

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 6, 2005

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, July 6, 2005 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Ben Sciortino; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Lucy Burtnett; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Joe L. Norton, Gilmore & Bell, P.C., Bond Counsel; Mr. Ron Holt, Assistant County Manager; Dr. Mary Dudley, M.D., District Coroner/ Chief Medical Examiner, Regional Forensic Science Center; Ms. Chris Morales, Systems Integration Coordinator, Department of Corrections; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Mr. Jim Osterlund, Project Manager, Facility Project Services; Ms. Kristi Zukovich, Director, Communications and, Ms. Lisa Davis, Deputy County Clerk.

INVOCATION

The Invocation was led by Mr. Pete Morris of Metro East Baptist Church, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, June 22, 2005

The Clerk reported that all Commissioners were present at the Regular Meeting of June 22nd, 2005.

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

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MOTION

Commissioner Sciortino moved to approve the Regular Meeting of June 22nd, 2005.

Commissioner Burtnett seconded the Motion.

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

VOTE

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

Chairman Unruh said, "Next item."

PROCLAMATION

A. PROCLAMATION DECLARING JULY 11 – 15, 2005 AS “SEDGWICK COUNTY LAW CAMP DAYS.”

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

PROCLAMATION

WHEREAS, approximately one hundred fifty youth between the ages of 11 and 15 will attend the tenth annual Sedgwick County Law Camp July 11-15, 2005 at Lake Afton Park; and

WHEREAS, the mission of the Law Camp is to create a partnership between law enforcement and youth by providing a positive experience using law enforcement personnel as role models- building self-esteem, confidence and trust; and

WHEREAS, a squad of 10 youth will be assigned to a mentor who will keep track of the activity schedule. The mentors will operate in teams of two, consisting of one Deputy and one Guardsman from the Kansas National Guard; and

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WHEREAS, Law Camp is a partnership involving over 25 public and private sector organizations;

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim July 11-15, 2005 as

“SEDGWICK COUNTY LAW CAMP DAYS”

in recognition of this effort to involve our youth in alternatives to crime and violence.

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

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Unruh said, “And receiving the proclamation this morning is Sedgwick County Sheriff Gary Steed.”

Sheriff Gary Steed, greeted the Commissioners and said, “Thank you very much for the proclamation. It’s greatly appreciated. As the proclamation said, next week 150 kids, 11 to 15, are going to descend on Lake Afton for our tenth annual Sedgwick County Law Camp.

The kids are going to be exposed to a lot of things. They’re going to be partnered in groups of ten teams, and teamwork is a big theme of the program. They’re going to be partnered in these teams with Army Guard personnel and Sheriff’s Deputies to participate in quite a number of character and confidence and team-building programs.

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They include things like, one of the most popular happens to be a wall climb and a wall climb competition that we have. They're going to be exposed to fishing, through the efforts of Kansas Fish and Game. We load up one of the holding ponds out there, so that virtually every kid is ensured the opportunity to learn how to catch a fish. Lots of competition, bucket races, lots of fun with canoeing and swimming and being sprayed by the hoses from the Sedgwick County Fire Department, so it's quite a program that the kids appreciate.

They're also going to be exposed to quite a number of educational programs, which include educational programs to combat gangs, drugs and violence in our community, a lot of anti-crime type programs.

Law Camp, I might explain to you what those letters stand for, and I have to do that backwards, because of the way that I explain it to the kids, but the kids, we tell them that they are winners because someone has seen something in these kids that has caused them to be a good candidate for our Law Camp, so they're winners to be selected and to have the opportunity to participate in this program.

They're achievers because they're going to be exposed to a number of programs. They're going to challenge them to do things they either might not do or might think that they can't do. Their programs are going to help them to build character and help them to learn something about themselves.

And they're leaders, because they have the opportunity to become leaders at the camp and to lead at the camp, and they also have the opportunity to lead when they go back, away from camp, back to school, back amongst their friends and talk about the positive relationships they've developed with law enforcement, about the things that they've learned that they can do through our Law Camp and about the positive things that have happened to them.

The camp is free to kids that participate. It's made free because of the more than 30 sponsors that you mentioned that help us do that, but there are some primary sponsors that I feel compelled to talk to talk to you about today that really make this possible and who have been partners through I think virtually the entire 10 years of Law Camp. Those partners include: the Kansas National Guard, the Wichita Crime Commission, Big Brothers/ Big Sisters, Koch Industries, our own Sedgwick County EMS and our own Sedgwick County Fire Department.

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There are a number of other participants. I'm not going to read the entire list today, but they're all people that make this really possible and have been long time sponsors. Of course, you're welcome anytime out at our Law Camp. I'd give you a special invitation to our barbeque, which occurs Thursday night, at the Law Camp at the east side of Lake Afton, 6 p.m. You're all welcome. In past years, we've all been concerned about the heat. This year, I think we're a bit concerned about the rain and the wet weather. So, thank you very much for the proclamation."

Chairman Unruh said, "Well Sheriff, I just want to say we really appreciate your willingness to kind of administrate this type of a program because it does have a direct positive effect on our community and you know, ten years running, I know that after a while perhaps some of that gets a little tedious for you to get this set up and go every year, but it's very beneficial and we appreciate it and these youngsters, it's great for them to have the goal or the vision that they can be leaders and achievers and winners, as they mature and make their contribution to our community, so thank you very much, appreciate it."

Sheriff Steed said, "Thank you, Commissioners."

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

APPOINTMENT

B. RESOLUTION NOMINATING JEFFREY ST. CLAIR (COMMISSIONER BURTNETT'S RECOMMENDATION) TO THE WICHITA AIRPORT ADVISORY BOARD.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Commissioners, this resolution would make this recommendation of appointment to the Wichita Airport Advisory Board and I would recommend you adopt the resolution."

Chairman Unruh said, "All right, thank you. Commissioners, what is the will of the Board?"

MOTION

Commissioner Burtnett moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

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VOTE

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

Chairman Unruh said, “And Mr. St. Clair is not present, is that correct? Okay, all right thank you then. We will go to the next item please.”

PUBLIC HEARING

POWERPOINT PRESENTATION

C. PUBLIC HEARING AND RESOLUTION REGARDING PROPOSED SPECIAL ASSESSMENTS FOR AN INTERNAL IMPROVEMENT PROJECT IN THE COUNTY (PRAIRIE CROSSING SECOND ADDITION).

Mr. Joe L. Norton, Gilmore & Bell, P.C., Bond Counsel, greeted the Commissioners and said, “This morning, we have a public hearing to level proposed assessments for a benefit district that has been created by petition filed with the County Commission, signed by 100% of the owners of property liable for assessment.

The area is known as Prairie Crossing 2nd Addition. This is located in the western portion of the county, just south of Central, between 151st and 167th Street West. On the screen before you is a map of the benefit district. There are 13 residential lots and the proposed method of assessment is to divide the cost of the project, paving project, equally among the residential lots.

In the past, in addition to authorizing the project, two weeks ago you approved the final statements of cost and notice of this public hearing. Notice of the proposed assessment hearing has been mailed to each property owner and published in the Derby Reporter on June 24th.

The statement of final costs, which has been approved, prepared by Public Works, indicates that the total cost of the project is \$211,349.22. When divided by the 13 parcels, equals \$16,257.63 per parcel. Subsequent to the hearing today, you’ll have the opportunity to adopt the resolution, which will levy these assessments. Subsequent notice will be mailed to all property owners, giving them a 30-day period in which to pre-pay all or a portion of this assessment.

Those amounts not paid will be spread over 15 years, with interest at the rate incurred by the

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County under a KDOT transportation revolving fund loan, which is a new program the county participated in last year, going to again this year on some of these road improvement projects, which results in a more favorable interest rate than the county might be able to achieve in their own G.O. bond issues, especially for a project of this magnitude. It's the only one left at this time unbonded, so I'd be happy to address any legal questions you have. I think Mr. Spears is here, might answer any questions about the project. If there are no further questions, it would be appropriate to open the public hearing and see if anyone is here to comment on this project."

Chairman Unruh said, "Okay, thank you Joe. Before we open the public hearing, Commissioners, are there any questions directly to Mr. Norton? Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. Joe, the amount on each assessment for the lot was \$16,257. What does that figure out a year, if somebody goes ahead and has that . . . if that's added on to the tax roll?"

Mr. Norton said, "I don't have that number before me, that's approximately \$1,500 per year. That would be 15 years for the \$16,000, assessed for a little over a 1,000 a year in principle, so we add interest onto that, it's going to be in the 1,400-1,500 range."

Commissioner Winters said, "Okay, thank you very much. That's the only question I had."

Chairman Unruh said, "Okay, thank you. Commissioners, any other questions? Seeing none, let's open the public meeting and we'll ask if there's anyone who would like to speak during the open meeting portion. I don't see anyone here. That being the case, I will close the public meeting and restrict the rest of the comments to the bench. And Commissioners, is there any other question or comment?"

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

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

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

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

NEW BUSINESS

D. LAKE AFTON PARK.

- 1. AGREEMENT WITH TROWBRIDGE PRODUCTIONS, L.C. FOR USE OF LAKE AFTON PARK JULY 18 – 24, 2005 TO HOLD A "WHEATLAND JAM" MUSIC FESTIVAL JULY 21 – 23, 2005.**

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "This is a request for your approval of an agreement with the Trowbridge Productions, L.C., doing business as Wheatland Jam, for the exclusive use of designated areas of Lake Afton Park for a music festival. This agreement that we bring before you today supersedes all other agreements, all prior agreements.

The exclusive use of the designated areas of the park is for July 18th through the 24th. However, the actual dates of the music festival are July 21 through 23rd. The before and after dates are giving the group time to set up and to take down their facilities.

The original agreement was approved on October 30th, 2003. It was for five years, and as you will recall, the Wheatland Jam that year, due to a number of issues, organizational-wise. It was the first year to move to this new location, they were not able to make timely payments to the county for the county's percentage of parking fees and so forth. We then approved an addendum that you had before you last year and the use of the park in 2004 as well as for 2005, and 2006 is predicated on the payment of those unpaid amounts from 2003.

Last year's event was really plagued by adverse weather and we are then proposing starting, if you will, over again and that's why you have a brand new agreement for this year. Wheatland Jam

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agrees to comply with all legal and regulatory requirements and to coordinate their efforts with the office of Code Enforcement, with the Sedgwick County Sheriff's Office, with the Emergency Medical Services, the Health Department and the Sedgwick County Fire Department to make sure that we're complying with all Code regulations and public safety. I would be happy to answer any questions and would ask that you approve the agreement and authorize the Chairman to sign."

Chairman Unruh said, "Okay, thank you Ron. We do have a couple of questions. Commissioner Burtnett."

Commissioner Burtnett said, "Ron, in our backup it says that \$3,343.67 will be paid on or before 60 days prior to the 2005 event. Has that money been paid?"

Mr. Holt said, "It has been."

Commissioner Burtnett said, "Okay. That's all I had."

Chairman Unruh said, "Okay. Commissioner Winters."

Commissioner Winters said, "Thank you. Ron, a couple of questions. I guess I'm going to be supportive of this, but there are a couple of issues with the neighbors out there that continue to come up every year and I read in your material that Lake Afton staff does plan on notifying neighbors of this event. Will there be notice to folks in the neighborhood?"

Mr. Holt said, "That's correct? We've already started the idea of posting signs. We'll be doing that over the next couple of weeks, but yes, we will make personal contact with neighbors to make sure that they are fully aware of the dates and time for the music festival."

Commissioner Winters said, "Well that's good, because I know a number of people out there take that weekend as an occasion to go on vacation themselves so they're not in the neighborhood when the event takes place.

The other is fireworks, are there going to be fireworks involved with the event this year?"

Mr. Holt said, "There are no plans to have fireworks this year at all."

Commissioner Winters said, "Okay, so that's a good thing, at least from the neighbors' perspective, because I know one year they went on pretty late into the night.

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And then, is there a time when the events for the day are over? Is there an ending, or does it go on into the . . . ?”

Mr. Holt said, “This does go on into the early morning hours, meaning past midnight, one, one thirty, and that’s one of the reasons we’d want to notify neighbors, so that they would be aware of the late-night events.

In this agreement, we do waive the . . . or ask you to waive the noise restrictions for Lake Afton Park for the days of this event as well.”

Commissioner Winters said, “Okay, thank you.”

Chairman Unruh said, “All right, thank you. Ron, I have a couple of questions. On the working out of the financial arrangements with this company, we haven’t contributed any county money. I mean, ours is just revenue received for the use, but we don’t have any money in it. Is that correct?”

Mr. Holt said, “That’s correct. We do not have any investment, any funds invested or sponsorship to this event and we have received up-front payments, as well as . . . each year, as well as, as Commissioner Burtnett noted, we received the past due or the past payment for 2003 that’s a part of the agreement as well for this year.”

Chairman Unruh said, “All right, and does this event require the entirety of the Lake Afton Park?”

Mr. Holt said, “No, it’s just the west side of Lake Afton Park that’s given exclusive use for this event. The rest of Lake Afton Park, the east side of the park, the bait shop, the store area remains open to the general public doing these events.”

Chairman Unruh said, “Okay, good. So folks can still get out there and get their boat on the water.”

Mr. Holt said, “The lake is still open and the east side of the park is still open for camping and picnicking and that sort of thing.”

Chairman Unruh said, “Okay, very good. Well, are there any other questions Commissioners? What’s the will of the Board?”

MOTION

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

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sign.

Commissioner Norton seconded the Motion.

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

VOTE

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

Chairman Unruh said, "Next item please."

2. ADDENDUM TO AGREEMENT WITH TROWBRIDGE PRODUCTIONS, L.C. TO DOCUMENT FURTHER UNDERSTANDINGS REGARDING CARD GAMES AND A RAFFLE ASSOCIATED WITH THE "WHEATLAND JAM" MUSIC FESTIVAL.

Mr. Holt said, "Commissioners, the agreement you just passed, we have been in conversation with the Trowbridge folks, with Wheatland Jam. This year they will be adding a Texas Hold 'Em Poker Tournament. These are very popular these days, as you well know, and there is a prescribed manner in which you can do these tournaments and make sure that they are legal.

And so, we wanted to make sure that since the Wheatland Jam folks, who are doing this, putting this tournament on, and we did not see where they had had experience, if you will, in holding these tournaments, therefore we added or are requesting that we add this addendum to the agreement.

They assure . . . the idea here is that Wheatland Jam will covenant and assure us that it or any of their employees, agents, principles, independent contractors or assignees will not encourage or allow or promote illegal gambling activities whatsoever as a part of the 2005 musical festival event or on any county premises at any time.

The way they have the tournament set up, that's all clear. We just wanted to document the process and to make sure that we were totally clear with all parties that the normal processes and procedures will be followed and they are in agreement with this.

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Also, one of the requirements is that all monies collected for a raffle in connection with the Wheatland Jam Music Festival will be submitted, total less reasonable expenses incurred for purposes of solicitation to the charitable organization or organizations for which it is solicited. However, in no case shall less than 50% of the total donations received be submitted to the charitable organization.

Again, the idea is you can do raffles on the basis of giving those funds to charitable organization, but you cannot require that a person has to contribute or donate or pay to be a part of the tournament. Again, this just documents the process and procedure and to make sure that everybody is clear on what the county's expectations are relative to this tournament.

So, I'd be happy to answer any questions, but would recommend you approve the addendum and authorize the Chairman to sign."

MOTION

Commissioner Norton moved to approve the Addendum to Agreement and authorize the Chairman to sign.

Commissioner Burtnett seconded the Motion.

Chairman Unruh said, "Is there any discussion on the Motion?"

Commissioner Winters said, "Just one I guess."

Chairman Unruh said, "Commissioner Winters."

Commissioner Winters said, "Mr. Euson, I see that your office, Ed Randels, has checked off on this agreement, so I would assume that the agreement meets all the requirements from your legal standpoint."

Mr. Euson said, "Yes sir, it does."

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

Chairman Unruh said, "Okay, any other discussion, Commissioners? Seeing none, we have a Motion and a Second before us, so Madam Clerk, please call the vote."

VOTE

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

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

E. DIVISION OF PUBLIC SAFETY.

1. AGREEMENT WITH LAWRENCE CZARNECKI, D.O. TO PROVIDE FORENSIC PATHOLOGY SERVICES.

Dr. Mary Dudley, M.D., District Coroner/Chief Medical Examiner, Regional Forensic Science Center, greeted the Commissioners and said, "A few months ago, you approved the position for part-time forensic pathologist at the center and I have in front of you an agreement to hire Dr. Lawrence Czarnecki for that position. He actually has been working with our office for the past several years as district coroner.

I want to thank you all for approving this position and I would like to ask that you approve this contract, agreement with Dr. Czarnecki and authorize the Chairman to sign. I'd be happy to answer any questions, if you have them."

Chairman Unruh said, "Okay, thank you. Well, as you've indicated we've already kind of discussed the need for this and the appropriateness of it and how it supports our accreditation and so forth and this is the person who will carry out that extra duty. So I'll be fully supportive of it, but Commissioners, are there any other questions for Dr. Dudley?"

MOTION

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

Commissioner Burtnett seconded the Motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Dr. Dudley. Next item please."

DIVISION OF PUBLIC SAFETY – DEPARTMENT OF CORRECTIONS

- 2. CONTRACTS FOR THE KANSAS JUVENILE JUSTICE AUTHORITY STATE FISCAL YEAR 2006 TO PROVIDE SERVICES TO PREVENT JUVENILE DELINQUENCY IN THE COMMUNITY.**
 - COMMUNITIES IN SCHOOLS**
 - THE WICHITA PUBLIC SCHOOL DISTRICT – USD 259**

Ms. Chris Morales, Systems Integration Coordinator, greeted the Commissioners and said, "Last week you approved eight of our service contracts for state funded juvenile delinquency prevention programs. Today I'm here to request approval for our final two contracts for services in state fiscal year 2006.

In April, the commission approved Communities in Schools for an award of \$312,635 and this was to provide brokerage case management services as part of our truancy prevention program. This is going to involve intervening early with 1,500 middle school students who are at risk of becoming truant.

Two of the locations that will have this service are Haysville Middle School and Valley Center Middle School, and that is what the first contract represents \$75,835. Our second contract is with U.S.D. 259, Wichita Public Schools, in the amount of \$403,800. U.S.D. 259 is going to subcontract with Communities in Schools to provide those same brokerage case management services in nine of their middle schools, so they will be receiving the same services there as they are in Haysville and

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Valley Center.

In order to find the most efficient and cost effective way for Communities in Schools to get this necessary student data for 1,250 kids within U.S.D. 259. We really had great collaboration between staff of Communities in Schools, U.S.D. 259 administration and their board of education and coming up with the solution and that is to subcontract, so that they can access the necessary student data at each of their nine sites for those 1,250 kids, so that is the reason for the subcontract there.

After they subcontract out that money, that leaves \$167,000 and this is for the truancy services that are provided directly by U.S.D. 259 and that includes truancy monitoring and supervision, as well as an attendance conference component that's going to intervene with kids at nine of their elementary schools.

We are requesting that you approve these two contracts and authorize to Chair the sign. Be happy to answer any questions you have."

Chairman Unruh said, "Okay. Well I'll just make a comment that I think it's a good mark, it's commendable that we can have this sort of cooperation between our government and U.S.D. 259 and the Communities in Schools organization, so that we can accomplish the goal that we're after, in spite of the fact that sometimes there's a few barriers that get in our way, but we can figure a way to get the job done to where it's beneficial to all. So anyway, I just want to compliment the school district for working with us this way.

We do have another comment. Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. I just wanted to follow up on that very statement, and again continue to remind the commissioners, as we talk about all these Juvenile Justice Authority funding opportunities, especially in cooperation with the State of Kansas and some of their funds. Going back to '98 and '99, one of the . . . as the community teams came together, there were four issues that we really wanted to focus on and one of those was a commitment to school.

And this truancy issue is certainly related to that, and it takes a whole bunch of partners, besides our school districts, others have to be able to step up and help with that and we all know that if a young person is truant, they get behind, they drop out and then their opportunities are a lot fewer than if they stay in school.

So again, this is one of the issues that our community really decided to focus on back in the

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beginning of the Juvenile Justice funding cycles, back in '98 and '99. So, I'm certainly going to be very supportive of this."

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

Commissioner Norton said, "Well, this really engages us earlier in the continuum of getting to kids. What we found out, with truancy and keeping kids in schools is that if you try to catch them at the Junior and Senior year, you're probably way too late. If you catch them at their 9th and 10th grade year, you're pretty close to being too late, so you really have to catch them middle school and pre-middle school and I think that's the tact we've taken with this. Instead of reaching a few kids very intensely, we're going to hit 1,500-plus kids and I'm excited that we're going to be in some of the outlying schools. That there's not just a problem with truancy and kids falling through the cracks in the inner-city urban schools, but you know, suburban schools continue to have those kind of problems too. When economics go bad, economics go bad across the board and I'm glad that Valley Center and Haysville and I know Derby has been involved in some of our programs, so we're starting to hit some of the suburban schools where the growth has hit, their schools have grown and they're getting some of the problems that the urban schools have got. So, I think this is a real movement into catching kids earlier, but throwing the net out a little broader, to catch kids before they get to high school and I'm going to be very supportive. Thank you, Mr. Chair."

Chairman Unruh said, "Okay, thank you. Any other comments or questions? Seeing none, what's the will of the Board?"

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

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

F. AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION FOR INSPECTION OF BRIDGE HINGE PINS ON SEDGWICK COUNTY BRIDGES. DISTRICTS #3 AND #4.

- **628-4-4625** **MACARTHUR BETWEEN 343RD AND 359TH STREETS WEST**
- **773-Y-4335** **375TH WEST BETWEEN 71ST AND 79TH STREETS SOUTH**
- **785-B-4588** **279TH WEST BETWEEN 109TH AND 117TH STREETS NORTH**
- **787-Z-1710** **263RD WEST BETWEEN 79TH AND 87TH STREETS SOUTH**
- **801-DD-5280** **151ST WEST BETWEEN 111TH AND 119TH STREETS NORTH**
- **592-22-448** **109TH NORTH BETWEEN HOOVER AND RIDGE**

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item F is an agreement with the Kansas Department of Transportation to do in-depth, ultrasonic inspection of hinge pins on six bridges located within Sedgwick County. Two bridges had repairs done in 1998. Two bridges had repairs done in 1998. Two had repairs done in 2000 and two were repaired in the year 2003. The costs will be shared by both parties at an 80/20 split. Sedgwick County's share will be \$4,000. I recommend that you approve the agreement and authorize the Chairman to sign."

Chairman Unruh said, "Okay, thank you David. We have a question. Commissioner Winters."

Commissioner Winters said, "So David, is this just checking work that's already been done?"

Mr. Spears said, "Yes."

Commissioner Winters said, "And you really don't expect to find any problems with these bridges?"

Mr. Spears said, "That's right. It's an initiative with KDOT and the federal government. Probably 15 years ago, a bridge collapsed in the State of New York and we have about ten bridges, I believe, in the entire county that are this type with these hinge pins and what happens is the hinge pins, they corrode and then when they corrode and rust they fail and this is what hold this then and the hinge holds together the beams and so the beams can separate and fall.

Now we've not had anything like that. What this is sort of like an x-ray, and they can see the pin

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with this x-ray and tell if it's close to failure or not, and we have not even had anything serious to this point."

Commissioner Winters said, "But several years ago, did we replace a number of these pins on bridges and does this process used to make that determination that they needed to be replaced?"

Mr. Spears said, "That is correct. That is correct, and some of these have already been done and they're still going to inspect them regularly."

Commissioner Winters said, "Okay. Thank you."

Chairman Unruh said, "Well, it's a maintenance issue and we can avert a problem by doing this."

Mr. Spears said, "Well, you know, with the salt that we put on, the bridge is . . . that exacerbates the problem, so it's a continuous thing."

Chairman Unruh said, "Okay. Any other questions of Mr. Spears?"

MOTION

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

Commissioner Burtnett seconded the Motion.

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

VOTE

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

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

G. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JUNE 30, 2005.

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the June 30th meeting of the Board of Bids and Contracts and there are three items for your consideration.

**1) CHANGE ORDER FOR JUVENILE DETENTION FACILITY- FACILITY PROJECT SERVICES
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item one is a change order for the Juvenile Detention Facility, Facility Project Services, and it was recommended to acknowledge the expenditure of \$70,808 and recommend the net expenditure of \$23,795, for a total expenditure with Coonrod and Associates for \$94,603.

**2) 3/8TH CITY SURFACE MIX- PUBLIC WORKS
FUNDING: AGGREGATE MATERIAL**

Item two, 3/8th city surface mix for Public Works. It was moved to accept the low bid from APAC Kansas for \$45,680.

**3) VARIOUS PAPER STOCK- DIVISION OF INFORMATION & OPERATIONS
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

Item three, various paper stock for the Division of Information and Operations. It was moved to accept the low bid from Convenience Computer Supplies, execute a one-year contract, with two one-year options to renew for an estimated total . . . annual total of \$201,719.99.

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

Chairman Unruh said, "Well Commissioners, are there any comments or questions? Just make a comment on the project at the Juvenile Detention Facility, that the cumulative total of all the change orders is only 1.5%, so it looks like someone's done a very good job in the planning of that facility.

Any other comment, Commissioners? What's the will of the Board?"

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Commissioner Norton said, “Just a comment. Do we not know that the . . . it seems like we would have done an environmental study and known that the dirt is not good, long before a change order would have to be submitted. Why is that not the case? Generally, you know that going in and you’ve done your due diligence on the ground and everything before, you’ve done soil samples, before you have to . . . I mean, \$70,000 addition to . . . you know, fix the unsuitable soil seems like kind of a last minute deal. Maybe I’m wrong, but everything I’ve ever seen is that you get that done early on.”

Mr. Phipps said, “Mr. Osterlund is here to address those additions.”

Chairman Unruh said, “Good morning, Jim.”

Mr. Jim Osterlund, Project Manager, Facility Project Services, greeted the Commissioners and said, “Your comments are very, very true and TerraCon, the consultant did do testing, thorough testing throughout the site, but what was found was an underground stream, which we had no idea of the depth of the thing until we started excavating.

It was noted, when we started excavating for the basement of the main part, that the stream continued throughout the property, going north and south. We chose not to process the change order at that time, because we knew there was additional digging, such as for the pits for the cooling tower, the fencing and that sort of thing, so there’s many more footings that had to be done. What’s important to note is that we had, in the original purchase order, a set amount of \$5 per cubic yard, so we had to anticipate, like you have on any site, that there could be some bad soil conditions and we address that, you know, in the bid process, which is a fair price for the work to be done. So, whereas the timeliness of it coming to the bid board since the beginning of construction seems like it was a little late, it was that we knew we had additional footings and foundations to deal with throughout that project.”

Commissioner Norton said, “Okay.”

Chairman Unruh said, “Okay. And this material, it’s categorized as unsuitable, not necessarily contaminated. Is that correct?”

Mr. Osterlund said, “Right, it’s old bricks and bottles. You know, there’s no contamination, as far as oils or anything like that. It was just strictly bad soil conditions.”

Chairman Unruh said, “Okay, thank you. Any other questions. Did we have a Motion to approve this?”

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Commissioner Burtnett said, “Not yet.”

MOTION

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

Chairman Unruh seconded the Motion.

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

VOTE

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

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

CONSENT AGENDA

H. CONSENT AGENDA.

- 1. Agreements to provide approved developmental disability services.**
 - Joshua’s Care
 - TSS, Inc.
- 2. Agreement with City of Garden Plain for Sedgwick County to provide animal control services.**
- 3. Performance evaluation for Michael S. Borchard, Sedgwick County Appraiser.**
- 4. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2004 and prior years have been paid for the following plat:

Logan Acres Addition

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5. **Order dated June 29, 2005 to correct tax roll for change of assessment.**
6. **Payroll Check Register of July 1, 2005.**
7. **General Bills Check Register(s) for the week of June 29 – July 5, 2005.**

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “You have the Consent Agenda before you and I would recommend you approve it.”

Chairman Unruh said, “Thank you. Are there any questions? Seeing none, what’s the will of the Board?”

MOTION

Commissioner Burtnett moved to approve the consent agenda as presented.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Unruh said, “Okay, Commissioners, I think we need to have an executive session but before we recess into that, are there other items that you want to bring to the attention of our citizens or this Board?”

I. OTHER

Commissioner Winters said, “I’d like to hear about the helicopter.”

Commissioner Sciortino said, “Okay.”

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Chairman Unruh said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, the helicopter, as I understand it, went off well. I was home, ill, and had to refrain from using it. But as I understand, it landed, it caused quite a stir, and I think it was appreciated and it was very nice, but unfortunately, I was unable to be on it, due to the fact that they don't have restrooms on the helicopter and I had to stay fairly close to one."

Commissioner Norton said, "We needed to know that."

Commissioner Sciortino said, "Well, a little TMI, that will get you for asking me the question about the helicopter."

Chairman Unruh said, "Well the other passengers were very glad that you considered it."

Commissioner Sciortino said, "No, as I understand it, it was very nice and it was a surprise and the people there . . . as a matter of fact, Lisa was at the game and she said it made a really tremendous impact when it landed. It was nice. I wish I could have been there."

Chairman Unruh said, "Okay. Anything else. I don't see any lights on. Well I . . . there we go. Commissioner Norton."

Commissioner Norton said, "Well, unlike Commissioner Sciortino, I did end up in the dunk tank for about 35 minutes and about . . . I don't know, 50 dunks. It was . . . it seemed like it went on forever."

Commissioner Sciortino said, "It's dangerous."

Commissioner Norton said, "Well, it's dangerous if you can't swim. I was doing okay, holding my own. I had some water floaties on. But I think they raised quite a bit of money for the Haysville Historical District and fortunately it turned out to be hot weather, so it was a fun time by all.

I did want to let everybody know that the Haysville Chamber Golf Tournament, it's at Hidden Lakes this Saturday and if anybody in the listening audience is interested in participating, they can get a hold of Becky Ladd with the Haysville Chamber and I'm sure she'll sign them up. I'm not sure of the entry fees or the starting times, but she'll have all that information and should be a good time and it's . . . I think their tenth annual golf tournament that the Chamber has out in Haysville.

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So, this Saturday, if you're interested. That's all I have."

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

Commissioner Sciortino said, "Well, let's talk about that a little bit."

Commissioner Norton said, "Now all the sudden you're feeling better, right?"

Commissioner Sciortino said, "I think I'll get to feeling better by Saturday, if Commissioner Norton wants to put together a team, I think maybe we could find three or four other County employees that might want to join you at the tournament."

Commissioner Norton said, "Well, I'll try to put that together. Now, I hesitated, since you were feeling so bad and they don't have Port-a-Potties at every hole out at Hidden Lakes."

Chairman Unruh said, "Okay."

Commissioner Sciortino said, "We better not continue this discussion. Let's just cut it off."

Chairman Unruh said, "We'll talk about something a little more positive here. Okay. Well, I would just want to announce that Sedgwick County got recognition in a national publication for ranking fifth in all counties of our size in our use of information technology and I think we're the only Kansas county on any of the lists and so it's a great compliment to Kathy Sexton and Richard Vogt and all of our people who are involved in providing us with all this high-tech, Internet technology that we have available to us and helps the county government run smoothly, so congratulations to all the folks who are involved in that.

Then I'd also want to announce or say that I'm going to be down at Boeing Friday, about 11:30. The Boeing Company, in their integrated defense system, they're going to announce the opening of their new facility, their Airbourne Laser Facility, and high technology for the defense of the United States, it's pretty amazing, 747 has got a laser on it and it can detect missiles, whether taking off from their launch site and they detect them right at their booster phase and they can shoot them down right before they get out of that area, so good for us, good for our defense. But anyway, we're going to be out for the dedication of that facility on Friday. But that's all I have at this time, so I think now we're ready to recess to executive session."

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MOTION

Commissioner Sciortino moved to recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney client relationship relating to pending claims and litigation and legal advice and further that the Board of County Commissioners return to this room from executive session no sooner than 10:00 a.m.

Commissioner Burtnett seconded the Motion.

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

VOTE

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

Chairman Unruh said, "Thank you. We will be recessed."

The Board of Sedgwick County Commissioners recessed into executive session at 9:47 a.m. and returned at 10:07 a.m.

Chairman Unruh said, "Okay, we have returned from Executive Session and I will call the regular meeting of the Board of County Commissioners back to order and ask Mr. Euson if you have an announcement for us?"

Mr. Euson said, "Yes, Mr. Chairman, Commissioners, while we were in Executive Session we discussed a worker's compensation case involving an employee by the name of Diana Mansouri who was involved in a work-related automobile accident. We are recommending a settlement with her in the amount of \$34,611. The terms of the settlement would leave review and modification of this award open and also leave open the incurrence of future medical payments, if indeed those become necessary.

I might also note that we will recover this amount from the lien we have filed against the offending driver's insurance company. So with that, I would ask that you approve that settlement."

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Chairman Unruh said, "Okay, thank you. Are there any questions of Mr. Euson?"

Commissioner Sciortino said, "Well, just to clarify one thing, Mr. Chairman, so basically on this one it's a wash. We're going to pay her the money and then we're going to recover the money from the other party that actually . . . insurance company that . . . with the exception of the medical that may come in the future and what have you, but this particular settlement, we're recovering the county's money."

Mr. Euson said, "Yes, as to the settlement amount, that's correct."

Commissioner Sciortino said, "Thank you."

Chairman Unruh said, "Okay, any other discussion?"

MOTION

Commissioner Winters moved to approve the settlement as presented by counsel.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Rich. Is there anything else to come before the Board? Mr. Manager? All right, we are adjourned."

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J. ADJOURNMENT

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

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

DAVID M. UNRUH, Chairman,
First District

BEN SCIORTINO, Chair Pro Tem
Fifth District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

LUCY BURTNETT, Commissioner
Fourth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2005