

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**September 30, 2009**

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 30, 2009, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Kelly Parks, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Kristi Zukovich, Director, Communications; Mr. Robert Hinshaw, Sedgwick County Sheriff; Mr. Ron Holt, Assistant County Manager; Ms. Bev Dunning, Director, Extension Service; Ms. Marilyn Cook, Executive Director, COMCARE; Ms. Annette Graham, Executive Director, Department on Aging; Mr. Glen Wiltse, Director, Code Enforcement; Mr. Walter Rooney, Division Chief, Fire Department; Mr. Mark Masterson, Director, Department of Corrections; Ms. Kerrie Platt, FS Administrator, Community Corrections; Ms. April Powell, Project Manager, Project Services; Mr. Bill Farney, Assistant to the Director, Health Department; Ms. Iris Baker, Director, Purchasing Department; and, Ms. Angela Lovelace, Deputy County Clerk.

### **GUESTS**

Mr. Jim Breitenbach, 1356 North Valleyview, Wichita

### **INVOCATION**

Pastor Jeff Gannon  
Chapel Hill First United Methodist Church, Wichita.

### **FLAG SALUTE**

**Chairman Parks** said, "I'm going to make a motion for an off agenda item. Before item A, Sheriff Hinshaw would like to say a few words."

**Commissioner Peterjohn** said, "I'll second that."

**Chairman Parks** said, "Just a minute, I need to add to that motion, if we can. Would you withdraw your motion?"

**Commissioner Peterjohn** said, "Sure, I'll withdraw my second temporarily."

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### MOTION

Chairman Parks moved to amend the agenda to take an off-agenda item before item A, and to move item H between item B and item C in New Business.

Commissioner Peterjohn seconded the motion.

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

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

### OFF AGENDA ITEM

**Chairman Parks** said, "Sheriff, would you like to come to the podium?"

**Mr. Robert Hinshaw**, Sedgwick County Sheriff, greeted the Commissioners and said, "I appreciate you allowing me to make a few remarks in regards to Deputy Etheridge, who was killed in the line of duty earlier this week. At times like this, words often fail to truly express the loss and anguish we feel for the loss of our Deputy Brian Etheridge. Comfort for Brian's family, friends, and comrades is often difficult to find, but the outpouring of sympathy from the community he loved and wanted to protect does begin to provide some measure of support. For many of us, we know all too well what these feelings are like, because they stir up vivid memories of all the fallen law enforcement officers that have went before him.

"For many years, we hoped and prayed that another law enforcement officer would not lose his life in the line of duty here in Sedgwick County, and now, with the law enforcement memorial becoming a reality, we find ourselves having to add yet another fallen hero's name. We will continue to hope and pray that Brian will be the last, or at the very least it will be a long time before another law enforcement officer full of life and promise has to pay the ultimate sacrifice to protect our community."

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**Sheriff Hinshaw** continued, "I think it is remarkable and worthy of mentioning that, as the reality of what happened, a deputy answered a call for assistance, and was killed for that simple act. That his brothers and sisters put on their badges, and in their grief, went to work, continuing Deputy Etheridge's calling, protecting all of us. At this time, I would ask that everyone keep Brian, his widow, and his two-year-old daughter, as well as his other family members, and his brothers and sisters in law enforcement, in their thoughts and prayers. Our hearts go out to the family of Deputy Brian Etheridge. Thank you."

**Chairman Parks** said, "Thank you Sheriff. If I may add something to that, I was going to wait until the other portion of our meeting to do this, but I think it is great to do this now in front of the uniformed officers that are out here. This community is so fortunate to have the officers, especially the officers that ran towards the gunfire, ran towards the criminal, and neutralized a situation on Monday, and we need to really feel thankful for those officers out there that would do that to prevent somebody else from getting hurt or killed, and I just want to thank those officers that were involved in that also. Any other comments from the Commission?"

**Commissioner Welshimer** said, "I agree."

**Chairman Parks** said, "Thank you so much, and we just pray that we can have comfort in the community on this. Thank you. Thank you, Officers. Thank you everybody in blue out there wearing the badge today. We do need to move into the meeting. We'll have some other comments from the Commissioners at a later time on this issue. We do need to call the roll."

### **ROLL CALL**

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

### **MOTION**

Commissioner Norton moved to receive and file the Sheriff's comments for the record.

Chairman Parks seconded the motion.

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

### **VOTE**

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Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**PROCLAMATION**

**A. PROCLAMATION DECLARING OCTOBER 4 – 10, 2009 AS FIRE PREVENTION WEEK.**

**Ms. Kristi Zukovich**, Director, Communications Department, greeted the Commissioners and said, "I'll read this proclamation in for the record:

**PROCLAMATION**

**WHEREAS;** Sedgwick County Fire District # 1 is committed to ensuring the safety and security of all of those living and visiting Sedgwick County; and

**WHEREAS;** fire is a serious public safety concern both locally and nationally, and homes are the location where people are at greatest risk from fire; and

**WHEREAS;** roughly 3,000 people die as a result of home fires and burns, more than 200,000 individuals are seen in the nation's emergency rooms for burn injuries; and

**WHEREAS;** cooking is the leading cause of home fires and home fire injuries, while heating equipment and smoking are the leading causes of home fire deaths; and

**WHEREAS;** residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

**WHEREAS;** the 2009 fire prevention theme, 'Stay Fire Smart! Don't Get Burned!' effectively reminds us all of the simple actions we can take to stay safe during Fire Prevention Week and year round.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of October 4 - 10, 2009 as

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### **'Fire Prevention Week'**

and urge all citizens of Sedgwick County to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2009, and to support the many public safety activities and efforts of our local fire and emergency services.

"We do have Walter Rooney, who is here with our Sedgwick County Fire District to accept the proclamation Commissioners."

**Chairman Parks** said, "Let's go ahead and move to accept that."

### **MOTION**

Commissioner Norton moved to adopt the Proclamation.

Commissioner Welshimer seconded the motion.

**Mr. Walter Rooney**, Division Chief, Fire Department, greeted the Commissioners and said, "On behalf of men and women of Sedgwick County Fire Department and the citizens of Sedgwick County, I would like to thank you for proclaiming October 4<sup>th</sup> through 10<sup>th</sup> Fire Prevention Week. It starts out as a pretty busy week for us with an open house at Fire Station 37 in Bel Aire, and we like to invite the community to join that. Tuesday, we're going to have over 3,000 people come out to the Zoo to enjoy the annual fifth grade fire prevention program out there. We've been out there probably about ten years, and since we've been out there, we have been seeing our numbers steadily increase, and this is the best year we're going to have.

"A little history, it was in 1925 that President Coolidge saw the need to dedicate a whole week towards fire prevention safety and fire prevention activities, and fire departments all across the country began doing that on an annual basis. One of the new things we will be doing during this week, we're going to be out in the community doing a meet and greet, where fire stations will be out in the community, various locations, talking to citizens, handing out some literature, and making themselves available out there in the public to answer any fire safety related questions that they may have."

"Our Sedgwick County Fire Department educational clowns will also be making appearances in the schools throughout the fire districts, educating younger kids in kind of a more fun way, and fire stations will be visiting all the kindergarten classes, talking to kids about fire safety, giving them a chance to look at the fire trucks and so forth. On Sunday, October 11<sup>th</sup>, is the annual Fallen

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Firefighters Memorial Service, and that's at 1:30 P.M. at the Kansas Firefighters Museum, 1300 South Broadway, at the old city Fire Station 2, I believe. Other than that, we expect a busy week, busy month, and I'm here to answer any questions you may have."

**Chairman Parks** said, "Any questions from the Commission? Seeing none, call the vote."

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**CITIZEN INQUIRY**

**B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING ADA ACCESSIBILITY.**

**Mr. Jim Breitenbach**, 1356 North Valleyview, greeted the Commissioners and said, "I am a Sedgwick County native. I'm a very stoved [sic] up almost 74-year-old person. I really appreciate ADA (American's with Disabilities Act) and those kinds of things, although, you know, I'm getting there. Anyway, back in a previous Commission, when it was being decided about whether to remodel the Kansas Coliseum, or to do something else with it, I understand there was a \$65 million sum for remodeling, or not remodeling, for ADA in that, and what was included in that was a 360 degree seating around the whole Coliseum. I find that very excessive, as far as having an ADA requirement that you would have 360 degree seats in some place like the Kansas Coliseum. I go to a lot of stadium events and big games all around the country, and nobody has anything like that except down at Stillwater, Oklahoma, Pickens with the football stadium, and the basketball, has something like that. Most of those seats are sitting empty, game after game, in great big games. I just think the \$65 million needs to be set aside and re-accomplished [sic], and submitted through the State Attorney General, because that's the people who have to deal with it. Anyway, my message is set aside that \$65 million if it's still in your deliberations about the Kansas Coliseum. Thank you very much."

**Chairman Parks** said, "I have a question of you, Mr. Breitenbach. When you say Kansas Coliseum, are you referring to the Britt Brown Arena?"

**Mr. Breitenbach** said, "Right. I am referring to the Britt Brown Arena, not the rest of the facility; just the Britt Brown Arena is all I'm talking about here. Okay?"

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**Chairman Parks** said, “That’s been a long going, actually, I think it was a problem from the ballot time. So anyway...”

**Mr. Breitenbach** said, “It is just unreasonable amount, that \$65 million. I keep hearing from the bench at meetings, on rainy days when I go to the meetings at home, don’t forget the ADA. Well, my contention is, forget the ADA as far as the Britt Brown Arena and look at it, and go back to the State Attorney General with a new plan. Thank you very much.”

**Chairman Parks** said, “Thank you.”

**MOTION**

Chairman Parks moved to receive and file.

Commissioner Peterjohn seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**NEW BUSINESS**

- H. ADD TWO INTENSIVE SUPERVISION OFFICER I POSITIONS TO THE STAFFING TABLE OF THE DEPARTMENT OF CORRECTIONS FOR THE PRETRIAL SERVICES PROGRAM.**

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**Mr. Mark Masterson**, Director, Department of Corrections, greeted the Commissioners and said, "As stated, I am here this morning to request the addition of two positions to the department's staffing table to work in the Pretrial Services program. The program diverts eligible inmates from the Sedgwick County Adult Detention Facility and provides supervision and case management services to help insure their appearance for scheduled court hearings in either the District Court or the City of Wichita Municipal Courts. These positions are needed now, due to a significant increase in clients coming from the Municipal Court, which I would like to explain.

"The Pretrial Services Program has been in existence since 1994, serving the District Courts. To further address the crowding at the detention facility, the program began providing services to the Municipal Court in January, 2005. The initial processes were developed in meetings with the city staff, judges, probation and City Clerk, as well as detention personnel. The approved processes involved pretrial staff evaluating inmates after their first court appearance, and communicating recommendations to the judges by way of the City Probation Department. Our initial work with the city resulted in small numbers of inmates being released to Pretrial Services. Over the past few months, work with Justice Concepts and Judge Jones brought about changes that have increased use of the program.

"On August 24<sup>th</sup>, an intensive supervision option was added, and two important procedural changes were made. First, our staff now communicates directly with the city judges. Second, we are providing evaluation information and recommendation to the judges prior to first appearances each morning. Thus far, the procedural changes account for the growth. The Pretrial Program is currently funded in 2009 to serve an average daily population of 170, which is the historical number for the past five years. During the first eight months of 2009 that number went up, and we were averaging 200 per day. The Municipal Courts averaged about ten clients each month in our average, for the first eight months.

"The changes implemented with the city on August 24th have resulted in 61 city inmates being approved and placed onto the program. The September average daily population is now 249, compared to 170 last year, so 249 this September, 170 last September. The number of clients from the city is now 59 in that total, compared to five last September, so that's what the growth represents."

**Mr. Masterson** continued, "Cost is an important factor in this request. The per-day cost for the program is lower than any of the jail or alternative programs. The actual cost in 2008 was \$12.34 per day to serve 172 clients per day on the program."

"The projected cost in 2009, with these added staff costs, is \$10.95 per day to serve 225. In 2010, the projected cost drops to \$10.65, if we serve 250 a day, which is what I would estimate we would serve. If we serve 300 with these numbers, this growth keeps going up; and we end up, it's 300 per



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day in 2010, the cost drops to \$8.87 per day. The cost during 2009 to add the positions as of October 1<sup>st</sup> would be \$24,736 and in 2010, \$98,941. Funds have been identified in the 2009 and 2010 budgets to fund this request. I recommend you approve it, and I'll be happy to answer any questions."

**Chairman Parks** said, "Commissioner Welshimer."

**Commissioner Welshimer** said, "Two new people, are these people going to be serving the Municipal Court only, or are they going to be backing up more experienced people who serve the District Court, or both?"

**Mr. Masterson** said, "Depending on who we are able to hire, there will be a training period, but there's a significant amount of evaluation work in screening the clients and making recommendations, and so the evaluation and supervision work is shared, so they won't be dedicated explicitly for the City Court. We have no capacity on the program, and given the cost-benefit of providing this service, we take all the referrals that are approved by the courts."

**Commissioner Welshimer** said, "But you intend to follow through with this and expand these procedures until they are at full capacity, isn't that correct?"

**Mr. Masterson** said, "That is correct."

**Commissioner Welshimer** said, "And, so we can look forward, hopefully, to an even greater number of people into the program, which is going to help us reduce that jail population."

**Mr. Masterson** said, "That's what we hope."

**Commissioner Welshimer** said, "Okay. You are going to give us a report every now and then on the numbers so that we can see who is going into the program versus the jail population, so that we can analyze some of those figures?"

**Mr. Masterson** said "Be happy to do so."

**Commissioner Welshimer** said, "Okay, Well, I appreciate very much that this has gotten started. It's been a situation we've worked on for quite a while, and I'm particularly grateful to Judge Jones of the Municipal Court, and the judges she works with, and their cooperation in this has been truly great, and I'm very appreciative of that, and it is wonderful to start seeing a reduction in the jail population. I know we have a way to go, but we can look forward. Thank you."

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**Chairman Parks** said, "I would just like to back up what Commissioner Welshimer said about the cooperation with Wichita Municipal Court and especially Judge Jones, JCI (Justice Concepts, Inc.), the Sheriff, Mark's department, all getting this together. This has been in the works a long time, and maybe Mark, you can expand on that a little bit about the initial, we looked at this about eight years ago, is that a fair statement?"

**Mr. Masterson** said, "Part of the master plan that was developed in 2004 included expanding and offering the service to the Municipal Court, so we've worked on it for quite some time."

**Chairman Parks** said, "As we know, that a great number of detainees are from Municipal Court, and I really appreciate all the dovetailing at all those I just mentioned that went into that. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Thank you, Mr. Chairman. I appreciate the earlier comments from the other Commissioners, and Mark, appreciate your information, too. I would like to go through some questions, especially since I am the newest commissioner, and having had the least amount of experience in terms of trying to address the problems we have with the detention situation in our community for folks who are either under arrest, or have been convicted on misdemeanor and certain felony offenses. Could you give me a ballpark idea of the number of people prior to August 24<sup>th</sup> who had been in the program who were there for failure to appear type of charges as the primary reason they were facing detention, in contrast to after August 24<sup>th</sup>?"

**Mr. Masterson** said, "On the Municipal Court side, it is important to understand that they deal with misdemeanors, and persons arrested for misdemeanors typically are released on their own recognizance after booking from the jail, so virtually all of the clients that are placed on the program for the Municipal Court are those that have failed to appear, and have had a warrant out for them for failure to appear. They may have been picked up on a new violation, but they had that failure to appear history."

**Commissioner Peterjohn** said, "I think that's important for the public to understand, because obviously, if we can take care of the segment of the community that needs to respond to the charges that are faced against them, whether here in District Court or in Municipal Court, and if they fought those charges and don't appear, we need to be able to make sure they will, and address the underlying charges that were held against them, and the idea that we have, I think of the potential savings, and I'm planning to support this measure, the underlying savings to the taxpayers, but I think that is secondary to the fact that we're going to improve, I think, the overall process for making this community safe, and for people to address the legal challenges in front of us. Commissioner Welshimer asked in terms of you coming forward, and providing us an update and a report, I would like to understand if this would be something you would do on an ongoing basis, or

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might this be part of what Justice Concepts might be bringing us later on this year, or has that really been clarified to the best of your knowledge, Mark?"

**Mr. Masterson** said, "It hasn't been clarified to me on this request, but we do monthly reports, we do quarterly reports, we publish our information in our strategic plan annually that's posted on the Sedgwick County website at the Corrections Department, and I'd be happy to provide all of that information, or part of that information whenever you would like it. So we independently track, outcomes, and report on those outcomes as part of our operation of the program."

**Commissioner Peterjohn** said, "All right. I very much look forward to seeing this data in an update, because this is something that I've been looking at closely, and whether there are folks that are in Sheriff's custody, or going through another program, this is definitely an area that this commissioner is interested in and I appreciate you bringing it forward this morning."

**Mr. Masterson** said, "Thank you."

**Chairman Parks** said, "Another comment I had, or question, in terms of efficiency, how many people are you planning on setting down per this additional person per day? Do you have any idea how many you might interview for this process in a day?"

**Mr. Masterson** said, "Interviewing detainees at the jail?"

**Chairman Parks** said, "Yes."

**Mr. Masterson** said, "I turn to my colleague that may know that answer better than I, certainly."

**Chairman Parks** said, "I had asked that question, I don't remember who I asked that question of earlier, but I did ask that question earlier."

**Ms. Kerrie Platt**, Community Corrections, greeted the Commissioners and said, "We are seeing an increase, currently, that we're interviewing some 20-odd people more a day than we had been. It is still new, so it is kind of hard to project exactly what those numbers will be, but we're getting all that information processed and to the court by 8:30 or 9:00 each morning so it is pretty work intensive to get that information processed. We do interviews with the inmate, we do a criminal background check, and we try and verify their residence, employment, and those types of things so we can report that information to the court."

**Chairman Parks** said, "Okay. You're doing 20 more a day, just recently then?"

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**Ms. Platt** said, "Since August 24<sup>th</sup>, when we implemented the new procedures with the City Courts."

**Chairman Parks** said, "Okay. So will those numbers be able to be in those future reports, then?"

**Ms. Platt** said, "Oh, absolutely. We report those numbers each month."

**Chairman Parks** said, "Very well."

**Commissioner Welshimer** said, "Twenty a day means 100 a week?"

**Chairman Parks** said, "Commissioner Unruh, and then I'll get your..."

**Commissioner Welshimer** said, "Okay."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. First of all, I want to express appreciation for the progress that we've made, and Kerrie, especially to you, because I know that you're a key person in making sure that all this works, and so we appreciate your efforts along with Mark's supervision.

"In talking about the reporting, the first question that came to my mind, is this something that shows up on our dashboard for our key performance indicators? Is that an easy way for us to track it if we want to, or does this sort of information show up there?"

**Ms. Platt** said, "I have not seen that dashboard, so..."

**Mr. Masterson** said, "Part of the information would show up there. The more detailed information that you're requesting about the change, we're going to have to include in our reports, and we can build it into the dashboard, if you like, but things like the average daily population on the program historically, the average length of time people spend on the program historically, is what is on the dashboard at this time."

**Commissioner Unruh** said, "Okay. Well, I'm really not suggesting anything, it is a question, I didn't know if that was an easy way to accomplish the reporting that we're asking for. My question mainly is the additions to the staff that you are requesting right now, will that give us sufficient staffing to cover up to 300, is that what you're indicating?"

**Mr. Masterson** said, "Yes."

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**Commissioner Unruh** said, "Okay. Thank you. Well, once again, I would say I'm very pleased with the progress we've made, and the cooperation that we have with Judge Jones, and the Municipal Court. This is truly important to us as we try to manage our jail population, and I noticed today that we have 450-some in out-of-county housing, and 1700-and-some under the Sheriff's jurisdiction, but those numbers do not include your numbers, is that correct?"

**Mr. Masterson** said, "They do not."

**Commissioner Unruh** said, "So total number of folks that are managed, who are offenders at some level or another, under your supervision, approaches 1600 or so, is that about the right number?"

**Mr. Matserson** said, "If you are talking about Adult Community Corrections, that would be 1600. These 249 would be in addition to that."

**Commissioner Unruh** said, "In addition to that?"

**Mr. Masterson** said, "Yes, then the juvenile population would be in addition to that."

**Commissioner Unruh** said, "Well, the only reason I'm trying to clarify that is for folks who are monitoring our discussions on our managing of our jail population. Between the population you're responsible for, and the Sheriff is responsible for, we're talking about nearly 3400 individuals in our community that are under some sort of supervision, and I just want to underscore that to let our citizens fully realize that the magnitude of the problem that we're dealing with, and understand that this is one of many, many tools that we have to manage the population. There is no one single answer, and so this is an important piece, and I'm going to be supportive and appreciate your work on this."

**Chairman Parks** said, "Thank you. Commissioner Welshimer."

**Commissioner Welshimer** said, "When you were talking about 249 total and 20 a day, so since August, you have increased the number of interviews, and so 20 a day would be like 100 a week now, and that might increase, right?"

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**Ms. Platt** said, “We interview, we evaluate all inmates that have been arrested and are eligible for bond, so the number of available for us to interview, really, is directly related to how many are arrested, and that can vary widely depending upon the season, the weather, if there are sweeps out in the community for certain things, so it is hard for me to answer that specifically...”

**Commissioner Welshimer** said, “But the \$20 a day does compound. I mean, twenty people a day is an average right now?”

**Ms. Platt** said, “Right now, yes, that’s correct.”

**Commissioner Welshimer** said, “And so each day we’re picking up an average of another twenty people.”

**Ms. Platt** said, “Yes. We’re evaluating another twenty people. Currently we’re keeping those people until their court disposition, or they fail in our program and abscond supervision, and currently they are staying about 36 days, on average, before they have their court obligation taken care of with the city.”

**Commissioner Welshimer** said, “I’m just trying to create the picture of the impact...”

**Ms. Platt** said, “Our population turns over fairly quickly.”

**Commissioner Welshimer** said, “But it’s a big impact. It is making a large impact.”

**Ms. Platt** said, “Yes. We believe it will definitely have some impact on jail population, yes.”

**Commissioner Welshimer** said, “Thank you.”

**Chairman Parks** said, “Commissioner Norton.”

**Commissioner Norton** said, “Well, I’m really happy that we’re managing this, and the program is working. We’ve had this program, though, since 2005 is that correct?”

**Ms. Platt** said, “Right. Pretrial Services started in 1994. We started offering services to the city in 2005.”

**Commissioner Norton** said, “Right. It seems like there’s maybe a sea change, we’ve been offering it, we’ve been suggesting, but there’s been a sea change. How many judges are there in the Municipal Court?”

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**Ms. Platt** said, "Five judges in the Municipal Court?"

**Commissioner Norton** said, "Do all of them participate at the same level in this program, or are some of them more active in it than others?"

**Ms. Platt** said, "Currently, we have most contact with Judge Lind-Spahn who does the first appearances for all of the arrests in the municipal system, so that's who we have the most contact with. However, all of the judges can and do use the program."

**Commissioner Norton** said, "Okay, because she has first appearances that becomes the funnel that everything else kind of goes..."

**Ms. Platt** said, "That is the big funnel, yes, sir."

**Commissioner Norton** said, "Right, okay, and about how many first appearances would she deal with that you suggest something? That's a moving target, right?"

**Ms. Platt** said, "That's a moving target, it truly is, and I'd be glad to get that number for you so I could answer with confidence, but it is a moving target, and she does many more first appearances, of course, than the ones we're dealing with. We are only dealing with those that are still in custody, and of course the majority of them, the Municipal Court inmates, are book and release. They get out on their own recognizance, so she does those by the hundreds every day."

**Commissioner Norton** said, "Okay. With extra staffing, are we going to overload the judicial part of it by giving that many more interviews, and pushing that many more people to them to have to decide on? Is there a law of diminishing returns at some point?"

**Ms. Platt** said, "I don't believe so, Commissioner. The Wichita Municipal system is pretty overloaded at all times. They have so many cases. I really don't know that this will result in a noticeable impact in that regard."

**Commissioner Norton** said, "Well, I think it's gratifying that it's expanded that much, but at some point, if we have extra people interviewing and pushing that decision making back to the courts, I just want to be sure that we understand that could put pressure on them at some point. Maybe it doesn't. I want to be sure I try to understand that. Well, I think it is great progress, and it's good that we're doing this. I'm glad the Municipal Court has stepped up and done their part of it, because we've had this for a while, and it hadn't been quite as ragingly successful, so this is good new news. So I appreciate it. That's all I have Mr. Chairman."

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**Chairman Parks** said, "To answer your question a little bit, Commissioner Norton, we did meet with the Wichita City Manager and Vice Mayor, Commissioner Welshimer and I, at a regularly scheduled meeting that included the two managers in at this time, and we did discuss this briefly, and some of the logistics behind that, so they are aware of potential, whether they need to move around some people or do some things, so we are keeping in communication with City of Wichita in this matter."

**Commissioner Norton** said, "Well, it's just one of those moving parts that we don't particularly control. I mean, our side of it, we're working real hard to make sure it works but there's other people that affect the whole system and I want to be sure I understood their effect on it."

**Chairman Parks** said, "I did have a question, and this was asked earlier also, about the two people that you hire, could they be working other hours, or other days of the week possibly, for effectiveness?"

**Ms. Platt** said, "Currently we are working Sunday nights, and then early every morning. We start at 6:00 a.m. in for the preparation for the 8:30 first appearances."

**Chairman Parks** said, "So you roll the detainees out at 6:00 in the morning?"

**Ms. Platt** said, "Yes, we do."

**Chairman Parks** said, "Okay, good. Thank you. Commissioner Welshimer."

**Commissioner Welshimer** said, "I think when we were discussing Commissioner Norton's concerns, it seems to me that the Pretrial Services are meant to give information to the judges so that they can make a decision sooner than later, and that this would probably help their work load more than create more of a work load, isn't that part of the intent of Pretrial Services?"

**Ms. Platt** said, "The mission of pretrial is to provide information to the courts so they can make good bond decisions, and then of course for those that are released to our program, to make sure they get back to court, and that they comply with their conditions of bond prior to that court disposition. How we actually affect the judicial flow in the city, I'm just going to say we need to ask Judge Jones to get accurate answers on that. I can't really answer."

**Commissioner Welshimer** said, "Okay. Thank you."

**Chairman Parks** said, "Commissioner Peterjohn."



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**Commissioner Peterjohn** said, “Well Mr. Chairman, I really want to state for the record that I very much appreciate the efforts of the Municipal Court judges, and the folks across the street at the city level in general at this process. I’ve gone over and watched Municipal Court briefly, limited time I’ve had that opportunity to do so, and I’ve also had the opportunity to visit with Judge Jones and I very much appreciate their cooperation so we can get this expansion and this program working and underway. I think that this cooperation is a very good and strong sign, and it is an asset for our community going forward, not only for this specific issue, but hopefully it will this will occur for other issues where the city and county are both working on similar challenges.”

**Chairman Parks** said, “I should say at this time I really think that JCI, and particularly Dr. Insko, working with Judge Jones has been a real good match there to help facilitate a lot of this also. Seeing no further questions, what is the will of the Board?”

**MOTION**

Commissioner Unruh moved to approve the request.

Commissioner Peterjohn seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**Chairman Parks** said, “Thank you Mark.”

- C. APPROVAL OF AN AGREEMENT BETWEEN SEDGWICK COUNTY AND THE KANSAS HUMANE SOCIETY OF WICHITA, KANSAS FOR THE EXCLUSIVE USE OF A PORTION OF THE SEDGWICK COUNTY PARK AND CONTROLLED ACCESS TO CERTAIN COUNTY ROADWAYS IN THE PARK FOR THE PURPOSE OF SPONSORING “WOOFSTOCK 2009” TO BE HELD ON SATURDAY, OCTOBER 3, 2009.**

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**Mr. Ron Holt**, Assistant County Manager, greeted the Commissioners and said, “Several years ago the Commission delegated authority to the park superintendent to hold various kinds of events in Sedgwick County Park as long as they met certain criteria. Woofstock is one of those events that we’ve had at Sedgwick County Park for a couple-three years now. However, we bring this one to you today because included in it, is they want to do a portion of a road closure as part of their event this year, so we’re bringing this to you for getting approval for controlled access to certain roadways in Sedgwick County Park for the purpose of Woofstock 2009 to be held this Saturday, October 3rd, 2009.

“The Kansas Humane Society is the sponsoring organization. They have agreed to coordinate with the park superintendent early on for the use of the park, and further, they have agreed to coordinate with the Sedgwick County Sheriff’s Office with regard to traffic control up on this roadway that will be closed in the park. This event will be held from 9:00 a.m. to 3:00 p.m. this Saturday. That’s the extent of the request, and I would ask you to approve the agreement, authorize the chair to sign, and I ‘d be happy to answer any questions you might have.”

**MOTION**

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

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**D. APPROVAL OF AN AGREEMENT BETWEEN SEDGWICK COUNTY AND RUN WICHITA FOR CONTROLLED ACCESS TO CERTAIN COUNTY ROADWAYS FOR THE PURPOSE OF SPONSORING THE HEART OF**

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**WICHITA MARATHON ROAD RACE ON SUNDAY, OCTOBER 18, 2009**

**Mr. Holt** said, "This is the 30<sup>th</sup> year for this event. It was formerly called the K.A.K.E. TV Wichita Marathon; it is now being called the Heart of Wichita Marathon Road Race. As with previous years, Run Wichita has agreed to coordinate with the Sedgwick County Sheriff's Office with regard to traffic control upon certain county roadways that will be affected for or by this race, and the race will occur on Sunday, October 18th, and Commissioners, I ask that you approve the agreement, authorize the Chairman to sign. I would be happy to answer any questions."

**Commissioner Norton** said, "So moved."

**Commissioner Peterjohn** said, "Mr. Chairman..."

**Chairman Parks** said, "We have a motion and a second."

**Commissioner Peterjohn** said, "Well, I..."

**Chairman Parks** said, "We have a motion by Commissioner Norton."

**Commissioner Peterjohn** said, "I will second it, but I wanted to make a comment that, and Commissioner Norton beat me to the punch, but as the only Commissioner who has completed the Wichita Marathon, I was going to make the motion to approve this, but unfortunately Commissioner Norton was a little too quick for me this morning."

**Commissioner Norton** said, "I will withdraw my motion."

**Chairman Parks** said, "Okay, this complicates things."

**Commissioner Peterjohn** said, "That makes me withdraw my second."

**Chairman Parks** said, "Okay. Now it is up to you."

**Commissioner Peterjohn** said, "Okay, I will make the motion to approve the agreement and authorize the Chairman to sign it. The only thing I won't say is how long ago it was that I ran that marathon."

**Commissioner Unruh** said, "How do you know I haven't run it?"

**Commissioner Peterjohn** said, "You never told me."

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**Commissioner Unruh** said, “Oh.”

**Commissioner Peterjohn** said, “Have you?”

**Commissioner Unruh** said, “No.”

**Commissioner Peterjohn** said, “Let me state for the record that when I did run it, it wasn’t in this century, so it does go back a few years.”

**Chairman Parks** said, “We will be looking forward to seeing you out there on the 18<sup>th</sup>, then.”

**Commissioner Peterjohn** said, “Well, if I was in town I might participate in a run event on that day. I believe the Mayor is having a race that day, but unfortunately, I am afraid my schedule will have me tied up elsewhere. So I’ll have to settle for making this motion, if there is a second.”

**MOTION**

Commissioner Peterjohn 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 Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**E. QUARTERLY COUNTY EXTENSION REPORT.**

**VISUAL PRESENTATION**

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**Ms. Bev Dunning**, Director, Extension Service, greeted the Commissioners and said, "I appreciate the opportunity to give a quarterly report. As you know, I'm kind of a storyteller. I've told you about the Military 4-H program that we have. I've told you last time, I think, about the Plant a Row for the hungry. Today I want to tell you, and she's giving out some fliers that might be helpful, about the SHICK program, and that stands for Senior Health Insurance Counseling for Kansans, and this program, obviously what we do is do education for you, and this program is education for the seniors that are in our community, of which I believe there are about 65,000, but we meet the needs of about 4,000 every year.

"We train counselors that work to help them through the Medicare maze. They don't always understand that, and I'll just briefly tell you that there's Medicare A, that's for the hospital; Medicare B, that's for the doctor; and then many times there's a supplemental insurance that has to cover 20 percent of what Medicare does not. Then, most recently, in the last couple years, there is Medicare D for the drug program, and so I just wanted to share with you one example of how we help seniors through this maze, because many times they can do it over the computer, but many seniors, one, don't have a computer, or, two, don't know how to use that."

"So, they come to our counselors, who are trained to do that, and for example, a man called about his wife, and one of the fliers that we have tells how Medicaid can also coordinate with Medicare so that they are covered on their insurance, but he called for his wife, and Medicare automatically enrolled them in a Plan D for the drug program, but in doing that, Medicaid did not consider what drugs she was taking, and one size does not fit all on those drug programs. The woman is on dialysis, and because of that, she has very high cost medications, and because of her condition, she cannot always take the generic form of those maintenance medications. Her husband called our hotline where our trained volunteer counselors are working, because she was taking a drug called Norvasc, and it was very expensive medication, and she was unable to take the generic form, and her prescription was not covered by the drug plan that she had been enrolled in by Medicaid, so the SHICK counselor asked the man to send a list of her medications to him so that she could enter them on a Medicare prescription drug plan finder that is through the Medicare website. Upon doing that, he realized four medications were not covered by the drug plan, and her annual cost was running \$4,747 a year. By switching the plan on her medications and getting the extra help that she could get, the annual cost dropped to \$165 a year, saving her \$4,582 a year in medication costs.

"Well the man, obviously, could not stop taking thanking the counselor, who is a volunteer, for helping them. We want to be sure that people know we do not make their decision, we simply show them what their options are, or what they can pick, and by picking that particular drug plan, having her costs covered, he had a big savings. So he made the decision, we didn't, we just did the educating. Because the Medicare prescription drug finder is located on that Medicare website, the beneficiaries sometimes cannot get access to it, and we can. So, we think this is a very good

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educational program that we're doing for seniors in our community, and we appreciate your support for what you do for us. If you have questions, I'll be glad to answer them."

**Chairman Parks** said, "I do have a comment, and a question, I guess. I would like to thank you for having this program out there. However, there are a few that might slip through the cracks and not be served by these two programs?"

**Ms. Dunning** said, "Yes, and we're doing our very best to tell people about it and, you might say advertise it I guess, so that doesn't happen, but there are a lot of people who are eligible for the program, especially with Medicaid helping, that, I don't know if its pride, or if it's just lack of knowledge that they don't get involved."

**Chairman Parks** said, "Well, I'm thinking about those that might be ineligible for the programs, not the ones that are eligible and not getting information, and I'm leading into, I guess, the information of our NACo (National Association of Counties) drug plan. You also have that in with the program then?"

**Ms. Dunning** said, "That's right. We just tell them all their options, and all the things they can use."

**Chairman Parks** said, "Certainly at budget time, when we go to pay our NACo dues, that's one of the things that, I guess, keeps me in support of NACo, because I have seniors and all ages, actually, in my district that are using that, the County and the NACo card that you can get for reduced prescriptions."

**Ms. Dunning** said, "That's right."

**Chairman Parks** said, "That service is valuable out there."

**Ms. Dunning** said, "There are some pharmaceutical companies that are still providing free prescriptions drugs, and we try to point them in that direction, too."

**Chairman Parks** said, "Great. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Ms. Dunning, I appreciate the information on the services that the extension office is providing. All I can say as a comment is with the legislative changes going on in Washington; I hope that you and your staff are going to be flexible to be able to handle whatever Washington throws out, in terms of changes, at us. I would like to broaden my question for you a little bit because your Board, can you talk a little bit for the record and especially for the folks who happen to be viewing and watching this audience, a little bit about the Board for the Extension

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Office, and if folks want to find out more information about your Board, when does it meet, and tell everyone also in terms of how they are elected, and how they are chosen and if folks are interested in participating in the work of the Extension Office, exactly what sort of commitment that would take in terms of their activity as a volunteer to the Board?"

**Ms. Dunning** said, "Okay. I would be glad to do that. By law we have a council of 24 people, six that represent each of the four areas in which we're supposed to work, and we do work in those areas, that's Agriculture/Horticulture is one, 4-H Youth Development another, Family and Consumer Science the third one, and Community Development is the fourth one. Six people in each of those areas form a Program Development committee which we call PDCs, you know we all have acronyms we use, it seems like. Each year 12 of those are elected to a two-year term, and then the law says they can each serve two two-year terms, then they have to go off."

"Our election is coming up the 29<sup>th</sup> of October, and election fliers will be going out. We don't do that through the general election because of the cost, we don't have the funds to do that, to send out the ballots, but we do have ways of putting it on our website. From that 24 Extension Council, then we have an annual meeting, and it's coming up in November, nine members of that 24 Extension Council are elected to our Executive Board, and they are the ones that make the decisions about how the money is used that you all provide for us, or the state sends in, or the federal sends in.

"Those four Program Development Committees help direct us in the path in which we should go. For instance, the Medicare program that I talked to you about, back many years ago when I was in another position with Extension Service, our Executive Board said to each of us in Family and Consumer Science, and that day it was called Home Economics, they said to each of us, all of you need to be working in the Family Life area, and so rather than just teach clothing, which I was doing at that time, Clothing and Textiles, I said to the Board I would like to take on the seniors, because my parents at that time were alive, and that's the group that I was working with, you know, at home. Then I saw a need from other seniors in the community and started training people to help me, because I couldn't meet all their needs. That's how we get volunteers kind of involved. Many of our volunteers have come to us, you know Larry Turner who's spoken to you and been our Board Chair, he came to us because of his parents and they needed help with the Medicare program. He saw what good we did and so he now volunteers for us."

**Commissioner Peterjohn** said, "Well Ms. Dunning, when does your board meet, and if I want to cast a ballot, how do go about casting a ballot in that election?"

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**Ms. Dunning** said, "You can come out, anybody of voting age can come, it is on October 29<sup>th</sup> from 7:00 in the morning until 7:00 in the evening, and our board meets the second Thursday of every month at 5:00 p.m."

**Commissioner Peterjohn** said, "When you say anyone can come out, do they have to be a registered voter?"

**Ms. Dunning** said, "As long as they are 18, we just see their age."

**Commissioner Peterjohn** said, "Do they have to be a citizen?"

**Ms. Dunning** said, "Yes."

**Commissioner Peterjohn** said, "Do they have to be a resident of Sedgwick County?"

**Ms. Dunning** said, "Yes, and when they sign in, they have to check that they are a citizen of Sedgwick County."

**Commissioner Peterjohn** said, "Okay, so October 29<sup>th</sup> from 7:00 a.m. to 7:00 p.m. Can you tell me how many people voted in the election last year?"

**Ms. Dunning** said, "I think that we had around 250."

**Commissioner Peterjohn** said, "Really? Thank you."

**Ms. Dunning** said, "Thank you. Other questions?"

**Chairman Parks** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chair. I don't have another question. Well, I do have one question. First of all, I want to thank you for this quarterly report, and giving us insight into one of the programs that, I think, are very beneficial, but how many folks avail themselves of this? How many folks are you dealing with in this Medicare program?"

**Ms. Dunning** said, "About 4,000 a year."

**Commissioner Unruh** said, "Four thousand?"



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**Ms. Dunning** said, "About 4,000 a year come to us, and they come all during the year, like November the 15<sup>th</sup>, the drug program will open up again when they can sign up, so from November 15<sup>th</sup> until the end of December, it is very intense, but throughout the whole year, when people turn 65, they often seek us out, because they need to make those decisions."

**Commissioner Unruh** said, "Okay. Thank you. I'm amazed that it's that big of a number."

**Ms. Dunning** said, "Right."

**Commissioner Unruh** said, "It means you're helping a lot of folks."

**Ms. Dunning** said, "We have about 60 volunteers trained in this program to help us, and keep us up to date."

**Commissioner Unruh** said, "Thank you."

**MOTION**

Commissioner Peterjohn moved to receive and file.

Chairman Parks seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**Ms. Dunning** said, "Thank you for the privilege of sharing."

**Chairman Parks** said, "Thank you for bringing the information in."

**F. DIVISION OF HUMAN SERVICES.**

- 1. CONTRACT WITH WICHITA CHILDREN'S HOME TO PROVIDE INDIVIDUAL PSYCHOSOCIAL REHABILITATION, ATTENDANT CARE,**

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**SHORT TERM RESPITE, AND PROFESSIONAL RESOURCE FAMILY CARE SERVICES.**

**Marilyn Cook**, Director, COMCARE, greeted the Commissioners and said, "For several years the Wichita Children's Home has provided a setting for children who are in crisis to go to receive respite from their family situations. Until recently, Mental Health Association staff has provided the attendant care and oversight to these children for up to 48 continuous hours. Mental Health Association informed us recently that it's been difficult for them to provide this care on a 24/7 basis. A lot of these are spontaneous situations. We spoke to the Wichita Children's Home, and they agreed to contract with COMCARE to have their staff, who are already there and available 24/7, to provide this oversight for these children, and that's what this contract represents. The contract allows their staff, Wichita Children's Home staff, to provide an array of services including individual psychosocial rehabilitation; attendant care, which would be the most common service provided, and short-term respite services to youth that we authorize to go there."

**Ms. Cook** continued, "The staff is going to need to comply with all the Medicaid rules and regulations for medical necessity and documentation, and demonstrate that their staff participating in this contract meet the provider qualifications outlined in the Kansas Health Solution or the Medicaid Provider Manual and they're very well aware of that. We're recommending that you approve the contract and authorize the Chairman to sign, and authorize the budget authority."

**MOTION**

Chairman Parks moved to approve the Agreement, authorize the Chairman to sign, and authorize budget authority.

Commissioner Welshimer seconded the motion.

**Chairman Parks** said, "I did have a little discussion. Do you go to the Children's Home, or do they bring the child to your facility?"

**Ms. Cook** said, "We go to the Children's Home."

**Chairman Parks** said, "That's a good setting. It was a good answer that I was anticipating. Also, the term of this agreement from 7/1 of this year until 12/31 of '09, in your backup, is there any danger of losing the state funding on this?"

**Ms. Cook** said, "No."

**Chairman Parks** said, "Okay. Seeing no further questions, call the vote."

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**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**2. PROFESSIONAL SERVICE AGREEMENTS (2) WITH DR. MUKHTAR SHAH AND DR. LAURIE COYNER TO PROVIDE INPATIENT PSYCHIATRIC CARE FOR COMCARE CONSUMERS.**

**Ms. Cook** said, “Commissioners, these are renewals of professional service agreements with two local psychiatrists, Dr. Shah and Dr. Coyner, to provide inpatient services to COMCARE patients who are hospitalized in the at Via Christi. Dr. Shah does rounds daily, seven days a week, to our patients in the Senior Behavioral Health Inpatient Program that’s on the St. Joe campus, and he does that approximately 60 hours a month, and he also provides some consultation services for us. Dr. Coyner rounds on our patients at the Good Shepherd campus Monday through Friday, and she does that two weekends a month as well. Both of these arrangements have been good ones for COMCARE, and have been in place since 2007. Without these agreements in place, COMCARE would have to seek another alternative to ensure that the patients we have there have the medical oversight that they need when they’re hospitalized. These contracts are renewals under the same terms and agreements from the previous year. We’re recommending that you approve the agreements and authorize the Chairman to sign.”

**Chairman Parks** said, “What’s the will of the Board?”

**MOTION**

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

Chairman Parks seconded the motion.

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

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**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**3. AMENDMENTS (2) TO AGREEMENTS WITH SOUTH CENTRAL AND SUMNER MENTAL HEALTH COUNSELING CENTERS FOR COMCARE TO PROVIDE AFTER HOURS MENTAL HEALTH EMERGENCY SERVICES.**

**Ms. Cook** said, “Commissioners, these are amendments to agreements that have been in place for some time with South Central or Butler County and Sumner Community Mental Health Centers to provide full array of afterhours services for these Community Mental Health Centers. All Community Mental Health Centers in the state are required to provide 24/7 coverage to consumers in their area, and these two centers, due to their size, have chosen to contract with our crisis program rather than providing the services themselves. These amendments raise the fees for those services, as the rates have remained static for several years, and our costs to provide them have increased.

“I would tell you that Horizon’s Mental Health Center, the five-county mental health center, decided not to continue with the arrangement due to the rise in fees, but we are maintaining that this increase was necessary for us to cover our costs. Our staff is available after hours and on holidays to provide these services. We have a little over 400 calls that we have taken from Sumner, about twice that much for Butler County, and most of the time we take phone calls, but in August we did have a family that brought a 17-year-old daughter in who had shared a suicide plan with her friends, and they brought her in, our staff met with the family, met with the young lady, put a plan in place for her, and she is doing very well now, so we also do provide face to face because the centers are close enough. If someone wants to get in a car and come to us we could do that as well. We're recommending you approve the amendments and authorize the Chair to sign.”

**MOTION**

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

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Commissioner Welshimer seconded the motion.

**Chairman Parks** said, “On the backup for this one it says this will renew automatically at renewal time?”

**Ms. Cook** said, “Yes.”

**Chairman Parks** said, “Will there be something brought before us before that would automatically renew?”

**Ms. Cook** said, “Well, I know what we do. While the contract renews automatically if there are no changes to it, we contact all the people we have contracts with prior to the end of the annual period to see if any changes are in place, so my understanding is if there’s a change that would be brought to you.”

**Chairman Parks** said, “I certainly am hesitant on these automatic renewals, and I would personally like to see, I don’t know what the will of the Board is on this, but I’d like to see or direct staff to make sure that we are apprised of this automatic renewal when that comes up. Whether that be your department, or Mr. Buchanan’s, I think we need to, on all these that automatically renew. That’s all I have to say. We have a motion and a second, let’s call the vote.”

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

#### **4. AGREEMENT WITH EPISCOPAL SOCIAL SERVICES FOR TRANSITIONAL HOUSING PROJECT PAYEE SERVICES.**

**Ms. Cook** said, “COMCARE has had a HUD (United States Department of Housing and Urban Development) for some time to provide transitional housing to individuals with co-occurring mental illness and substance abuse diagnoses. One of the conditions of the grant was to provide payee, or banking services to individuals living in these apartments. The contractor, in this case Episcopal Social Services, will be paid an hourly rate to provide those services to consumers, because clearly good money management is an integral part of continued success for these individuals, but the contract also calls for Episcopal Social Services to work with each participant to assess any areas of

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financial problems that they might be experiencing, develop a personal budget plan, and to provide one-on-one assistance in coaching, and budgeting, and money management, and they also at times conduct groups on financial planning and money management. So we are recommending that you approve the agreement and authorize the Chairman to sign and authorize the budget authority.”

**Chairman Parks** said, “What’s the will of the Board?”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**5. AGREEMENT WITH THE WICHITA CENTER FOR GRADUATE MEDICAL EDUCATION AND UNIVERSITY OF KANSAS SCHOOL OF MEDICINE – WICHITA FOR A PSYCHIATRY RESIDENT PROGRAM AT COMCARE.**

**Ms. Cook** said, “This is also a renewal of an agreement for a partnership among COMCARE, the Wichita Center for Graduate Medical Education known as WCGME for short, and the University of Kansas (KU) School of Medicine-Wichita, for a third-year psychiatry residence to complete a one-year rotation at COMCARE, so that they can experience psychiatry in an outpatient community mental health setting. The residents are all students at KU locally, employed by WCGME, and then COMCARE reimburses WCGME for one full-time equivalent, or 40 hours of residence time each week. The number of residents we get varies from year to year depending how many are in the

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program. We normally have between four and six of them who are assigned to various COMCARE programs.

**Commissioner Norton excused himself from the meeting of the Board of County Commissioners at 10:12 a.m.**

“SRS (Kansas Department of Social and Rehabilitation Services) used to reimburse COMCARE for this expenditure in the past to help defray some of this expense for Community Mental Health Center, and also the ones in the Kansas City area, Johnson and Wyandotte County. When the budget got tight several years ago, SRS pulled this funding from us, but we did meet, Community Mental Health Center Directors from Johnson County and Wyandotte and myself, met with SRS last year and showed them how many of those residents actually stay in the state and continue to work for community mental health settings so that SRS agreed to subsidize the program for Wyandotte and Johnson Counties, and the managed care Medicaid program Kansas Health Solutions will be subsidizing that program for COMCARE. That was tremendous that they picked up that amount again. We recommend that you approve the agreement and authorize the Chairman to sign.”

**Chairman Parks** said, “What’s the will of the Board?”

### MOTION

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

Commissioner Welshimer seconded the motion.

**Chairman Parks** said, “I do have a question about that. How many of these residents will stay in the area or do you have any idea about how many have in the past?”

**Ms. Cook** said, “We did, we put a really thorough report together. We went back to the 1980s and looked at how many of the residents stayed in Kansas. I will say that in our own system at COMCARE, when we did that report, seven out of the nine that are working for us, including our medical director, went to K.U. Med in Wichita and stayed in the area. We have a number of our staff also, we didn’t just look at our staff, we looked at the psychiatrists that started out in smaller Community Mental Health Centers where they could have loan repayment options available to them, where they stayed for five years and then some of them came to larger cities, so it was very significant, which is why SRS kind of backed down and said I guess this is important.”

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**Chairman Parks** said, “Those are impressive numbers. I’ll be supportive for that reason. Any other discussion? If not, call the vote.”

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Absent
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

### 6. AGREEMENTS WITH RURAL COMMUNITY GROUPS FOR DELIVERY OF USDA COMMODITIES.

- |                                       |              |
|---------------------------------------|--------------|
| - St. Joseph Catholic Church – Andale | - Bentley    |
| - Cheney                              | - Clearwater |
| - Colwich                             | - Goddard    |
| - Maize                               | - Mount Hope |
| - Mulvane                             | - Park City  |
| - Valley Center                       |              |

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "These contracts allow for the distribution of the United States Department of Agriculture (USDA) donated commodities to the rural areas of Sedgwick County. This is an income based program that allows eligible customers to receive food products. This is a program that we have managed for many, many years. It has been very successful in helping low income persons in the rural areas. The program is available to anyone who meets income guidelines. Community agencies are available within the City of Wichita, and in a few communities within the county outside the city limits, to help with the distribution of these commodities. Our responsibility in this is to coordinate the volunteer pickup of the commodities once a month with the following cities: St. Joseph Catholic Church in Andale, Cheney, Colwich, Maize, Mulvane, Valley Center, Bentley, Clearwater, Goddard, Mount Hope, and Park City. We contract with SRS to do this. No additional funds are requested because they cover the cost and reimburse volunteers’ mileage from the SRS funds. This



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is for a contract year that goes through the end of September of 2010. It begins October 1<sup>st</sup>. I would request that you approve the agreement, authorize the Chairman to sign.”

### MOTION

Chairman Parks moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

**Commissioner Norton returned to the Board of County Commissioners meeting at 10:15 a.m.**

**Chairman Parks** said, “We have a motion and a second. I do have a question of Legal, I guess. Have you reviewed this document for any potential liability for these volunteer groups?”

**Mr. Richard Euson**, County Counselor, said, “Yes, sir, we have.”

**Chairman Parks** said, “And the necessary force is in effect for that?”

**Mr. Euson** said, “Yes.”

**Chairman Parks** said, “Thank you. Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Thank you, Mr. Chairman. Ms. Graham, can you talk and give me a better idea in terms of, when you say income guidelines, what those income guidelines are, and also what type of food is being provided?”

**Ms. Graham** said, “It is a USDA commodity, so it’s whatever they come in with during that time period. Sometimes its cheese, sometimes its butter, sometimes its peanut butter, so it just depends on what comes in through the commodities program, so it varies on a monthly basis. It’s usually shelf stable. The income guidelines are according to SRS, and I don’t have that information in front of me, I can certainly get that. I do know that its income based so it has to be low income. I don’t have the exact percentage of that income. I can get that to you.”

**Commissioner Peterjohn** said, “I’d be interested, particularly for people who may be viewing this meeting, in terms what the eligibility is. Do you have any idea how many people were served in this program during the last 12 months?”

**Ms. Graham** said, “I apologize. I don’t have that information with me today. The staff person who manages this program is out ill today, so I couldn’t bring her with me to help with this detailed data, but I can get that for you as soon as possible and get that to you.”

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**Commissioner Peterjohn** said, “Okay. The next question I have is, you’ve listed about a dozen different places. The only specific in terms of an individual, other than a city listed, was St. Joseph Catholic Church out in Andale. Could you give me more information in terms of specifically in all these communities, an awful lot of them are in my district in the western part of Sedgwick County, how they’re distributed; through the city, through senior centers or through churches or some other entity?”

**Ms. Graham** said, “I’m not quite sure on that. I do believe that it is with the city, and the church is the one in Andale, but I can get you the specific information for all of those exact locations.”

**Commissioner Peterjohn** said, “Well, I would certainly be interested, because from looking at the list of about approximately a dozen, I am seeing at least over half of them are in my County Commission District, so that’s all information I would very much appreciate, Ms. Graham.”

**Ms. Graham** said, “I can get you the specifics.”

**Commissioner Peterjohn** said, “I would like to have that available, particularly in case of, if I get a question from a constituent in terms of whether they would be eligible, and if they were, how they could go about accessing this. For instance, if somebody is out in, I’m going to pick as an example, they’re right between Union and Sherman Township, whether going to Andale or Colwich, or I guess St. Joseph Catholic Church and Colwich, in terms of where. Can they go to either one, or do they need to go to the one in which the township in which they live, do you know?”

**Ms. Graham** said, “I’ll get you that information and the dates of the distributions and the exact sites.”

**Commissioner Peterjohn** said, “Thank you.”

**Chairman Parks** said, “I do know that in the past, in a couple of those that are in my district, it’s been kind of honor-system of being able to get those commodities from those areas. That’s my limited knowledge of that. I do know that people from Sedgwick have picked up items at Valley Center.”

**Commissioner Peterjohn** said, “Commissioner Parks, do you have any idea in terms of the areas in your district? I see Maize and Valley Center would be the two, I believe, in District 4. Do you have any idea how many people accessed that during the last year?”

**Chairman Parks** said, “Park City is also in there. I don’t have the exact figures, but it’s a considerable number. It is an event in those areas and, in fact, Valley Center and Park City will put

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out signs, and in your district Bentley will put out a sign on their community bulletin board and tell the people when the commodities are in. It is a community event, and those people that are participating in those are notified about that by sign.”

**Ms. Graham** said, “They do get the information in the communities about the dates of distribution, what hours are open, and so people are well aware of when opportunities are.”

**Chairman Parks** said, “I think it’s a great program. I have seen it working for 40 years.”

**Commissioner Peterjohn** said, “Well, I guess that leads to another question. How long has the county been participating in this program?”

**Ms. Graham** said, “It has been a number of years, and again I’ll have to get back with you. I know that many, many years ago, way before I started with the agency, they started doing it and took that opportunity to help make sure that those commodities were available, because there were certain areas, certainly within the City of Wichita that were well covered, but there were these areas in the county that didn’t have anybody to help coordinate that distribution, so the Department on Aging stepped in and took that role on, even though this is a program that meets the needs of people of all ages, not just seniors, but since there was a need in the community, we wanted to make sure the commodities were available to the low income and needy individuals outside of the City of Wichita.”

**Commissioner Peterjohn** said, “Well, I very much look forward to getting that additional information and answers to those questions. Thank you Mr. Chairman.”

**Chairman Parks** said, “Thank you. We have a motion and a second, seeing no further discussion, let’s call the vote.”

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

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### 7. APPROVAL OF THREE (3) FY 2009 TARGETED CASE MANAGEMENT CONTRACTS.

- Melissa Hogan, 663 S. Courtleigh, Wichita, KS 67218
- Joanne Hubbard, 4542 Westlake Ct, Wichita, KS 67220
- Michelle Shaheen, 1524 Maple, Derby, KS 67037

**Ms. Graham** said, “Commissioners, this is the contract for three additional targeted case managers that covers fiscal year 2009. This is in accordance with Kansas Department on Aging and Social and Rehabilitation Services and Medicaid. Last week, I know, at the Commission meeting, you had several other contracts. This is three more in addition to that. This contract ensures quality services in the Central Plains Area Agency on Aging region. This is our 13th year as a Medicaid program provider. The clients served are age 65 and older and meet the needs criteria for nursing home placement, but choose to receive in-home services.

“This is a service that allows them to remain independent and to live in their communities and in their homes. Services are available under Medicaid through the three-county area, Butler, Harvey and Sedgwick Counties, and these items have been approved by the Sedgwick County Board of County Commissioners in the fiscal 2009 budget. An example of the program services and clients served, we have a 96-year-old woman, she’s a widow, and she’s been receiving the services for a couple of years. She has, over the time of receiving services, seen some additional declines in her functional ability. She’s had cardiac problems, she’s had a stroke, she has cognitive decline, she has no family members in the community to assist her and lives in senior housing, but she lives independently, and she does need help to help her maintain her home, to help her keep the home up, do the laundry, go out and do the shopping for her, help coordinate the medications, and help coordinate her doctor’s appointments, and provide hands-on care such as helping her bathe, helping fix the meals, and things like that, so without that service, she would not be able to remain in the home, and would have to go into a nursing home at a much higher cost, and certainly a change in her quality and certainly what her desire is to stay in the home.

“These are three more contracts with three different contracted case managers. Over this last year, with the economic situation change in our environment, we certainly see the impact even with these kinds of services. By the first of last week for the month of September, we had already received 60 referrals for this HCBSFE (Home and Community Based Services for Frail Elderly) program. So

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that's 60 additional people that are older, 65 and older, that are needing community based care that are appropriate for nursing home."

"This is the volume of services, and why it is so critical that we also contract some of this service out with contracted case managers. I would request that you approve the 2009 contracts for targeted case management and authorize the Chair to sign and we would be happy to answer any questions."

### MOTION

Chairman Parks moved to approve the 2009 contracts for Targeted Case Management and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

**Chairman Parks** said, "Motion and a second, Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Ms. Graham, can you tell me when we approve, or if we approve these adding these three to the list, what the total will be for the fiscal year 2009?"

**Ms. Graham** said, "I think this will bring us up to 18, and we might have a couple more. We are continually needing to increase the number of contractors we have because the extremely high volume of cases that we're seeing, and we're not seeing any slowdown in that. In addition to the numbers of increasing, we also know that our average age population in our community continues to increase, so looking out over the future, we know that the number of seniors is only going to increase, and increase pretty dramatically over the next 20 years, in addition to the numbers of people that are age 85 plus. Those are the ones that are most at risk for needing some type of assistance to help them remain in the community and out of a nursing home."

**Commissioner Peterjohn** said, "Let me ask you, is it possible before 2009 ends that you may be back in front of us with request for additional folks beyond the three we have today?"

**Ms. Graham** said, "I think we might have one or two more that have come in, and we should be able to maintain for this year with that amount. Sometimes it gets really difficult to cover the two other counties, Butler and Harvey. Sometimes it's difficult to find case managers who are willing to work at those distances. Butler County being the largest county in Kansas, geographically, it gets pretty difficult sometimes for them to manage that kind of case load, simply because there's no travel time involved. So to find somebody who is willing to take on those case loads sometimes gets very difficult, but I think we might have one or two more and that should be it for this calendar year."

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**Chairman Parks** said, “Is the training such in those caseworkers that volunteers could not supplement this program in some way in those areas that you’re talking about?”

**Ms. Graham** said, “No. Volunteers are not able to be used. Kansas Department on Aging and SRS do set the criteria along, with Medicaid, Centers for Medicaid, and Medicaid Services set very stringent criteria. It requires a four-year degree in gerontology social work or social services, some kind of related degree, and then they have to have additional experience working with aging and case management and then they have to go through very specific training that’s provided by the Kansas Department on Aging. It is a very regimented and regulated service provision, and does require a very specialized knowledge base to go out and do this level of service of case management, because they do have to do the assessments, the functional assessment, review, income guidelines, review the quality of care and do they help coordination of care, working with family members and really trying to maximize the informal family members, volunteers and minimize the formalized services that go in.”

**Chairman Parks** said, “This might be a notice for those sophomores and juniors in high school then that are thinking about a career, in their future careers with all the baby boomers coming about, that this is going to be a needed area for those four-year degrees then.”

**Ms. Graham** said, “Definitely, it is, so thank you for that.”

**Chairman Parks** said, “Okay, thanks. Seeing no further discussion, call the vote.”

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**G. CODE ENFORCEMENT**

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**1. RESOLUTION AMENDING CHAPTER 23, ARTICLE V, SECTION 130, PERMIT FEES FOR THE ISSUANCE OF PERMITS FOR WASTEWATER TREATMENT SYSTEMS.**

**Mr. Glen Wiltse**, Director, Code Enforcement, greeted the Commissioners and said, "This item, and the following two items, are part of our adopted and approved budget for 2010. It was found out during the budget process that the state was reducing our Local Environmental Protection Plan grant. It was reduced from \$125,000 to approximately \$89,000. These fees are in relationship to make up the shortage of the grant that we have typically been receiving. They cover the cost, the additional cost for the two staff people that this grant has covered. The codes that these fees cover have been adopted in 2002 and 2006. One of them was even prior to receiving the grant from the state. I'm available for any questions that anyone would have at this time."

**Chairman Parks** said, "Well, let's have a motion and second so we can get into discussion."

**MOTION**

Commissioner Unruh moved to adopt the Resolution and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

**Chairman Parks** said, "We have a motion and second. Any discussion besides what I might have on this? Correct me if I'm wrong, this is one of those grants that the state did cut to us, so we're passing this along to the end user, then, as a user fee?"

**Mr. Wiltse** said, "Yes. These are strictly user fees. If you're replacing or installing new wastewater system, this is the fee that we require for the inspection process."

**Chairman Parks** said, "We've had a hectic couple of days, but the I did have a couple messages on the home phone, and one on my phone here at the office, about the possibility of separating the renewals from the new, and can you give me your opinion on that?"

**Mr. Wiltse** said, "You mean the different fee for new installation versus a replacement?"

**Chairman Parks** said, "Yes."

**Mr. Wiltse** said, "Well, I am not sure what that would do, because you virtually go through the same process. Sometimes, in all honesty, a replacement system, we spend more time because in a

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lot of cases we have to go out and find the location for it, because you don't want to stack the old system basically on top of a new one. Some of the replacements also, depending on what has happened through the years with groundwater and those types of things, we would need what's called 'the profile test,' which does add to the time frame that we spend out on the job site either with a contractor or the homeowners, so I'm not sure what that would do to save anyone any money, because a lot of these services we don't charge for that trip anyway. It's strictly, what we charge for, is the actual inspection on site because that's when the permit is issued. I am not sure whether that would actually do anything or not. It may increase the cost if we try separating renewal to new."

**Chairman Parks** said, "It's certainly going to be the will of the whole Board here, but I am going to say right up front here that I can't support this in its form now, without some more discussion, or some more information, and if it's the will of the Board to go ahead and pass this, this is one thing, but I think that we might be wise to put this off and look at this a little bit more before we do this today at this meeting. Just having said that, Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes. Thank you, Mr. Chairman. Mr. Wiltse, on this we've got three items here on our agenda. On the first one, there's three component charges. I know one of the three is definitely an annual permit that would have to renew every year. Is that true of the other two charges too, or are those basically for one time charges that you would have on installation for the first two charges concerning septic and lagoon and alternative septic permits?"

**Mr. Wiltse** said, "The only system that has an annual operating permit is the new style alternative system. That was put in place because it's new technology to Kansas, and everything that we had looked at when we put this in place was, it's a great system, but it's just like a vehicle, you have to maintain it. The only way of guaranteeing the maintenance is to require that there's an annual operating permit. They also have to have a licensed maintenance contractor do that maintenance, and then the maintenance contractor gives us copies of the maintenance and what has been performed. The standard septic in lagoons do not require any type of annual operating permits; those are just a one-time fee."

**Commissioner Peterjohn** said, "Okay, Mr. Wiltse, I appreciate that. But my question was, and you've narrowed it down to three provisions, there was a septic and lagoon permit, which I believe you've answered my question. There also a charge for alternative septic permits, and then there's also annual permits for alternative wastewater systems, which I believe is an annual permit fee that you're asking for an increase."

"Is the alternative septic permit then a pretty much a one-time charge on installation, or is that something that's an annual charge, that property owner would have to get annually?"



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**Mr. Wiltse** said, “The only thing that is annual is the operating permit for the alternative...”

**Commissioner Peterjohn** said, “Okay.”

**Mr. Wiltse** said, “...system itself, but there is an installation permit required whenever they do that, but that is just the permit for inspection itself.”

**Commissioner Peterjohn** said, “I appreciate the clarification, because I also share some of the concerns of Commissioner Parks, and we’re looking at a provision here that would raise about \$12,600 per year according to your estimate. I frankly, don’t believe we’re going to get that increase because it’s basically, the assumption is that there’s a straight line, and there would be no impact from the increased fee. I will grant you that the fee is a relatively small percentage of the overall cost, but my experience has been, and whether we call it a fee, whether we call it a tax, whether we call it a revenue enhancement or whatever, if you increase it somewhere between double digit percentages, and one of these is going up as much as 50 percent, there is an economic impact, and my concern is that what’s driving this is not an increased charge because the cost of issuing the permits. It’s because the state has a revenue problem, they’ve passed that problem to us, and we’re trying to pass it along to the ultimate consumers. It’s going to be more expensive if you’re living out in an unincorporated area, basically, to get these permits in place if this measure, and the next two measures we take up, are approved.”

**Mr. Wiltse** said, “We did talk to our boards, and also to the Wichita Area Builder’s Association (WABA), and they have not had any problems with this, prior to discussing this today and previously. The boards, like I said, said, ‘Yeah, everybody would like to have no fees,’ but rather than reduce the type of service that they received they had no problem with the increase, and these are somewhat standard fees. When we put these in place, the fees were relatively low. They do not anywhere come close to meeting the actual cost when you look at staffing, vehicles, gasoline, everything like that, so I guess, I’m still open for additional questions.”

**Chairman Parks** said, “What would be the alternative if this wasn’t passed?”

**Mr. Wiltse** said, “Potentially would have to, number one, if it’s not passed, we would probably end up repealing some of the codes, because we wouldn’t be able to take care of it.”

**Chairman Parks** said, “Okay. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you Mr. Chairman. Well, another alternative to just repealing some of the codes would be to maintain the codes but shift that cost over towards our general mill levy.”

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**Mr. Wiltse** said, "That's correct."

**Commissioner Unruh** said, "It would seem to me that we still need to maintain this sort of oversight over these wastewater and sewage operations in the county. We can't just ignore it, we have to manage it and make people comply with code."

**Mr. Wiltse** said, "That would be my opinion. The 2004 census addresses that there's approximately 35,000 private wastewater systems in the county, so we see all kinds of issues. Even on new installations, three to five years down the road. Whenever we do what we call property title transfer, which is an inspection that is required now whenever property changes hands, as far as residential, the banks like for us, and it is required that we actually do an inspection on the private wastewater system and the water well itself, to make sure that the system is in good operating condition, then the new buyer actually gets a good operating system.

"Prior to doing this, we were seeing and hearing issues where property owners were selling properties, and they knew how to baby a system by, where there would be no surfacing effluent, and two weeks after the new owner moved in the system would start surfacing, and they would end up putting \$6,000 to \$10,000 out of pocket, or potentially have to get a loan that there really was not a lot of money to pay the loan back, so that's part of the issues of doing inspections on systems to make sure that everything is in good operating order."

**Commissioner Unruh** said, "It seems to me, or my train of thought is, that we need to have the inspection on systems, and we need to have a code that is reasonable and evenly applied throughout our county, that in order to enforce that, we have certain costs associated with it. You said a few minutes ago that, even with the increase, it probably doesn't cover our administrative costs."

**Mr. Wiltse** said, "Typically most departments, including ours, the philosophy has not been to try and make money, just simply because, on one year you might make a lot of money. The next year, depending on what the economy is like, there may not be as much construction, but it basically balances normally, so you adjust your cost, and it's a philosophical issue that we have applied through the years. We're not the only ones that do that. You try to get the most of your money, but it doesn't always make enough money to support the entire department."

"Building codes are the same way. There are fee schedules and building codes that come with each building code, but those, typically, are reduced at a lower rate because they are relatively high, and you adjust them to the area that you're in."

**Commissioner Unruh** said, "Well I would suggest that we try to make this cost and revenue neutral, but there needs to be some sort of a user fee to help that's directly identified with the cost of the program. If this has gone through your different set of boards, and through the other groups that

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directly involved in it, like the Builders Association and so forth, and if the fees are reasonably commensurate with other governmental agencies that are charging for the same services, it seems like this is a reasonable request, and so if anything I have said is wrong, tell me, but if it's not, I'm going to be supportive of it."

**Mr. Wiltse** said, "No. These are very comparable with what the City of Wichita has. The one that is above is the lagoon, I believe, and it's like \$50 higher, or the proposed fee is \$50 higher, but part of that, we have farther to drive, so we have more expenses, because we drive in a larger area even than what the City of Wichita charges. We try to keep our fees the same. Our building permit fees are relatively the same, and this was just looked at by the board, and they actually helped set some of these fees. We had a total amount we needed to meet, and they were involved. What we proposed was different than what they had, same dollar amounts total, but they adjusted them to fit what they would rather see."

**Commissioner Unruh** said, "That's all I have."

**Chairman Parks** said, "Okay, and I'm certainly, in my comments, not diminishing the need for this. As probably the only Commissioner that has septic tank and water well service out there, I do know that there is a need for this. I have some problems with, when the grant goes away from the state, then we have to pick everything up. That's one of the problems I have with it, but that wasn't the underlying problem. Passing this along to the user, the board and the builders are just going to tack that onto their price of their cost. The calls that I did receive that, like I say, let me apologize for the lateness of this, but apparently this just didn't get out to some of those that were concerned about replacing their systems. It may be the alternative systems that they're discussing. I haven't returned those calls. Thank you. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes. Mr. Wiltse, the measure in front of us would raise a little bit over \$12,000, roughly \$12,600 dollars if your estimate is correct, I believe. Your overall budget for code enforcement is a little over a million dollars a year. Is that correct?"

**Mr. Wiltse** said "That's correct."

**Commissioner Peterjohn** said, "Okay, so we're talking about some number that's well below two percent of your annual budget?"

**Mr. Wiltse** said, "Yes."

**Commissioner Peterjohn** said, "You alluded to the fact that the septic and lagoon permits for the county would become, if this measure is approved in its current form, would be a 50 percent increase, and would be \$50 higher than the City of Wichita currently has it, is that correct too?"

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**Mr. Wiltse** said, "I believe that's correct, yes."

**Commissioner Peterjohn** said, "It would also have a 20 percent increase for annual operating permits for the folks who are operating alternative wastewater systems, and that's \$5 a year, correct?"

**Mr. Wiltse** said, "Right."

**Commissioner Peterjohn** said, "I'm, frankly, very concerned about it. Even though this is a permit, but particularly for annual operations, anything we can do at a time when we have double digit unemployment, and raising county charges is a concern to this Commissioner, especially because, as Commissioner Parks mentioned, and Mr. Wiltse you also mentioned, that this is basically the state pushing this down towards us. Looking at this proposal with the others, and perhaps we need to do some increases, but just basically saying oh, the state stopped funding and we're going to raise the rates 50 percent and put us at a bit of a comparative disadvantage with the City of Wichita is not something that makes this Commissioner comfortable."

**Chairman Parks** said, "Any further discussion? Commissioner Norton."

**Mr. Wiltse** said, "Glen, did we not have this discussion when we went through the budgeting that we were going to probably raise the fees to make the budget work?"

**Mr. Wiltse** said, "Yes, it was."

**Commissioner Norton** said, "This isn't anything that came before us just today."

**Mr. Wiltse** said, "We didn't have the exact fee numbers, but the total amount of the grant that went away was there, and that the fees would be increased to adjust to that."

**Commissioner Norton** said, "So we have known, since the middle of the year anyway, that we we're going to be in peril of not being able to balance budget, at least with permit fees we would need additional money, either from the general fund, or from user permit fees, correct? "

**Mr. Wiltse** said, "That's correct."

**Commissioner Norton** said, "We also spent about two years revisiting all these codes in the last few years, is that correct?"

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**Mr. Wiltse** said, “These are revisited, as far as whenever we have particular issues that the board or somebody brings up. Two of these codes were actually adopted in 2006. The original wastewater code that we started enforcing we adopted, I believe, and went into effect in early of 2002. When that was originally adopted, we were, I believe, like \$50 below what the city charged, so there’s been a period of years that our fees have been considerably less than the city. We did that trying to get things up and running, and make sure that there was a good comfort level in the working with the contractors and all that. The contractors were all brought into that mix even at that time. We had a large meeting that I believe we had approximately 50-60 people over at the Wichita Area Builders Association when we started doing all this. They were all in favor.

“So there has been a period of time, codes were adopted, and we didn’t even receive the grant. When this all started the grant was not available to us. The City of Wichita actually had been receiving the grant for a lot of years, clear into the ‘80s.”

**Commissioner Norton** said, “One of the other things that happened along the way is that we had pretty long, hard discussions about alternative systems...”

**Mr. Wiltse** said, “That’s right.”

**Commissioner Norton** said, “...and whether we would allow those, what they should look like, how they should be permitted, inspected, renewed, because those systems are very different than just a septic system, aren’t that correct?”

**Mr. Wiltse** said, “That is correct. They do require periodic maintenance. The homeowners, when they put them in, they sign letters of agreement at the time that they buy that house that says they understand that, yes, they have to be maintained. They have to have a maintenance contract that stays in full effect. It’s actually a restrictive covenant that even goes on the deed, so anytime somebody new buys a house, they are made aware of that during that time frame. It’s something that’s on the deed, supposed to be discussed at closing. Actually, education is provided to the homeowner through the contractor/developer at the time they purchase that house.”

**Commissioner Norton** said, “Alternative systems are not available within the City of Wichita, is that correct?”

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**Mr. Wiltse** said, "They do not allow them."

**Commissioner Norton** said, "So that becomes a totally different permitting, inspection, maintenance kind of process because City of Wichita doesn't even deal with it. Am I not correct also, that alternative systems have, it was really a different system than a pit and laterals. It has a pump that keeps the pressure on the laterals at all times, it's not gravity operated. It's totally different, is that correct?"

**Mr. Wiltse** said, "Yes, that is correct. They actually have, standard septic will have two holding tank areas, and it just is non-pressurized typically. You can, but 99 percent or not, the alternative system is a three compartment tank, and each tank has a different level of cleanliness to the water. When that water leaves that third tank, it's relatively clear and clean. All of the solids typically remain in that tank until they're removed. The system itself is not a trench that's dug. It's literally just little half inch tubes that are put in the ground, are but approximately eight to 12 inches below grade, and it has these little valves built into it that whenever that third tank starts to get full, it emits the effluent out, and it's on a time dosage. They do require maintenance, filters get plugged. Even if you clean a paintbrush in them, it kind of messes them up. It plugs the filters up. It does require maintenance, and that's why we did the maintenance contract. The reason why we want the alternatives, and it was partially through MAPD (Metropolitan Area Planning Department) also, and the developers, there were only two systems out there. We had septic or a lagoon. A lagoon requires five acres, technically, to build on."

"A lot of people don't want five acres, but we have a lot of land in the county that has so much clay content to it that you can't put a septic in it and make it work, so this system was brought into the county so that we could give a third alternative to the public, that they work in high groundwater situations because the effluent is so clean. They work in tight clay; they work in sand, they'll work virtually any place, and they're used pretty much worldwide, even on coastal regions, because the effluent is so clean when it leaves there."

**Commissioner Norton** said, "The other advantage is, close-in to the incorporated areas these can be hooked on to a regular system where a septic or a lagoon cannot."

**Mr. Wiltse** said, "They could be. They have not done that here in Sedgwick County, but it also allows a smaller tract of land that can be developed with this system."

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**Commissioner Norton** said, “Well, I certainly understand other Commissioners’ angst with this a little bit, but we had an update yesterday from you. We talked about it during the budget. I was here during all the talks about code, when we were revisiting the codes, and that we knew at that time the permit schedules and inspection schedules might have to change a little bit, and truthfully, I think we even anticipated that the state might not always participate at the same level, and that it only made sense that the users that moved out into the county willingly, and knew they were going to have to have one of these kind of systems, would participate in it different than being on a regular sewer system in a city, so I’m going to be okay with all three of the items that are before us today. Although I understand the dilemma that we’re raising some permit fees, but it is for the people using it. That’s all I have, Mr. Chair.”

**Chairman Parks** said, “Thank you. Those people that moved out into the country, or bought that way first, years ago, knew that they were going to have expense. I pump mine every two years, and I am above and beyond what may be even needed, but it keeps a good system going, but the people have moved out there to those areas also, I think, didn’t anticipate a 50 percent increase in some of the fees that they’re looking at also, so getting to put it on the deed and other things, there are just some things that, I know I’m in the minority on some of those, but those issues about messing with your deed, and putting some of those things on there. Again, I say, I think that the codes are good, and I’m not supporting a mill levy increase or taking it out of any mill. I would, at this point, say that we could probably cut some areas of either enforcement, or move some things around in the department to take care of this \$12,000. Seeing no further discussion, call the vote.”

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	No
Commissioner Welshimer	No
Chairman Parks	No

**2. RESOLUTION AMENDING CHAPTER 27, ARTICLE IV, SUBSECTION 102 (I) INSPECTION FEES FOR THE INSPECTION OF ONSITE WASTEWATER SYSTEMS AND WATER WELLS FOR PROPERTY TITLE TRANSFER INSPECTIONS.**

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**Mr. Wiltse** said, “Commissioners, this is a like item, like the one above. Basically, this one here covers water well fee increases on property, and wastewater fee increases on property title transfers. Currently the City of Wichita has little different fees. In some cases they charge more than what we’re charging. In some cases, even with the fee increases, ours will be less. If they inspect both items, which is a well and a wastewater system, currently they are charging, I apologize, I had this. I know our proposed fee would go to \$145. Currently we charge \$100 if we do both of them at the same time. If it’s only a single inspection, some cases you have either water well or the wastewater we currently charge \$50 but we are proposing to go to \$75. Tim, do you remember what the city...”

**Mr. Tim Wagner**, Water Quality Specialist, Code Enforcement, greeted the Commissioners and said, “The charge is \$125 [inaudible].”

**Mr. Wiltse** said, “Okay, they currently charge \$125 for either the single well or the wastewater, or just together. They currently are charging even more than what we would propose. They charge \$125 whether it’s water well or wastewater, and \$125 if it’s both.”

### MOTION

Chairman Parks moved to defer the item for three weeks to gather more information on alternatives.

Commissioner Peterjohn seconded the motion.

**Chairman Parks** said, “We have a motion and second. Any further discussion on that? Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Yes. Mr. Wiltse, we’re looking at a 45 percent and 50 percent increase here. Could you repeat for me what the City of Wichita, what their comparable charge would be compared to what we are currently charging or the proposed 45 or 50 percent increase?”

**Mr. Wiltse** said, “I believe they’re charging \$125 dollars per inspection, whether it’s a single or both systems.”

**Commissioner Peterjohn** said, “That covers both?”

**Mr. Wiltse** said, “Yes.”

**Commissioner Peterjohn** said, “Okay. I appreciate that clarification, because I do think it’s significant, if we can maintain our charges at a slightly lower level than the City of Wichita, I like



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the idea of the county being a little bit less costly in terms of some of these charges and permits. I understand the fact, in terms of the user side of the equation, but I agree with the comments of the Chairman earlier that we ought to look at other ways of handling this without tapping into the general property tax, and seeing if there's ways that we could do this more efficiently. That's why I seconded his motion, and he beat me to the punch, because if he hadn't, I would have been making a similar motion at that time and plan to support this."

**Chairman Parks** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Thank you. This is not a time sensitive proposal, is it?"

**Mr. Wiltse** said, "I guess it's up to finance. I mean, it was part of the budget. The state's annual operating budget, of course, operates differently than ours. Their budget starts July 1, so we're already into the grant for this coming year, but three weeks is not going to make that much difference in my mind."

**Commissioner Unruh** said, "I won't have any problem supporting a deferral."

**Chairman Parks** said, "Seeing no further comments, call the vote."

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

### **3. RESOLUTION AMENDING CHAPTER 27, ARTICLE III, SECTION 79, SUBSECTION (E), PERMIT FEES FOR THE ISSUANCE OF PERMITS FOR DOMESTIC WATER WELLS AND COLLECTION OF FEES.**

**Mr. Wiltse** said, "Here again, this is another one of the ordinances that we enforce that is part of the budget. Currently our permit fee for well inspection is \$50. We're proposing to go to \$100. The City of Wichita currently charges \$150 for this same inspection, so we are still \$50 less than what the City of Wichita charges."

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Chairman Parks said, "Do I hear a motion on this?"

**MOTION**

Commissioner Peterjohn moved to defer the item for three weeks.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON SEPTEMBER 24, 2009.**

Ms. Iris Baker, Purchasing Director, greeted the Commissioners and said, "The meeting of September 24, 2009, results in seven items for consideration today. Item 1;

**1. UTILITY VEHICLES FOR INTRUST BANK ARENA – FACILITIES DEPARTMENT  
FUNDING – ARENA SALES TAX**

"Recommendation is to accept the low bid meeting specifications for item one to Wiese in the amount of \$11,014 dollars, and items two and three to Trinity Sales, LLC in the amount of \$9,875 dollars. Item 2;

**2. CROWD CONTROL EQUIPMENT FOR INTRUST BANK ARENA – FACILITIES DEPARTMENT  
FUNDING – ARENA SALES TAX**

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“That recommendation is to accept the low bid meeting specifications for items one through four with Signature Systems in the amount of \$15,072, and low bid meeting specifications on items five through seven with Lavi Industries in the amount of \$14,237.26. Item 3;

**3. WOOD CASEGOODS FOR INTRUST BANK ARENA – FACILITIES DEPARTMENT  
FUNDING – ARENA SALES TAX**

“Recommendation is to accept the low bid from Business Interiors by Staples in the amount of \$39,621.48. Item 4;

**4. REFRIGERATORS AND MICROWAVE OVENS FOR INTRUST BANK ARENA – FACILITIES DEPARTMENT  
FUNDING – ARENA SALES TAX**

“Recommendation is to accept the low bid from Doolittle Distributing for item one in the amount of \$27,720 and accept the low bid from Lytton’s Appliance option one for items three, four, and five in the amount of \$3,434. Item 5;

**5. BASKETBALL STANDARDS FOR INTRUST BANK ARENA – FACILITIES DEPARTMENT  
FUNDING – ARENA SALES TAX**

“Recommendation is to accept the low responsive bid from Schelde North America in the amount of \$31,350. Item 6;

**6. CISCO LICENSES AND MAINTENANCE – HEALTH DEPARTMENT  
FUNDING – KZH BIOTERRORISM GRANT**

“Recommendation is to accept the responsive bid from EnPoint Technologies in the amount of \$10,835.82. Item 7;

**7. MONITORING AND TESTING OF UNDERGROUND STORAGE TANK AREA AT CLEARWATER – ENVIROMENTAL RESOURCES DEPARTMENT  
FUNDING – KDHE**

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“Recommendation is to accept the proposal and execute a contract with Larsen & Associates for a not to exceed cost of \$11,456. I’d be happy to answer any questions, and I recommend approval of these items.”

**Chairman Parks** said, “I do have a question. On all the Intrust Bank purchases, and if we could in the future have the Tax Oversight Committee have a recommendation on those.”

**Ms. Baker** said, “The Tax Oversight Committee reviews after the fact. I don’t know how much detail they go into in regard to their review, but the review of these purchases is done by staff and some SMG folks, and other key players involved in the type of purchase that’s made, and then we look at the specifications, the qualifications of the vendors, and then budget.”

**Chairman Parks** said, “Thank you. Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Thank you. Ms. Baker, on item number six, it looked like we had two bids, and one bid was slightly lower than the one that we picked out, EnPoint Technologies. The backup information didn’t go into any details. From looking at the paperwork, I couldn’t, it wasn’t obvious to me, in terms of the grand total, why we went with the winning bid. It was several hundred dollars higher.”

**Ms. Baker** said, “AT&T, which is a valid bidder, but did not complete a response form.”

**Commissioner Peterjohn** said, “Did not complete a response form?”

**Ms. Baker** said, “If they don’t complete the response form, provide signature lines on that response, it’s not a legal offer.”

**Commissioner Peterjohn** said, “Thank you.”

**Chairman Parks** said, “What is the will of the Board?”

### MOTION

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

Commissioner Norton seconded the motion.

**Chairman Parks** said, “I have a motion and second. Any other discussion?”

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**Commissioner Welshimer** said, "I just want to ask the Manager, the last two or three meetings, or almost every meeting, we've approved something for Intrust Bank Arena. What's that doing to our balance on the one cent sales tax fund?"

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "We have budgeted in the programming for the Intrust Bank Arena, we programmed for fixtures, furniture and equipment. It was a line. We're well within that budget. We knew we were going to have to buy these items. The architects provided us, along with HOK, what we suspected we would have to buy, and we are, as of the last report, within budget on those items."

**Commissioner Welshimer** said, "So it's not reducing that approximately \$10 million balance?"

**Mr. Buchanan** said, "No."

**Commissioner Welshimer** said, "Okay. Thank you."

**Chairman Parks** said, "So we have a motion and second. Seeing no further discussion, call the vote."

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

**CONSENT AGENDA**

**J. CONSENT AGENDA.**

- 1. New lease agreement with the City of Wichita, for office and clinical space to be used by the Health Department at 1900 E. 9<sup>th</sup>, Wichita.**
- 2. Amendment to existing lease agreement with Builder's Inc., for temporary use of 2942 sq ft of office space to be used by the Health Department at 1530 S. Oliver, Suites 200-270 for response to the Novel H1N1 flu pandemic and funded through the general fund until grant is awarded from CDC/KDHE.**

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- 3. Authorization of a service agreement which will allow Seward County to use Sedgwick County's Motor Vehicle Tax Estimator.**
- 4. Two (2) Temporary Construction Easements for Sedgwick County Project 817-V, W, X; Road widening project on Meridian between 47<sup>th</sup> St. South and 71<sup>st</sup> St. South. CIP# R-281. District 2.**
- 5. General Bill Check Register of September 16, 2009 – September 22, 2009.**
- 6. Payroll Check Register for the week of September 12, 2009.**
- 7. Order to correct tax roll for change of assessment on September 2, 2009.**

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

**MOTION**

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Welshimer seconded the motion.

**Chairman Parks** said, "We have some discussion. Mr. Manager, if you could just briefly, for the record, bring up to date item number one for the lease at the Health Department and what that entails?"

**Mr. Buchanan** said, "We lease approximately 10,000 square feet from the City of Wichita for the Health Department building on 9th Street. That lease arrangement expires and we have renegotiated it and this would be a three percent increase each year for the next five years."

**Chairman Parks** said, "Okay. Now, is this something that has to do with additional personnel that we're going to be putting in these lease spots, and there's nothing to do with any H1N1 that will be over in two years or so, or hopefully before that?"

**Mr. Buchanan** said, "No. This is some pretty basic operations of the Health Department, the administrative offices. As you recall, we have spaces leased for the clinic on the old Riverside

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Hospital. We have some of our people on South Oliver, two different locations we have folks spread around the community. This is just part of what we do at the Health Department.”

**Chairman Parks** said, “Thank you. Commissioner Welshimer.”

**Commissioner Welshimer** said, “I have a question for the Manager on item number two. Is that using the, currently the facilities we have for Public Health are on the second floor.”

**Mr. Buchanan** said, “Yes.”

**Commissioner Welshimer** said, “Is this 2942 square feet on the second floor, or are we going to be using the first floor?”

**Mr. Buchanan** said, “Ma'am, I don't know that, and I am not trying to divert your attention...”

**Commissioner Welshimer** said, “Is it additional space?”

**Mr. Buchanan** said, “I don't know whether it's first or second floor.”

**Commissioner Welshimer** said, “If its additional space it's going to be the first floor.”

**Mr. Buchanan** said, “It's also for H1N1.”

**Commissioner Welshimer** said, “It makes sense, but I was wondering if that was the case. Second floor is a little bit of a problem for access, so that sounds good.”

**Chairman Parks** said, “While we're on number two, let me ask, there is a grant for this that's coming up? That would be reimbursed back into the general fund if...”

**Mr. Buchanan** said, “This lease space will be paid for from that grant.”

**Chairman Parks** said, “Okay, and there's no problem with taking that grant money and putting it back into general fund?”

**Mr. Buchanan** said, “No.”

**Chairman Parks** said, “Thank you.”

**Ms. April Powell**, Project Manager, Project Services, greeted the Commissioners and said, “Just to let you know, it's on the first floor.”

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**Commissioner Welshimer** said, "Good."

**Mr. Bill Farney**, Assistant to the Director, Health Department, greeted the Commissioners and said, "We did get the grant that funds this lease agreement just last week, and so I believe on the 7<sup>th</sup> or the 14<sup>th</sup> of October we will be bringing that to you for your approval, so we won't have to use any general fund."

**Chairman Parks** said, "All right. Thanks. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes. On item one, Mr. Manager, my understanding was that we're spending, the renewal on this is going to be a little bit over \$10 per square foot next year for this lease. Is that correct?"

**Mr. Buchanan** said, "Yes."

**Commissioner Peterjohn** said, "How does that compare with the other lease space that the Health Department is operating with? Is that fairly similar, or higher, or lower?"

**Mr. Buchanan** said, "I want to respond yes, but in some cases it is higher, and some cases it is lower."

**Chairman Parks** said, "Bill, if you would like to step to the podium."

**Mr. Farney** said, "I've got some information. The current lease at East 9<sup>th</sup> is actually \$11.54 now, so this is a decrease, at least for the first four years. The other locations that we have are generally a little bit higher. There's a couple of locations that are very inexpensive, Colvin and Stanley are in the \$5 per square foot range, but that's the exception. The others are generally around \$11-\$10. The West Central is \$10.90, the North Oliver is \$13.53, the South Oliver is \$11.39."

**Commissioner Peterjohn** said, "Thank you."

**Chairman Parks** said, "Seeing no further discussion, call the vote."

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye



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Commissioner Welshimer	Aye
Chairman Parks	Aye

### **K. OTHER**

**Chairman Parks** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chair. I just want to announce, I guess is the right word, I will be attending a jail diversion seminar in San Antonio, Texas. Some county staff will also be in attendance at that event. Hopefully, we can gain insight on what other communities are doing in managing their incarcerated population. We will be leaving this afternoon for that, and get home Friday evening, and I will not be in attendance at the funeral services for Brian Etheridge, so I wanted to first of all, to say where I will be and second of all, express my sympathy to the family, and regret that I will not be at the funeral service. That's all I had, Mr. Chairman."

**Chairman Parks** said, "Thank you, Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Thank you, Mr. Chairman. It's particularly difficult to talk about. I often like to use this time frame to talk about some of the lighter and more positive events that are occurring in our community. On October 3<sup>rd</sup> the City of Goddard is going to be holding their festival, and it's a great time, and I hope the weather is as cooperative next weekend as it was last weekend. I very much enjoyed participating in a 5k run here in Wichita with the Komen folks. It was a huge crowd and great time was had by all the folks I saw and met, and there were a lot of county employees who participated.

"It's just a very sad week, and I think it's true for the entire community with what has transpired, and I vividly recall just a few weeks ago standing across the street, as we went with the groundbreaking ceremonies for the law enforcement memorial, and I was very saddened at that time with the large number of law enforcement personnel who have given their lives in the line of duty here in this community, and to have to add another name deeply, deeply saddens me at this time. This has been a very difficult week, and my prayers and thoughts go out to the Etheridge family and to the law enforcement community. Thank you, Mr. Chairman."

**Chairman Parks** said, "Thank you, and I would ask, also, that people be sensitive, whether it's the media, newsprint, or just other people, of the Etheridge family, fellow workers, the Sheriff's Office of Brian's, that when interviewing and talking with them, when they say how do you feel, that's not a good question. I heard one of those last night, and it's devastating to the family. I'll tell you that, so you can have that up front. There's no training that could ready Deputy Etheridge for this action that happened. Senseless, cowardly act. You wouldn't expect something like this in a situation

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behind a badge. You might in a war situation, if it were overseas, or even God forbid, war on our own turf. In a war situation, you could anticipate something like this, but he was there to serve and I'm just as I said earlier, so pleased to see that our law enforcement officers at the scene were able to keep this person that committed this heinous crime from going out and committing other atrocities on our public, and they're to be honored and next time you have an altercation, or a situation with a Sheriff's Deputy or police officer and they seem less than friendly, they have a lot on their mind, and when you go out there and are interacting with the police, have in mind that they are laying their life on the line, so it's not always officer friendly. There is a time for that, but they have to be cautious, and so next time you have an interaction with a police officer, keep that in mind and act accordingly, and remember that they are laying their life on the line. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Mr. Chairman, I am finished. Thank you."

**Chairman Parks** said, "Okay. Sorry for my little bit of lethargic nature today. As Chairman, it's kind of tough when you have on your watch especially with so many years of law enforcement behind me, to be dealing with one of ours. So with that, seeing no further action, I will adjourn."

### **L. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:18 a.m.

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

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**KELLY PARKS**, Chairman  
Fourth District

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**DAVID M. UNRUH**, Commissioner  
First District

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**TIM R. NORTON**, Commissioner  
Second District

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**KARL PETERJOHN**, Commissioner  
Third District

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**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

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**Kelly B. Arnold**, County Clerk

APPROVED:

October 28, 2009