the areas of alcohol and drinking. In seven of those accidents, the occupants were not belted, seat-belted into their vehicles. And in six of those accidents, the occupants were ejected and in six of those accidents, speeding was a contributor to the accident.

So certainly our streets are a dangerous place, certainly they're dangerous for our teenagers, which is an area that I like to focus on for public safety. So, with that statistic, I would ask that you approve the grant application and allow Commissioner Winters to sign."

Chairman Winters said, "All right, thank you very much Sheriff. Commissioners, are there questions or comments? If not, what's the will of the Board?"

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Thank you very much, Sheriff. Next item."

Regular Meeting, September 1, 2004

H. FUNDING REQUEST BY OLD COWTOWN MUSEUM FOR \$155,000 TO RETAIN MUSEUM MANAGEMENT CONSULTANTS, INC. TO DEVELOP A MASTER PLAN, MARKET ANALYSIS AND FEASIBILITY STUDY.

Mr. Buchanan said, "Commissioners, I'd like . . . request that you defer this item."

MOTION

Commissioner Sciortino moved to approve the funding request.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Next item."

I. DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING.

1. AGREEMENT WITH CITY OF WICHITA, KANSAS FOR DEPARTMENT ON AGING TO ADMINISTER A RESIDENT OPPORTUNITY AND SELF-SUFFICIENCY/RESIDENT SERVICE DELIVERY MODEL (ROSS/RSDM) PROGRAM FOR WICHITA HOUSING AUTHORITY.

Ms. Monica Cissell, Program Manager, Department on Aging, greeted the Commissioners and said, "Today I have an agreement with the City to administer the ROSS program, which is the Resident Opportunity and Self-Sufficiency program, and the RSDM, Resident Service Delivery

Regular Meeting, September 1, 2004

Model programs.

The City of Wichita received a \$200,000 grant from HUD to continue a program of services to support their older adults and disabled individuals in public housing, residences, including five of their properties. The Department on Aging will administer this program for Wichita Housing Authority and will provide a coordinator for the program and services.

We will receive \$20,000 for the coordination of this program and I ask that you approve the contract and authorize the Chair to sign. I'd be glad to answer any questions."

Chairman Winters said, "All right, thank you. Commissioners, questions or comments?"

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Next item."

2. AGREEMENTS (THREE) TO PROVIDE SERVICES RELATED TO THE ROSS/RSDM PROGRAM.

Regular Meeting, September 1, 2004

- **NANCY MEHL – PROGRAM COORDINATOR**
- **RIVERSIDE HEALTH FOUNDATION SENIOR COMPANION PROGRAM – SENIOR COMPANIONS**
- **ALL SAINTS HOME CARE, INC. – HOMEMAKING SERVICES**

Ms. Cissell said, “Today I have three agreements, which are for the purpose of administering the ROSS and the RSDM program. The Wichita Housing Authority, as I said before, received a grant from HUD to continue programs for ROSS and RSDM, and to administer these programs, we will need these three contracts in place.

The first is for Nancy Mehl, who coordinates the program. The second is for Senior Companions, who provide companionship and other services 20 hours a week and the third contract included is for All Saints Homecare, which provides homemaker services for the individuals under this program. I ask that you approve the contract and authorize the Chairman to sign. I’d be glad to answer any questions.”

Chairman Winters said, “All right. Commissioners, are there questions? Seeing none, what’s the will of the Board on these three agreements?”

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Thank you, Monica. Next item.”

Regular Meeting, September 1, 2004

J. DIVISION OF HUMAN SERVICES – COMCARE.

1. AGREEMENT WITH HORIZONS MENTAL HEALTH CENTER, INC. FOR COMCARE TO PROVIDE PSYCHIATRY SUPERVISION AND CONSULTATION SERVICES.

Ms. Marilyn Cook, Director, greeted the Commissioners and said, “This is a renewal of an agreement that we have with Horizons Community Mental Health Center in Hutchinson. We had this agreement for a number of years. They pay us and guarantee three hours of paid time for our child board certified psychiatrist, Dr. Katherine Madden. She does all of this work via our tele-medicine unit that’s located in that program and she provides supervision to the Advanced Nurse Practitioner in Hutch, since they don’t have that kind of supervisory support there. And, every now and then, if that nurse is struggling with an adolescent or a child that she’s seeing, Dr. Madden will get the child on a tele-video unit and see the child herself that way.

So, I’d be happy to answer any questions. The recommended action is that you approve the agreement and authorize the Chair to sign.”

Chairman Winters said, “All right, Marilyn. Commissioners, questions? Comments? Seeing none, what’s the will of the Board?”

MOTION

Commissioner Unruh 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 David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Next item.”

Regular Meeting, September 1, 2004

2. AMENDMENT TO CONTRACT WITH COMMUNITIES IN SCHOOLS OF WICHITA/SEDGWICK COUNTY, INC. TO PROVIDE PROFESSIONAL EVALUATION SERVICES FOR COMCARE'S CAMPUS CONNECTIONS PROJECT.

Ms. Cook said, "This item is an amendment to basically extend the term of the contract that we already have with Communities in Schools to evaluate our Campus Connections program. Judy Frick and her group have been meeting with the staff and some parents, in some cases, in the schools where we have our Campus Connections program. They collect data for us and as a result of the data collection and the focus groups, they offer us some nice feedback, in terms of what we need to do differently in those schools for planning purposes. So, this is an opportunity for us to extend that through the end of the year, let them complete the data collection and hold one more series of focus groups at the end of this semester. We're recommending that you approve the amendment and authorize the Chairman to sign."

Chairman Winters said, "All right, Commissioners, questions, comment?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Thank you, Marilyn. Next item."

K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF AUGUST 26, 2004.

Regular Meeting, September 1, 2004

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

**1) SMART TRUNK- DIVISION OF INFORMATION AND OPERATIONS
FUNDING: SYSTEMS & SECURITY**

First item, Smart Trunk for Division of Information/ Operations. Recommend the quote from SBC DataComm for a five-year contract at \$719.75 per month, for a total five-year cost of \$43,185.

**2) UPGRADE MOTOROLA RADIO SYSTEM- EMERGENCY COMMUNICATIONS
FUNDING: 911 EQUIPMENT RESERVE/ COMMUNICATIONS EQUIPMENT**

Item two, partial upgrade to the Motorola radio system for Emergency Communications. Recommend the expenditure with Motorola in the amount of \$1,310,111.

For the record, items three through six are established contract pricing.

**3) AB-3 ROCK- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

Item three, AB-3 rock for Public Works. Recommend the expenditure with Southwest Butler Quarry for \$54,000.

**4) CM-E CHAT- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

Item four, CM-E chat for Public Works. Recommend the expenditure with Bingham Sand and Gravel for \$41,900.

**5) 18" RIP RAP- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

Item five, rip-rap for Public Works. Recommend the expenditure with Martin Marietta Aggregates for \$29,000.

**6) HIGH FLOAT EMULSIFIED OIL- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

Regular Meeting, September 1, 2004

Item six, high float emulsified oil for Public Works. Recommend the expenditure with Koch Pavement Solutions for \$318,375.

7) **REINFORCED CONCRETE BOXES- PUBLIC WORKS** **FUNDING: PUBLIC WORKS**

And item seven, reinforced concrete boxes for Public Works. Recommend the bid from Wichita Concrete Pipe to establish concrete pricing for an estimated cost of \$200,000. Be happy to answer any questions and recommend approval of these items.”

Chairman Winters said, “All right, Commissioner Sciortino.”

Commissioner Sciortino said, “Thanks. Iris, I think I understand the answer but I just want to clarify, on number seven, at the top it said we received two bids from two vendors, but then the one . . . does it mean that the second one was just a no bid was the response, so that’s what you meant by receiving two. We didn’t actually receive two bids, because I was going to ask where the second bid was.”

Ms. Baker said, “Correct.”

Commissioner Sciortino said, “Okay, that’s all I had. Thanks.”

Chairman Winters said, “All right. I think I would like to have . . . I see Bob Lamkey half in and half out. Bob, would you come and talk to us about this big ticket item we got on the radio system. And I guess my first question was how is this going to coordinate with moving into a new facility. And I can understand the need for upgrade, but how is that going to work with the new facility and all of that?”

Mr. Bob Lamkey, Director, Public Safety, greeted the Commissioners and said, “Well, I can answer some of that and if it gets too technical, Kent Keiler, who is our DIO representative, can answer it more specifically.

Quite frankly, the need for this particular system is being driven primarily because of the obsolescence of the equipment that we have and the lack of supportable, beginning in 2005. This is the brains and heart of the system and that the risk of a failure and not being able to get guaranteed parts means that we would go from our . . . essentially our global, multi-site system to a single-site system, so from that perspective, it’s a must pay.

This is very compatible with our new center. There’s some equipment that will be installed at the

Regular Meeting, September 1, 2004

dispatcher's station and downstairs in an equipment room that we have that will move with us when we move to the new center. So, there's no expense here that will have to be duplicated in the next center.

There will also be equipment components placed on the 12th floor of this building, which is where our radio room is and at all of the remote sites that we have, as part of this process. And so that's why it's a significant event for us."

Chairman Winters said, "All right, but so I mean the only thought I had would it be just simpler to do this at the time that the new facility was completed."

Mr. Lamkey said, "Some small portion of this were originally planned, but for lack of a better words, the brains of the system was not part of that plan. What we discovered earlier this year, is that Motorola, because of the changes of technology, is not going to support the brains of the system, so it would be imprudent for us to wait for two years to do this, because again the price of a failure and inability to get parts or support in that window period would be such that we would be operating on a single-site 9-1-1 system and so that's what really drives our decision to do this now."

Chairman Winters said, "Would one assume that because of, I mean, the age of our current system, that a new system now would be significantly better than our older system?"

Mr. Lamkey said, "It will add some additional capabilities. Right now, we are limited to the number of sites that we have and the system that we have. We'll be able to expand sites in that process. We'll also get better diagnostic tools in this process and this is current level of technology. Quite frankly, to get to the next technology will be \$30,000,000 investment, so that's where we're at right now."

Chairman Winters said, "All right. I had one last question, but I lost it. Commissioner Norton."

Commissioner Norton said, "Thirty million threw you off."

Commissioner Sciortino said, "That got that wagon wheel wobbling."

Chairman Winters said, "I know what it was. What then . . . does this have anything to do with, then where are we with the state of the locator systems, of being able to locate where vehicles are?"

Mr. Lamkey said, "Well, I'm glad you asked that question. This is not part of this process, but that process is moving quite well actually. We just submitted some requests, through the City of Wichita, for transportation funds that would be used to support this AVL system. We have

Regular Meeting, September 1, 2004

committed about half a million dollars of 9-1-1 funds to do this and it is my expectation that before the end of the year we'll be starting this process. Ken?"

Mr. Ken Koehler, Project Leader, DIO, greeted the Commissioners and said, "We will be buying some before the end of the year."

Mr. Lamkey said, "So that's moving along quite well, in partnership with the City of Wichita."

Chairman Winters said, "Okay, thank you very much. Commissioner Norton."

Commissioner Norton said, "Not that we always can, but can we anticipate the obsolescence of the system we're getting ready to . . .?"

Mr. Lamkey said, "2011."

Commissioner Norton said, "Okay. These things go awfully fast. I mean Motorola seems like just about the time they get you hooked on one group of system, they're into another generation and it just happens, the parts, you can't find them, nobody has the technology to keep up with it and you're almost forced to move on. I want to be sure that we don't, you know, I know we're looking at that \$30,000,000 like it's not a good investment, but eventually we're going to have to spend some money to get the most upgraded system and if we're just kind of chasing the back end of the technology."

Mr. Lamkey said, "Yeah, to some degree you're correct. The change and the rate of change of technology, if you look at your cell phone of a few years ago and today, are such that the capabilities and changes are happening. What we'll be facing in the future is the digital world. I mean, we will have digital capability as part of this process, but ABCO 25, is that the new standard? We've looked at . . . we've tried to price that out and that's a . . . on today's dollars, if we were to do this today, it would be about a 30.2 million dollars worth of process. We constantly pay attention to what the federal government might be offering, in terms of inner-operability in the communications, but we're blessed in this community, in this 800 megahertz system to have an inner-operable communications system already in place. And so we won't lose any capability. We'll gain some capability and capacity but again, I think this is a must-spend expenditure and the funds are in the equipment reserve from the 9-1-1 funds, so those who pay that tax every month, this is what their money gets spent on."

Regular Meeting, September 1, 2004

Commissioner Norton said, “Bob, are there going to be any unintended consequences with other units of governments that we have shared capabilities with now, like the small cities? Will that change anything or going to force them to have to upgrade their technology to kind of stay up with us?”

Mr. Lamkey said, “No, not at this point and we work in a very integrated way with our 800 megahertz system.”

Commissioner Norton said, “I know we do, and I just wanted to be sure that we didn’t upgrade to something that’s going to affect them and make them have to spend money to do some things to catch up with us or to even be compatible still.”

Mr. Lamkey said, “All existing radios will be compatible with this system.”

Commissioner Norton said, “Okay.”

Chairman Winters said, “All right. Commissioner Sciortino . . . is that it? All right, Commissioners, you’ve heard the report from the Board of Bids and Contracts. What is the will of the Board?”

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Regular Meeting, September 1, 2004

Chairman Winters said, "Thank you, Iris and thanks to the rest of you who are here for this item. Madam Clerk, call the next item."

DEFERRED ITEM

- L. RESOLUTION AUTHORIZING ESTABLISHMENT OF A SPEED ZONE ON 199TH STREET WEST BETWEEN THE NORTH CITY LIMITS OF GODDARD AND 21ST STREET NORTH (795-N, O, P, Q) AND PROVIDING FOR ENFORCEMENT THEREOF.**

Mr. Mark Borst, Engineer, Public Works, greeted the Commissioners and said, "The resolution before you is Item L, will reduce the speed limit on 199th Street West, between the north city limits of Goddard and 21st Street North from the present 55 mile an hour to 45 mile an hour. This proposed speed limit is more consistent with the existing geometrics and right-of-way restrictions that we have on this road than the statutory 55. I'd recommend that you adopt the resolution."

Chairman Winters said, "All right. Commissioners, are there questions or comments?"

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

Commissioner Norton said, "My only question is Tom, that's in your district. Have you kind of looked at it? You don't think they'll have many citizens . . .?"

Chairman Winters said, "I think we'll probably have some citizens but . . ."

Commissioner Sciortino said, "Those combines can't go over 45 miles an hour."

Chairman Winters said, "This is a road that just needs to be slowed down, so we'll see what happens. We may be back."

Commissioner Norton said, "Stay tuned, huh."

Chairman Winters said, "All right. Are there any other questions? I am going to be supportive of this. Are there any other questions? Seeing none, Madam Clerk call the vote."

Regular Meeting, September 1, 2004

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Thank you, Mark. Next item."

CONSENT AGENDA

M. CONSENT AGENDA.

- 1. Sidewalk Easement at Sedgwick County Courthouse, 525 North Main, for construction of a sidewalk by City of Wichita.**
- 2. Post-Annexation Public Hearing Notices.**
 - a. November 3, 2004
 - Kellogg and 151st Street West
 - Harry and Greenwich
 - b. November 10, 2004
 - 13th Street North and K-96
 - 37th Street North and Hillside
- 3. Order dated August 25, 2004 to correct tax roll for change of assessment.**
- 4. Payroll Check Register of August 27, 2004.**
- 5. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2003 and prior years have been paid for the following plat:

Regular Meeting, September 1, 2004

Prairie Meadow Estates Addition

6. General Bills Check Register(s) for the week of August 25 – 31, 2004.

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

MOTION

Commissioner Sciortino moved to approve the consent agenda as presented.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “That concludes the regular business. Commissioners, we do need to have an Executive Session in this regular meeting and we need to have a Fire District meeting and an executive session in it. This might be a good time for any community comments, if anybody has anything that you’d like to discuss. Commissioner Unruh.”

N. OTHER

Commissioner Unruh said, “Thank you, Mr. Chairman. I just want to say that last Saturday I went out and visited Station 38 and that was I think the first day that the City of Wichita and Sedgwick County are cohabitating that station. And so just went out to chat with the guys and, during the time that I was there, Sedgwick County engine was out on a run, but I chatted with the City of Wichita Fire Department and everybody was in great spirits and great harmony and there’s no

Regular Meeting, September 1, 2004

reason that it shouldn't work and I think it's a great cooperative effort and everyone is anticipating that it will be successful and perhaps this is the beginning of something really good in city/ county cooperation. So that was good, wanted to report that.

Secondly, I want to say that Zoobilee is coming up in 10 days and I just happen to have some tickets for sales. So if anybody needs tickets, come see me.

Thirdly, I just want to announce that been working hard on the Wichita Area Technical College and just want the folks out there watching to know that we continue to press on that issue to find good solutions for diversified and well trained workforce in our county and in our area and hopefully we are going to come at a good solution where everybody is happy, but we are working on it, so thank you."

Chairman Winters said, "All right, thank you. Commissioner Norton? Commissioner Sciortino? I only have one thing, my wife and I did go out to the zoo on Sunday and we certainly want to thank Mark Reed and the zoo for opening it up to the county employees that day. I saw a lot of county folks out there having an enjoyable time and it was a great day to be out there, the weather was just terrific. So we appreciate Mark and all his staff hosting county folks that day.

All right, we are needing an executive session here in the regular meeting."

MOTION

Commissioner Unruh moved that the Board of County Commissioners recess into executive session for 5 minutes to consider consultation with legal council on matters privileged in the attorney client relationship relating to pending claims and litigation and legal advise and the Board of County Commissioners return to this room from executive session no sooner than 11:18 a.m.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Regular Meeting, September 1, 2004

Chairman Winters said, "We are adjourned into Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 11:13 a.m. and returned at 11:18 a.m.

Chairman Winters said, "I'll call back to order the meeting of the County Commissioners, Regular Meeting, September 1, 2004. Let the record show that there was no binding action taken in the Executive Session. Is there other business, Mr. Euson?"

Mr. Euson said, "Yes. Commissioners, while in Executive Session, we discussed a matter involving a claim by Timothy White against the county. And at this time we would recommend that the Board of County Commissioners settle this claim in the amount of \$15,000."

MOTION

Commissioner Sciortino moved to accept the recommendations of Counsel and settle the claim against the county by Timothy White for the amount of \$15,000.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Is there any other business to come before this board? Seeing none, the Regular Meeting of July [sic] 1st is hereby adjourned. September 1st, I'm sorry, September 1st, 2004, going backwards in time."

Regular Meeting, September 1, 2004

O. ADJOURNMENT

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**

THOMAS G. WINTERS, Chairman
Third District

DAVID M. UNRUH, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

CAROLYN McGINN, Commissioner

Regular Meeting, September 1, 2004

Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED: _____, 2004