

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

### **REGULAR MEETING**

**OCTOBER 3, 2001**

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, February 28, 2001 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chair Carolyn McGinn; with the following present: Chairman Pro Tem Ben Sciortino; Commissioner Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Greg Thompson, Fire Marshall, Fire District #1; Dr. Luella Sanders, Director, Center City Homeless Shelter, COMCARE; Mr. Brad Snapp, Director, Housing Office; Ms. Jan McKay, Director, Old Cowtown Museum; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Stephanie Knebel, Manager, Facility Project Services; Mr. Jarold Harrison, Assistant County Manager; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Ray Vail, Director, Finance & Support Services, Department on Aging; Mr. Larry Ternes, Youth Services Administrator, Department of Corrections; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Dr. Charles Magruder, Director, Community Health Department; Mr. Randall Duncan, Director, Emergency Management; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Ida Njie, homeowner.

Ms. Anna McCann, Executive Director, Habitat for Humanity.

### **INVOCATION**

The invocation was led by Mr. Jack Arnold of the Church of Jesus Christ of Later-day Saints, Derby.

### **FLAG SALUTE**

### **ROLL CALL**

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

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**CONSIDERATION OF MINUTES: Regular Meeting, September 12, 2001**

The Clerk reported that all Commissioner Winters was absent at the Regular Meeting of September 12, 2001.

**Chair McGinn** said, "Commissioners, I'd like to have these Minutes deferred until next week. I've not had a chance to review them."

**MOTION**

Commissioner Norton moved to defer the Minutes until next week.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "Before I call the next item, I would like to share that Representative Don Myers is in our audience today. Thank you for being here today. Also, I know that there are many of you in the audience today and those of you at home who are waiting to hear the discussion on the domestic partners and I would just like to let you know that that will come as an Off Agenda item before Item D and it should be about 9:30 to 9:40. Clerk, call the next item please."

**PROCLAMATIONS**

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**A. PROCLAMATIONS (TWO).**

**1. PROCLAMATION DECLARING OCTOBER 7 – 13, 2001 AS “FIRE PREVENTION WEEK.”**

**Chair McGinn** said, "Commissioners, I'd like to read this Proclamation into the record.

**PROCLAMATION**

**WHEREAS**, Cooking, heating and electrical fires represent three of the nation's leading causes of home fires, and are collectively responsible for nearly half of all home fires and almost one-third of the associated fire deaths; and

**WHEREAS**, the vast majority of home cooking, heating and electrical fires can be prevented by taking simple safety precautions; and

**WHEREAS**, by preventing the leading causes of home fires, and by developing and practicing a thorough home fire escape plan, people can greatly reduce their risk to fire; and

**WHEREAS**, The Fire Prevention Week 2001 theme – “Cover the Bases & Strike Out Fire,” teaches the public how to prevent cooking, heating and electrical fires, and encourages people to develop a home escape plan that includes working smoke alarms; and

**WHEREAS**, The Sedgwick County Fire District #1 is dedicated to the safety of life and property from the devastating effects of fire.

**NOW THEREFORE BE IT RESOLVED**, that I, Carolyn McGinn, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim the week of October 7-13, 2001 as

**“FIRE PREVENTION WEEK”**

in Sedgwick County and encourage every resident to participate in fire prevention activities at home, work and school, and to take steps needed to make their homes and families safe from the leading causes of home fire, which include cooking, heating and electrical.”

**MOTION**

Commissioner Gwin moved to adopt the Proclamation and authorize the Chair to sign.

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Commissioner Norton seconded the Motion.

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

### VOTE

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

**Chair McGinn** said, "Accepting today we have Greg Thompson, our Fire Marshall. Good morning, Greg."

**Mr. Greg Thompson**, Fire Marshall, Fire District #1, greeted the Commissioners and said, "I'd just like to tell you about a few of the activities that we have planned for the next week. Fire Prevention Week is almost here and the theme this year, as the Proclamation states, is Cover the Bases and Strike Out Fire. This is a new and this is a unique campaign for us this year and we have 18 local fire departments from five counties who are participating in this.

I just wanted to let you know about a few of the projects and some of the programs that we're going to be involved in this year. Vulcan Materials has made a production of a fire safety guidebook. There will be 50,000 copies of this guidebook that will be distributed to the Wichita/Sedgwick County residents in the October 8th issue of the Wichita Eagle and Beacon. An additional 10,000 copies will be produced and made available to participating fire departments that are not in Sedgwick County. The production of this guidebook was the joint effort of several organizations and was made possible by funding through Vulcan. So if you come in contact with a Vulcan employee, please express our gratitude. This is the fourth year that they've paid for this guidebook.

The Cover the Bases and Strike Out Fire campaign, we have 18 local fire departments that are involved in this Cover the Bases and Strike Out Fire this year. We also have schools, materials will be provided to 83 schools in five counties, approximately 24,400 students will be receiving these materials. All of the materials were provided by the Boeing Company. We also want to thank

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Boeing for their participation and for their help. One of the other activities that we'll be having is on October the 7th at 1:00 p.m., the Firefighter's Memorial will be held out at Resthaven Cemetery.

This is at 11800 West Highway 54. The Firefighter's Memorial ceremony is a national event that began October, 1979 by a Proclamation from then President Jimmy Carter. This provides a time of reflection for firefighters to remember those who have made the ultimate sacrifice. I think that is especially significant this year.

Also, on October the 9th, at the Sedgwick County Zoo, we'll be having our fifth annual fire prevention luncheon for all fifth grade students in Sedgwick County. We'll have several demonstrations, equipment, a lot of different things going on out at the Zoo, so I'd like to invite each and every one of you out for that. We'll have about 2,500 students out there and we'd like to thank the Zoo for their participation and their help in this.

There will be many other events that will be taking place during that week. We'll have station tours. The stations will be out, they will be doing fire drills at all the schools and doing walk through safety inspections. We'll have station tours provided and available in each of the fire stations so we're going to be very busy this week. I'd like to thank you for this Proclamation."

**Chair McGinn** said, "Thank you, Gregory. Greg, did you tell the time of the Firefighter's Memorial Service Sunday?"

**Mr. Thompson** said, "That will be at 1:00 at Resthaven."

**Chair McGinn** said, "And quite a service. Thank you, Greg for being here today. Clerk, call the next item please."

## **2. PROCLAMATION DECLARING OCTOBER 7 – 13, 2001 AS “MENTAL ILLNESS AWARENESS WEEK.”**

**Chair McGinn** said, "Commissioners, I'd like to read this Proclamation into the record.

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**PROCLAMATION**

**WHEREAS**, The strongest weapon in the fight against mental illness is science. And, new medications, genetic discoveries and progressive brain research continue the search for cures or even preventing severe mental illnesses; and

**WHEREAS**, No area of health care is changing more than mental health. A new perception of mental illness is emerging, one that focuses on early intervention, effective treatment, rehabilitation, and recovery. And, consumers play an important role in advocating health care treatment, along with their family members who speak out for their loved ones; and

**WHEREAS**, treatment works when a person with a mental illness accesses it. Individuals with severe mental illness have a chance at reclaiming full and productive lives, but only if they access the treatments, services, and programs so vital to recovery; and

**WHEREAS**, Stigma continues to be the single most significant barrier to people getting the help they need. As stressed by the U.S. Surgeon General David Satcher, stigma towards mental illness remains a pervasive and potentially lethal barrier to mental illness recovery; and

**WHEREAS**, Sedgwick County COMCARE works with numerous agencies in our community to provide mental health care for individuals, families and children, to enhance lives;

**NOW THEREFORE BE IT RESOLVED**, that I, Carolyn McGinn, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim October 7 – 13, 2001 as

**“MENTAL ILLNESS AWARENESS WEEK”**

in Sedgwick County to increase awareness of severe mental illness, to promote greater understanding for those who suffer from the disabling symptoms of these disorders and to emphasize treatment available in our community for those with mental illness.”

Accepting this Proclamation today is Luella Sanders from COMCARE.”

**MOTION**

Commissioner Gwin moved to adopt the Proclamation and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

### VOTE

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

**Dr. Luella Sanders**, President, Project Awareness for Major Mental Illness, greeted the Commissioners and said, "Thank you for that Proclamation. I'm Luella Sanders and while also an employee of COMCARE of Sedgwick County, I'm wearing a different hat this morning and I'm President of Project Awareness for Major Mental Illness. On behalf of the board and the staff of Project Awareness, I would like to thank you for your help in increasing understanding of mental illness and awareness of the potential for recovery.

Approximately 20% of the people will suffer a major mental illness at some time in their life. For Sedgwick County, that translates to more than 90,000 people who experience a major mental illness as well as thousands more who are impacted by having a friend or a loved one struggling with a major mental illness. Major depression is one of the most prevalent of the major mental illnesses and the good news is that research has shown that 80 to 90% of those suffering from depression can be effectively treated and recover their lives. Our community's participation in the nation wide Mental Illness Awareness Week focuses attention on the people who have recovered their lives following the onset of a major mental illness, the amazing strides that have been made in the treatment of mental illness and the work still to be done.

I'd like to mention some of the week's activities that are going to be going on. Project Awareness will be opening the week with our seventh annual candlelight ceremony. It is this Sunday, October 7th, at six o'clock, starting with a reception at six and the event at seven, at the Wichita Boathouse. Randy Brown will be the master of ceremonies and Reverend Lynn Fynawald is a keynote speaker. It has been a remarkable moving experience every year and we anticipate that as well this year. It is free and open to the public.

Another activity during the week is the Suicide Prevention Conference that is going to be held at the

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Hyatt Regency Hotel on October 10 and 11. There is a small registration fee for that conference and anyone wanting more information about that conference is encouraged to call Jon Burghart at COMCARE's Crisis Intervention Services at 383-8251.

Then Project Awareness will close the week's activities with a Walk for Awareness of Homelessness and Mental Illness. That will be Friday, October 12th, starting at noon with registration starting at 11:30. This year, the event will be held at the Mid-American All Indian Center. Tracy Cassidy is the M.C. for the walk and singer/ musician Steve Helms will be performing and Gayle Edmonds will be the keynote speaker. Like the candlelight ceremony, it too is free and open to the public. For more information on either of those Project Awareness events or other activities during the week, anyone is welcome to call Project Awareness at 269-2673.

Your recognition of this important week is more evidence that Sedgwick County government values a knowledgeable and supportive community for its residents, including those who have a mental illness, their family and friends and co-workers. Again, our thanks for the Proclamation."

**Chair McGinn** said, "Thank you, Luella. While everybody is scrambling to get pencils and paper for that number, I just want to ask you on the candlelight service, how many years is this?"

**Dr. Sanders** said, "Seven."

**Chair McGinn** said, "And the walk is Saturday?"

**Dr. Sanders** said, "The walk is on Friday, the 12<sup>th</sup>. It is over the lunch hour so our hope is that people can take a lunch break, come down, there will be lunch available with pizza and beverages that are being donated. It is free and open to the public."

**Chair McGinn** said, "Now that those at home have their pencil and paper, would you give the telephone number for Project Awareness, would you repeat that?"

**Dr. Sanders** said, "Certainly. Project Awareness phone number is 269-2673. Then I might also add that the Crisis Administrative number for the suicide prevention conference is 383-8251. Thank you for letting me repeat those numbers."

**Chair McGinn** said, "Thank you, Luella for being here today and I hope you have a successful week and we certainly hope we increase the awareness that there is help out there. Thank you. Clerk, call the next item please."

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### PRESENTATION

#### **B. PRESENTATION REGARDING BLITZ BUILD: HABITAT FOR HUMANITY, AND INTRODUCTION OF IDA NJIE, HOMEOWNER.**

**Chair McGinn** said, "Commissioners, today we have with us Ida Njie, and you correct me if I said that wrong. Ida was one of the participants in the Habitat for Humanity Blitz that occurred last month. Ida has quite a story to share and I'm going to let her share just a little bit about what you shared that day. It is a remarkable story. She was affected by the tornado and how that affected her life until she was able to get this home. It was very touching to hear.

Sedgwick County participated in the 2001 Blitz Build by providing volunteers to assist in the construction of a home. Sedgwick County employees helped in framing, roofing, siding, and painting one of our four habitat homes in South Wichita. Ida is the owner of the home the Sedgwick County employees volunteered to build. Since surviving the tornado, her children had struggled to meet some expenses and rent problems and I'm going to let her share that.

I just wanted to share that I was out there one day. Had the opportunity to use a hammer, did a little shingling, haven't done that before in my life. I got paint all over me and tar on my rear and it was a great day. I enjoyed it. I tell you, the most inspiring part of it was to see our Sedgwick County employees and others who built other homes out there, the dedication they had and to find out the other skills they have, outside of Sedgwick County. So it was a great showing of community coming together to help others. Brad, did you want to comment?"

**Mr. Brad Snapp**, Director, Housing Office, greeted the Commissioners and said, "I was just going to say that Habitat sent us this invitation that we couldn't refuse. They asked us to bring as many people as we could find to work during the hottest part of the summer on somebody's house that we didn't even know. We did come together. It was a lot of fun. The best I can figure out, we had a sign up sheet but not everybody used it every day, was that we had 172 full-time employees at the job site for an average of 14 per day. We worked out there 12 business days and two Saturdays doing exactly what Commissioner McGinn said. We started out with a sub floor and we went up and finished it from there. It was great.

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I just wanted to list who all participated. I started to list names but couldn't find a breaking point, so we had people from the Counselor's Office, Clerk's Office, Carpenter Shop, Sheriff's Office, Zoo, Corrections, D.I.O., Commission Office, Manager's Office, Parks, Coliseum, Appraiser, Public Works, Public Safety, Code Enforcement, Fleet Management, E.M.S., Fire Department, Forensic Center, Emergency Management, Housing, Community Development, Aging, COMCARE, District Attorney, Communications, C.D.D.D., and Purchasing. I want to especially thank Glen Wiltze from Code Enforcement for having his shop go and be construction leadership for us the second week. Dale Wasinger I think temporarily changed his address to 2816 S. Millwood. We really appreciate it and I appreciate everybody who helped. Anna McCann is with us, she's the Executive Director of Habitat for Humanity."

**Ms. Anna McCann**, Executive Director, Habitat for Humanity, said, "On behalf of Wichita Habitat, I really appreciate the County's involvement in this. This whole Blitz Build came around kind of in a blitz fashion. We had not anticipated building four homes in two weeks this summer, but when Senator Brownback decided he was going to build his home as part of the House the Senate Built Program, we thought this is an opportunity to gather the leaders in Wichita to make a statement to the community that housing is an issue and is an important issue. I really appreciate the County coming forward and joining. The City did the same and the fourth house was built by a church. So we really had a community participation there and I thank you all for your participation because it has made four families very happy. They are all in their homes and happily settled and enjoying a new life and it truly is a new life for them. Thank you very much."

**Chair McGinn** said, "I'd like to have Ida share her story with us today."

**Ms. Ida Njie**, homeowner, said, "Good morning. My name is Ida Njie. I would like to thank Brad Snapp and the County for all of their help on making my dream of owning a house come true. Charles Eby and Wichita Habitat turned my dream into a plan that was turned into a remarkable reality. My kids now have a place that they can now call their own, as well as myself. When I came to America 18 years ago to go to school, I never dreamed of being able to own a home to raise my family in. The tornado of 1999 seemed to make this dream even harder to obtain. Now, I have a home that I can afford to pay for and still take care of my children. This will help make my other dream of my children's further education attainable. My kids give their thanks to you, although they are in school and cannot be here to tell you thanks themselves today. I truly cannot put into words how much this means to me and how the Habitat for Humanity Program really can bring people of race, color, religion together. A person can say thank you so many times but for me every time gets better and better. I would just like to say thank you from the bottom of my heart and the children's hearts, too."

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**Chair McGinn** said, "One of the things Ida also shared that other day was that she was having to hold down two and three jobs. This has given her an opportunity to work eight hours and spend her evenings at home with her children. As we all know, that is something near and dear to our hearts.

Commissioners, I'd like to present this award to Brad Snapp. Brad was out there every day and I think we had a few days that we had to take extra time out there. He was our leader. He had to show me how to run a few things like how to use a big fat brush to do trim because I kept asking him where the 2 ½ angle brush was. He was the guy in charge and made everything happen. Brad, we just wanted to present this golden hammer to you, on behalf of all of Sedgwick County and our community. Thank you, Brad."

**Mr. Snapp** said, "Thank you, that's great. I appreciate it."

**Chair McGinn** said, "Clerk, call the next item please."

### **AWARD**

#### **C. PRESENTATION OF CERTIFICATE OF ACCREDITATION FROM AMERICAN ASSOCIATION OF MUSEUMS TO OLD COWTOWN MUSEUM.**

**Chair McGinn** said, "Commissioners, this is a good day for Cowtown. I'm standing before you as the President of Old Cowtown Museum. In a moment, we're going to let our new director share a few things. Jan, if you want to just come on up here. Jan McKay is our new Executive Director at Old Cowtown Museum. Also, I would like to introduce some trustees that are here today. Please stand when I call your name, Dr. Jay Price, Clark Bastian, and Jerry Harrison.

We have about 27 trustees on our board and have worked very hard over the last ten years. We were accredited ten years ago and then you have to go through a reaccreditation process. Part of our reaccreditation process is having a strategic plan, talking more about our living history museum and how it fits in, collection policies, and many details like that. We had to submit a report at the 1<sup>st</sup> of January and I'd like to also thank the Communications Department here at Sedgwick County in helping us get that put together.

We submitted the report and received back notice that we had been accredited, based on one condition. We had to have an Executive Director. Our director showed up in town September 15th for work and she went to work right away on that. Our accreditation was Fed-Exed just as soon as

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she went to work on that. So, I would like to share that we will have this eventually framed but Old Cowtown Museum is an accredited museum here in our community. This is great. We have other museums that are accredited. We have zoos that are accredited. This only means good things for our community because it says we have some of the best museums and attractions here in the Wichita and Sedgwick County area. I'm going to have Jan just share a little bit about what accreditation means for a museum."

**Ms. Jan McKay**, Executive Director, Old Cowtown Museum, greeted the Commissioners and said, "I want to thank you for this opportunity to talk about Old Cowtown Museum, which is 51 years old today. I'm new to Wichita. I just relocated from Cleveland, Ohio, where I worked at the Cleveland Museum of Natural History, which was another A.A.M. accredited museum. This A.A.M. is our national organization that represents the museum community and addresses our needs as museums and provides assistance to help us as we serve our public interests. The A.A.M. serves all sizes and types of museums and has nearly 16,000 active members nation wide. It leads the efforts to maintain and strengthen professional standards for our field and works to improve overall quality of museums and our programs and operations.

Old Cowtown Museum was first accredited in 1990 and the accreditation and reaccreditation process involved meeting strict criteria, plus a self study that was conducted by the board and staff. Also, we had to look at all of our operations. The accreditation and reaccreditation also included a peer review process by our colleagues. Those peer reviewers looked at all our operations, again from programming, collections care, educational opportunities that we offer the community, our budgeting, our finance, our governance, and our administration. We had to have a clear sense of our mission, which is as a living history museum to interpret Wichita and Sedgwick County as it was from 1865 to 1880. We needed to show a strong governing authority that had plans for our future.

As Chair McGinn noted, we needed to have a strategic plan in place. We also needed to show that we were good stewards of the more than 11,000 historic objects and artifacts that we have in our keeping. These are objects that tell the stories and histories of the people of Wichita over many many years and also the stories and histories of the people of Sedgwick County and this part of Kansas.

So to be accredited, we also needed to show that we present programs and educational opportunities and that we connect to our community in meaningful ways. I'm sure that you know, the museum does do that. We present learning opportunities for school children, families, and individuals and also for people from around the country and around the world. You may not know that Old Cowtown Museum has international visitors on a weekly basis. I'm proud to say that

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approximately 750 museums are accredited in this country and that is out of 8,000 museums. So, Old Cowtown Museum, the board, the staff, and the volunteers, are all extremely proud that we have achieved this recognition. We intend to stay accredited. It is an ongoing process for us. We will continue to ensure that we present fun and educational programming, take care of the collections that are in our stewardship, and that we will continue to connect to the community.

We want to remind everybody that one of our educational and special events is coming up this weekend. It is the Sedgwick County Fair, 1870's style. We do hope that all of you will attend. We invite all of you. Also, I'd like to thank you, from the board and staff, for this opportunity today. Thank you."

**Chair McGinn** said, "Thank you, Jan. Commissioner Winters."

**Commissioner Winters** said, "I just wanted to take a brief moment to say welcome to Sedgwick County, Jan. We're certainly glad you're here. As importantly, I also wanted to say again thank you to our Chair, Carolyn McGinn. Carolyn has worked with the Board of Trustees, which they have good representation here today. We're certainly happy with the trustees and the way you all have worked. Carolyn has really worked very hard this past summer with the search for the Executive Director. I think she has done an outstanding job. Madam Chair, I think on behalf of all of us, we appreciate the work that you've done at Cowtown. I think it is just getting better."

**Chair McGinn** said, "Thank you. We're very excited about the future of Cowtown. We hope to start our new entrance next spring. We're going to change the entrance. When you go toward the back, it almost looks like you're going in the back door, well that is going to flip flop and you'll be coming in to the front. We're very excited about that. I think that will give us an opportunity to educate people about the history of our community and enjoy the attraction as well. Again, thank you for being here today, Jan. Thank you, board of trustees for being here. I'll reiterate that the Sedgwick County Fair is one of our larger events and that is this weekend. I was out there last year. You go out there, the smells, the music, they've got little wood fires burning, all kinds of activities going on. It is really a special event for our community. Thank you all."

**Commissioner Sciortino** said, "Are they going to have food?"

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**Chair McGinn** said, "Yes, they'll have food."

**Commissioner Sciortino** said, "I'll be there then."

**MOTION**

Commissioner Sciortino moved to receive and file the presentation.

Commissioner Winters seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "Commissioners, at this time I'd like to take an Off Agenda item."

**MOTION**

Commissioner Sciortino moved to take an Off Agenda item.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye

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Commissioner Ben Sciortino      Aye  
Chair Carolyn McGinn

### **OFF AGENDA ITEM**

**Chair McGinn** said, "This item is a discussion of the Sedgwick County employee benefits. This has been a very heated issue in our community. We know, here in Kansas, that when these types of things come up, we stand very strongly on one side or the other. I think that speaks well, for both sides, that we care in the State of Kansas about our democracy and our freedom to share how we feel. I would just like to make some brief comments and allow other Commissioners to do so as well, if they wish.

I did not support this from the beginning and I do not support it now. Our job, as elected officials, is to make decisions that reflect the needs and wants of our constituents. Our office has heard from a number of citizens regarding their concerns on both sides of the issue. I want to thank you all for your input. The majority of the citizens shared that they did not think it was right to reward people who live together that aren't married. I found out that this issue did not go before the Sedgwick County Employee's Benefits Committee. This is a diverse group of our employees from our organization. As elected officials, we sometimes have to make tough decisions for the overall good of our community, such as zoning cases, but sometimes decisions are made based on the pulse of our community. This is such a case.

As elected officials, we must balance the values of our community in making decisions that impact our community. Our community and region are telling us that they are not ready to support insurance for domestic partners with public tax dollars. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Madam Chair. I'll also try to keep my comments brief but sometimes being Italian and being a politician it is hard for me to do that. First of all, I would like to thank you and my fellow Commissioners for allowing discussion of this issue this morning. I think it is very important that we share our thoughts and ideas and think the citizens of Sedgwick County deserve to know exactly where we stand.

From the very beginning, I also have steadfastly opposed this change in benefits and I have not wavered in my opposition. I have deep concerns about how this would impact our community. It has been most gratifying for me to hear from so many constituents in my district who share the same concerns as I do. Today, I will be supporting action to reverse the decision to expand our

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benefits. I also want to publicly thank all of you who took the time to call our Commission office. We appreciate knowing your thoughts, both pro and con. The overwhelming percentage of calls and E-mails that I received expressed concern about diminishing the sanctity of marriage and the weakening of the value of the family unit in our society and further, they were concerned about the message that this would give our young people. I am very concerned also about the potential for abuse these changes could bring.

Commissioners, I have appreciated the opportunity of stating my position and for you allowing me to share my thoughts and thoughts expressed by many of my constituents. I thank you.”

**Chair McGinn** said, "Commissioner Winters.”

**Commissioner Winters** said, "Thank you. I've sat on this bench long enough to know that when we make this kind of decision, all those involved in the decision are trying to do the right thing. Personally, there are two things that I use to help make decisions, my own logic and the heartbeat of the people who elected me to represent them. Since Friday, I have had well over 150 contacts with folks, most of them very nice, who simply do not want their tax dollars used to support this initiative. I've heard them. I'm going to agree with them. I'm going to support them. I do feel compelled to apologize for a comment that I made last week, saying that there are no haters in the community. Those words came out all wrong. They did not convey what I was trying to say. I truly do believe that you can disagree with someone's actions very strongly and not have hate in your heart. I, too, am going to vote to not support this initiative moving forward. Thank you, Madam Chair.”

**Chair McGinn** said, "Commissioners, are there any other comments? Commissioner Norton.”

**Commissioner Norton** said, "I have to tell you that I originally tacitly let this move forward. I thought it was a human rights, a tolerance issue, an individual rights issue here locally. I, too, as Commissioner Winters has taken the pulse of the community and I understand the values that have come forward and pushed us to move on this and I too will support us moving in the nature that will rescind the issue. I think that I've agonized over this. I've spent many hours talking with family and clergy and citizens trying to make sure that I make the right decision for what is right for the community. At this point, I will support a motion that will rescind it. Thank you, Madam Chair.”

**Chair McGinn** said, "Commissioners, what's the will of the Board on this item?”

#### **MOTION**

Commissioner Sciortino moved that this Board order and direct the County Manager to

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immediately rescind domestic partner coverage from the County Sedgwick Premier Benefits Program. The effect of this motion is to restrict dependent eligibility to the traditional categories of spouse and qualified children.

Chair McGinn seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "Next item."

**DEFERRED ITEM**

**D. RESOLUTION UPDATING THE SEDGWICK COUNTY SOLID WASTE CODE.**

**Mr. Robert W. Parnacott**, Assistant County Counselor, greeted the Commissioners and said, "This item has been on deferral from a couple of weeks ago. It is part of the process in moving forward on the solid waste situation in this County that we wanted to update the code. The code was originally adopted back in the '70s. We've had some major amendments since then and we thought it was time to bring everything together.

Most of the changes we're proposing are fairly minor, reorganization, consolidating definitions into the front section, making the definitions consistent with other definitions in the code, making other parts of the code consistent with itself, bringing it in line with state statutes and those kinds of things. We have proposed some substantive changes and I'll briefly touch on those and then I will be prepared to answer any questions that might come up.

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Probably the first substantive change that we should mention is that currently the code allows for backyard burning of residential solid waste in the unincorporated areas. Back in '97, there was a recommendation that was adopted by this Board that the Solid Waste Management Plan should provide for a minimum lot size of 20 acres for backyard burning. That if you have less than 20 acres you wouldn't be allowed to burn your residential trash. We are recommending that that be added into the code at this point."

**Chair McGinn** said, "Bob, before you move forward, I don't mean to interrupt, but you gave us a nice one page sheet on this, but do you know exactly where that issue is in the backup material, the 20 acre?"

**Mr. Parnacott** said, "Yes, that would be in Section 24-58 of the proposed Resolution, page 14 of the Resolution. So, that is one substantive change is to create a minimum lot size for backyard burning of residential solid waste. I would note that residential solid waste is defined in the code also to include only combustible residential solid waste is that portion of residential solid waste that will readily burn without supplemental fuel. It includes paper and cloth material. It does not include garbage cans, bottles, or similar objects such as that. So, you can't burn that kind of matter in your backyard burning.

The next substantive change is we are recommending that we allow an exemption. Currently, you are supposed to move brush piles from your property after 90 days. We thought it might be appropriate to allow people to maintain a brush pile for conservation or agricultural purposes in excess of that time frame. Again, if you are on a 20 acre lot size or greater."

**Commissioner Sciortino** said, "What page is that on?"

**Mr. Parnacott** said, "That would be in the tree way section."

**Commissioner Gwin** said, "Is it 24-129, page 30 of our backup?"

**Mr. Parnacott** said, "Yes, that would be new proposed Subsection B of Section 24-129. Finally, the last proposed substantive change was the current code provides that the County staff will inspect all solid waste collection vehicles licensed by the County. The solid waste collection vehicles that operate within the City of Wichita are inspected by the City of Wichita and we felt it would be redundant to require our staff to inspect those, too. Based on the licensing fee that we charge for the County license, we really aren't in a position to train and staff the position to do that sort of

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inspection. So, we're recommending that we remove that inspection requirement. That doesn't mean that staff doesn't have the authority to inspect the vehicle if they see it operating in an unsafe manner or that they couldn't cite or write a ticket for a violator. The code still requires the solid waste collection vehicles to be operated in a safe manner.

Since then, we have had one other matter come up. The code provides that if there is an abatement requirement, where we have a collection of solid waste on private property and it needs to be cleaned up and the property owner or the generator of that waste has refused to abate that nuisance, we currently can either hire a private contractor or have the Public Works Department do it. It has been recommended that we remove the Public Works Department from that equation and just use a private contractor. That change would require deleting the definition of the County Engineer and removing him from 24-32, which is page 9 of the Resolution. Then I think there would be another change in one other section.

Finally, I guess I should mention I caught two minor typographical errors. At one point we referred to the Solid Waste Management Committee as the Solid Waste Management Advisory Committee. We wanted to correct that title to have the appropriate title for that committee name and then we caught a couple of cross references that are off by one section number that we want to fix that. Those are just typos though."

**Commissioner Sciortino** said, "What is the official title of the committee?"

**Mr. Parnacott** said, "The official title is the Solid Waste Management Committee."

**Commissioner Sciortino** said, "But they are an advisory committee to us?"

**Mr. Parnacott** said, "Yes, that is just not part of their title. Anyway, that is all I have and I'll answer any questions."

**Chair McGinn** said, "Thank you, Bob. Commissioner Sciortino."

**Commissioner Sciortino** said, "We're just going to kind of discuss this and I have a couple of things. On number four, that new item, I'm hoping that we can put together a compromise here. I would like to keep the responsibility and the supervision under Public Works but authorize David to, at any time that he feels that he needs to, have the authority to hire outside contractors to abate the nuisance. But I would feel comfortable in having David be able to at least supervise to feel that it is getting done. I do understand his problem with personnel, but then to give him the authority at any time he feels it is necessary to go ahead and hire someone else to do the work, like he is doing

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now in major road constructions. I would like to hear from David if he thought that it would be a workable compromise on that issue.”

**Mr. David Spears**, Director/ County Engineer, Division of Public Works, greeted the Commissioners and said, “I’ve talked with the City of Wichita and I would hope that we could learn from them on this. They’ve been there, done that, and it doesn’t work. It is really not a business that your Public Works personnel should be in and then to put us in between Code Enforcement and getting that work done, it adds another factor to the equation, you might say. It would seem to me like it would be best if Code Enforcement would identify the nuisances to be abated and that they have money put in their budget to hire contractors to do this work.

You can do this one of two ways. You can do it on an individual basis for each abatement, or you could go out for bids at the beginning of the year for contractors that would charge ‘x’ amount of dollars for certain types of work and they might have an hourly rate. Then you could use that same contractor throughout the year. Then they would have the budget and they could control it and the money could be put in their budget to do that. I think my preference would be to leave Public Works out of the equation, actually.”

**Commissioner Sciortino** said, "Even if we were to add to your budget the funds required to hire outside contractors, you just don’t want to be the ham in the sandwich.”

**Mr. Spears** said, “That’s correct, sir.”

**Mr. Parnacott** said, “I would interject that really Public Works has a very limited role, currently, because Code Enforcement would actually be the one that would go out and inspect or identify the nuisance to be abated and if they were going to a private contractor it would probably be Code Enforcement or Susan Erlenwein’s department, Division of Environmental Resources, that would actually be hiring a contractor or obtaining the services. So, really Public Works has a very minor role in it. And I guess I would also point out that the process of how this would actually work is that we would identify the nuisance, ask the property owner or the generator to clean it up and if they refuse, we would clean it up and that would be assessed, if they refused to pay the bill, it would be assessed against the property as a tax assessment and would be collectible through that normal routine.”

**Commissioner Sciortino** said, "If David isn’t comfortable with it then I guess I’m okay with keeping it under Code Enforcement. The question I have on number one, about the burning, do they still have to get a burning permit from the County Fire Department? I want to talk about the

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lot size for a minute but do they still have to get a permit to burn?"

**Mr. Parnacott** said, "My understanding is you wouldn't, not to do your own back yard burning if you're in the unincorporated area, if it is allowed by state statute. Now the Fire Department certainly has the ability to impose a burn ban in dry conditions that you can't burn."

**Chair McGinn** said, "I think I can address that. If it is in a container, the way the Fire Department says, like a trash barrel is on a slab and that type of thing, you do not have to get a burn permit. But if you are going to burn a large brush pile or an open burn like that, you do have to go and get a burn permit."

**Commissioner Sciortino** said, "I know that there has been some discussion at the Chair about maybe lowering that minimum lot size for the burning to five acres and I'd like to hear your thoughts on it. In general, I don't know that I have a big problem with that, as long as we keep the 20 acres on number two."

I do have to ask you a question about number two. Brush piles for conservation? A brush pile is a mini garbage dump. People just pile up their brush with the idea of eventually being able to burn it. Are we talking about it is going to be a habitat for endangered species and that is where little skunks can live? What is the conservation angle on a brush pile?"

**Mr. Parnacott** said, "Susan may be better prepared to address the policy behind this. I would note that we are talking specifically about tree waste, which is defined as tree and shrub waste including tree stumps but not including tree trimmings or branches more than four feet in length and placed by . . . I'm sorry, that was more information than you needed. But essentially tree brush."

**Commissioner Sciortino** said, "I lived on a farm once, you do your cuttings and then at one time in the year you burn it all."

**Chair McGinn** said, "I think this is different. Maybe Susan needs to explain this just a little bit."

**Ms. Susan Erlenwein**, Director, Environmental Resources, said, "Conservation purposes is what Commissioner Sciortino alluded to as habitat areas. We wanted to give the ability for people who wanted to have smaller brush areas for, not endangered species necessarily, but rabbits or other animals. It's more of a habitat and they would be allowed to do that under this."

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**Commissioner Sciortino** said, "Now if they declare it as a conservation area, could they then burn the habitat and maybe kill some of the little animals that are living in the habitat?"

**Ms. Erlenwein** said, "Yes. In essence in an agricultural area they would gather the materials, as you indicated, for burning purposes. If they were doing it for a habitat, you would assume they would not go out there and put a match to it."

**Commissioner Sciortino** said, "What would be the agricultural purpose?"

**Ms. Erlenwein** said, "The agricultural would be simply if they were clearing a field and wanted to gather the material and burn it all at once."

**Commissioner Sciortino** said, "I guess I don't have any problem with number two, as long as it is 20 acres. I think that is all."

**Chair McGinn** said, "I guess, since you brought up the 20 acres on the burn, I'd like to speak to that issue. I would like to see that at five acres because I think if you go to 20 you're going to impact a lot of people out in the country. Five acres, I'd like to show people what five acres looks like. It is a large piece of ground and I'd like to continue to allow people on five acres to be able to do those burns and encourage those people though too, because I'm not sure everybody knows this, but when you do an open burn or a brush pile burn, you are supposed to contact Fire District #1.

The process is you get a burn permit, you can get it for a certain period of time that you think you need it. You don't have to get it just for that day. And when you do your burn you call 911 and let them know you're doing a burn. That helps us, as fire safety people, helps our fire safety people not go out on a burn just because somebody drove by and called 911 and said 'hey I see a fire'. That way they know that. Then when your fire is out you are to call 911 and tell them that the fire is out. That is because if for some reason you don't get the coals out or something like that and the wind changes direction and you have a fire later that you are not out there attending, they'll know to come out there. I think that is important for the public to know, when you do a burn you need to contact Fire District #1, and they'll tell you how to proceed from there. Back to this issue, I think five acres is enough to do some of these open burns and I would like to see 20 acres changed. Commissioner Norton."

**Commissioner Norton** said, "I don't have a problem with lowering it to five acres. The issue I'd like to discuss is having the abatements done by Public Works. I'm really an advocate of leaving

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that with Code Enforcement and coming up with private industry that will take care of that and keep Public Works out of it. I have some experience with that in Haysville after the tornado trying to deal with old properties and everything. We started out trying to let Public Works be involved and it got to be a pretty tough issue because they were being harassed by individuals. I think it needs to be a private kind of thing and just let private people go on with a contract. It also takes out of the loop that we're price gouging them, that we're using Public Works people and charging them too darn much. It is private industry that is on their property. They have the liability insurance. They do it by contract. I think it works a lot better and it certainly takes the pressure and the time off of Public Works, so I'd be a real supporter of doing it with private industry. It is okay to have a list of all those items that we're going to do and the people who can do the business ahead of time. But I would be a real advocate of that."

**Chair McGinn** said, "Commissioner Gwin."

**Commissioner Gwin** said, "Originally, I thought that we ought to keep Public Works a part of nuisance abatement, but given discussion that David and I have had and hearing discussion today too, it confirms that the entity who declares that there is a nuisance that needs to be abated is in fact Code Enforcement. It makes sense then that the affirmation from Code Enforcement would trigger a response from a vendor for whom they've contracted. David and I did talk briefly, though, that we know that there continue to be little sore spots around the County where folks have dumped or where they are on the right-of-way that need attention. It is not a serious thing, but David and his folks have always been responsive about going out and getting those kinds of things for us and he assures me they will continue to do so. Some of those things needs to be answered very quickly. These others have been sitting and have kind of been a thorn in the side for quite some time so going to contracting with a vendor or whatever, I think I am satisfied with removing any reference to the County Engineer in definitions or in the body of the code.

On the issue of removing the requirement that the County staff inspect solid waste collection vehicles, I'm certainly supportive of that. I think they have other things to do that is more within their purview and their expertise. I wouldn't ask them to do that. The tree waste, I concur with that Section B, I think I can support that. I hear what the Chair says and I don't recall, Susan can you answer me about when we originally talked about residential burning on sites of at least 20 acres, what was our thought process, remind me of that again."

**Ms. Erlenwein** said, "The state allowed burning on any size of acreage, out in the unincorporated areas. The Solid Waste Committee thought there were other avenues to dispose of waste in our

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community. You could self-haul to a disposal facility or you could pay a contractor to haul the material. So they had recommended banning burial of solid waste on acreage and also burning of solid waste. As a compromise, the Commissioners, back in 1997, had added the 20 acres, instead of totaling banning burning of waste and what we are referring to is garbage from the household, not brush piles. The Commissioners had decided, in March of 1997, to have a 20 acre minimum or larger for burning of household garbage on the property in the proper container, the proper distance from the lot lines.”

**Commissioner Gwin** said, "So if we lower this acreage in the code then does the Solid Waste Plan have to be amended to reflect that, too?"

**Ms. Erlenwein** said, "Yes, when we do our next annual update we would have to reflect it in the Solid Waste Plan that it was changed downward from 20 acres to 5 acres."

**Chair McGinn** said, "Have we gotten input from the committee as to whether or not they . . ."

**Ms. Erlenwein** said, "Not yet. When Bob presented this to the Solid Waste Committee two months ago, it was at the 20 acre size."

**Commissioner Gwin** said, "Okay. I guess that is the only thing, because I think that is a substantive change and I would like the committee to at least weigh in on it. We may or may not agree with them and it may be the will of the Board to go ahead and direct that this is the way they would like it changed. That seems to me to be substantive and so I might like to hear from them. Thank you, Madam Chair."

**Chair McGinn** said, "Commissioner Winters."

**Commissioner Winters** said, "I could, Madam Chair, if you are wanting to lower that from 20 to 5 and think that is something that would work. I could support that. I'm okay on deleting reference to the County Engineer and I'm okay on the rest of it, too."

**Chair McGinn** said, "Okay. Commissioner Sciortino."

**Commissioner Sciortino** said, "Susan, if you could just come back up, I just want a little more clarification on number one because I think I can support the Chair's position on this. This is still just backyard burning of residential waste. Like the Chair eluded, it has to be in a container on a concrete slab. This isn't burning trash or what have you."

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**Ms. Erlenwein** said, "That's correct."

**Commissioner Sciortino** said, "Now you did talk about burying waste. That will still be prohibited, right? No matter where they're at, they can't dig a hole and put their garbage in it and have their own little garbage dump."

**Ms. Erlenwein** said, "What the Commissioners voted on, in March of '97, was to incorporate in our Solid Waste Plan the banning of burial of trash on people's land. That is in the Solid Waste Plan. Bob may be able to address how that relates to the code."

**Commissioner Sciortino** said, "We're not doing anything here that would change that ban?"

**Ms. Erlenwein** said, "Not that I'm aware of."

**Mr. Parnacott** said, "I know the disposal issue, the burial of waste on your own land is addressed somewhere in the code and it may take me a minute to put my finger on it. I can't remember exactly what provision it is."

**Commissioner Sciortino** said, "That's okay. As long as it is in the code we're not changing that by any action that we're taking today."

**Mr. Parnacott** said, "Right."

**Commissioner Sciortino** said, "Given that, I could support reduction. The only concern I have, but I think I can still support it, it is five acres, that's a lot of property and here is five acres over here that is a lot of property, but the container to burn could be within 50 feet of the other guy's house which is on the other five acre lot and the wind is blowing southeast and here comes all this smoke over onto his house. I don't know if I want to confuse this by saying it has to be generally in a central location of the five acres, but that was my initial concern about it."

**Chair McGinn** said, "I think it is about being a good neighbor. We've had other zoning issues and it is about being a good neighbor. What I'd just like to add to that is that, Susan, if we do go ahead and change this that please keep track of that and if you see problems out there or if the Solid Waste Committee has some concerns to please report back and let us know."

**Ms. Erlenwein** said, "We'll do that and I remember the discussion from '97 wasn't so much as a fire hazard but a neighbor hazard of complaints being received of smoke going into the neighbor's

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yard. If there is a problem we'll bring that back to you for your consideration."

**Chair McGinn** said, "I'd appreciate that. Thank you. If there is no other discussion Commissioners, I would entertain a motion."

**Commissioner Winters** said, "Madam Chair, I'm prepared to make a motion. Bob, with the two changes on the County Engineer and the lot size, were there other changes? Did you say there were some minor typos?"

**Mr. Parnacott** said, "Some minor typos."

**Commissioner Winters** said, "You can take care of those?"

**Mr. Parnacott** said, "Yes, we have those marked and ready to go."

**MOTION**

Commissioner Sciortino moved that the Board of County Commissioners approve the Resolution subject to the following changes: One, delete the reference to the County Engineers duty or authority to abate nuisances, two, change the minimum lot size for burning to five acres and correct any minor typographical errors and direct the County Counselor to make such revisions and place the revised Resolution on the next available County Commissioner Consent Agenda.

Commissioner Norton seconded the Motion.

**Chair McGinn** said, "We have a Motion and a second, is there any discussion on the Motion? Commissioner Sciortino."

**Commissioner Sciortino** said, "Do we also have to approve number two and three as part of the motion, the creation of whatever it says here, two and three, do we also have to have that as part of the motion?"

**Commissioner Winters** said, "They're included in the Resolution."

**Mr. Parnacott** said, "Yes, what we are doing with the motion is changing the resolution as proposed."

**Chair McGinn** said, "Okay, I have a motion and a second. Is there any other discussion? Clerk,

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call the vote.”

**VOTE**

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

**Chair McGinn** said, "Thank you, Bob. Thank you, Susan. Next item."

**NEW BUSINESS**

**E. RESOLUTION PROVIDING FOR THE SALE AND CONVEYANCE OF REAL PROPERTY LOCATED AT 207/209 NORTH EMPORIA.**

**Ms. Stephanie Knebel**, Manager, Facility Project Services, greeted the Commissioners and said, "This agenda item this morning requires your approval on a Resolution to begin the process to sell County owned property located at 207 North Emporia. This property has, until most recently, been the home and location of our adult residential function from the Community Corrections Department. This function has moved into its new home at 622 E. Central. So, these buildings are now vacant. As being County owned property, there is a process laid out for selling in the state statutes. As part of that state statute, the first step needed to begin the selling process is approval by a four-fifths majority vote approving the sale of that property. Once this Resolution is approved, it is the trigger point for a lot of other actions that occur. The state statute requires publication of notice for three consecutive weeks. It provides for a 45 day time limit for protests to be filed with the County Election Office.

Also, another one of the next actions that would happen based on your approval today is the release of an R.F.P. by our Purchasing Department to begin to advertise in another way that this property is for sale. Pretty straight forward purchasing process. We will have a pre-bid. It is going to be around the middle of this month. There will be three other times for open houses and tours for interested parties to take a tour of these facilities. Then finally, going through our standard typical bid process, going through bid board, and then finally back to you all for final approval of that bid for that property. I request your approval on this Resolution and am available for questions.”

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**Chair McGinn** said, "Thank you, Stephanie. Commissioner Winters."

**Commissioner Winters** said, "Stephanie, if everything would go according to schedule, when would you expect to be back to the Board of County Commissioners with the bid in hand saying here's a bid?"

**Ms. Knebel** said, "The date that is targeted is to have that back in front of you by December 12th. At that time you can take a look at that bid. If it meets your approval we can accept it and if you don't like it we can reject and we can figure out another process to go through to complete this transaction."

**Commissioner Winters** said, "What was that date again?"

**Ms. Knebel** said, "December the 12th."

**Commissioner Winters** said, "Thank you very much. That sounds fine."

**Chair McGinn** said, "Commissioners, are there any other questions for Stephanie?"

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "Thank you, Stephanie. Next item."

**F. AGREEMENT WITH ATHLETICS WICHITA FOR CONTROLLED ACCESS TO COUNTY ROADS OCTOBER 21, 2001 TO HOLD A MARATHON.**

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**Mr. Jarold Harrison**, Assistant County Manager, greeted the Commissioners and said, "This agreement covers the KAKE TV Wichita Marathon which has for several years now been run from the City of Derby on some County roads up to the south gate of McConnell, through McConnell and then into the City of Wichita. That is still the preferred route for this marathon and that is one of the routes that is laid out in the contract. Because of the heightened state of awareness and alert at McConnell Air Force Base, that route may not be available. The alternative would be for them to continue to use County roads of Oliver from the south gate of McConnell up to the south city limits.

In other words, they would not go on to the base, they would continue to use one lane of McConnell for the race and then extend the race on the back end. We have both of those routes in this Agreement. Other than that, it is the same agreement we've used each year for the marathon and they won't know about the availability of which route until very shortly before the marathon. We would recommend you approve this Agreement with both routes and the determination will be made between the organizer of the race and McConnell Air Force Base probably a couple of days before the event."

**Chair McGinn** said, "Thank you, Jerry. Commissioners, what's the will of the Board?"

### MOTION

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

Commissioner Norton seconded the Motion.

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

### VOTE

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

**Chair McGinn** said, "Next item."

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**G. AGREEMENT WITH INTER-FAITH MINISTRIES – WICHITA, INC. FOR USE OF SEDGWICK COUNTY PARK OCTOBER 14, 2001 TO HOLD A HUNGER WALK.**

**Mr. Harrison** said, "Approval of this Agreement would provide for the fifth year of use for Inter-Faith Ministries for the Hunger Walk at Sedgwick County Park. Dates have been coordinated with the Park Superintendent. The use agreement has been approved and we have received a certificate of insurance. We would recommend your approval."

**MOTION**

Commissioner Gwin moved to approve the Agreement and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "Thank you, Jerry. Next item."

**H. DIVISION OF HUMAN SERVICES.**

**1. CONTRACT WITH UNIVERSITY OF KANSAS SCHOOL OF MEDICINE– WICHITA (UKSMW) FOR COMPREHENSIVE COMMUNITY CARE (COMCARE) TO PROVIDE TEACHING SERVICES.**

**Ms. Deborah Donaldson**, Director, greeted the Commissioners and said, "This first contract is with the University of Kansas School of Medicine in Wichita for one of our psychiatrists to provide teaching services for their residents approximately three hours a week for 45 weeks and one hour a month for ten months, in terms of consultation. I'll be glad to answer any questions and would

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recommend your approval.”

**Commissioner Norton** said, "Is that four to five weeks or 45 weeks?"

**Ms. Donaldson** said, "It is 45 weeks.”

**Commissioner Norton** said, "45? That’s a long time, a long course.”

**Chair McGinn** said, "Any questions for Debbie?"

**MOTION**

Commissioner Norton moved to approve the Contract and authorize the Chair to sign.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "Next item."

**2. ADDITION OF 22 POSITIONS TO THE COMCARE STAFFING TABLE.**

**Ms. Donaldson** said, "Commissioners, on this particular item I’d like to break this out a little bit and talk about the importance of the various positions. Ten of those positions are case management positions and six of them for children in foster care. The state is now moving children who have serious mental illness from the foster care system for their mental health services to the community mental health centers. This focuses on children who have specialized needs and need services such as case management, attendant care, the array of services that we have developed and that are available. Four of the case management positions are for adults to deal with wait lists and some critical needs in our outpatient department. One position is a clinical supervisor for the adult case managers. One is a therapist for children zero to five, that early childhood group, and as new

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research, new information is coming forward we are becoming more and more aware of the need for services being available to this particular group of children. Four are for medical staff to deal with wait times and to maintain the quality of services. Six are focused on business function and many of you are aware that we have concluded the Mercer Report. Many of these positions were recommended from that report to keep our business functions at the level they need to be and they did some work on some clinical functions also. I would be glad to answer any questions and would recommend your approval.”

**Chair McGinn** said, "Commissioner Winters.”

**Commissioner Winters** said, "Thank you. Debbie, can you explain a little more to me? With SRS wanting to move some of these special children from the foster care system into mental health centers, what exactly does that mean? In the foster care system, are they in foster care homes and now they're not going to be? What is the change going to be?"

**Ms. Donaldson** said, "They will be in foster care homes. In our community, Youthville has tried to meet the mental health needs within their system. At this point, that has proven to be very expensive. It has also proven to be more restrictive often with the children and they have not experienced what we've experienced in terms of having the full array of services and the type of system that we have developed in the community mental health centers that has been so successful, keeping children out of institutions and out of hospitals. There has been a lot of discussion that it would make sense for the mental health centers to have those children moved back into that system with the hope that it will result in a less costly situation for the foster care providers and a better quality of service for those children who require that level of service.”

**Commissioner Winters** said, "So you believe that this will be better service for the children and their families.”

**Ms. Donaldson** said, "Yes.”

**Commissioner Winters** said, "Okay, thank you.”

**Chair McGinn** said, "Any other questions for Debbie? If not, what's the will of the Board?"

### **MOTION**

Commissioner Norton moved to approve the additions to the COMCARE Staffing Table.

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Commissioner Gwin seconded the Motion.

**Chair McGinn** said, "We have a Motion and a Second and we have some discussion. Commissioner Winters."

**Commissioner Winters** said, "One more question. The financing for these folks are going to come through the state, through Medicaid that we expect to have as SRS does this realignment, they're going to assist with the dollars to make this all happen."

**Ms. Donaldson** said, "Yes. In fact, we've already received those funds."

**Commissioner Winters** said, "Okay, thank you."

**Chair McGinn** said, "Thank you. I have a Motion and a Second. Any other discussion? Clerk, call the vote."

### VOTE

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

**Chair McGinn** said, "Thank you, Debbie. Next item."

### **3. AGREEMENTS (TWO) FOR DELIVERY OF UNITED STATES DEPARTMENT OF AGRICULTURE COMMODITIES.**

- **VALLEY CENTER**
- **GODDARD**

**Mr. Ray Vail**, Director, Finance and Support Services, Department on Aging, greeted the Commissioners and said, "I'm here today to present the remaining two agreements for the Rural Commodities Program that were outlined to you on the September 26th meeting. These contracts allow for the distribution of U.S.D.A. commodities to the rural areas of Sedgwick County. The

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program is income based and is available for anyone who meets the guidelines, not just the elderly. No funds are requested and the contracts have been reviewed by Legal and we recommend approval of the Agreements.”

**Chair McGinn** said, "Commissioners, if there aren't any questions, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Agreements and authorize the Chair to sign.

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, “Thank you. Next item.”

**4. AGREEMENT WITH UKSMW MEDICAL PRACTICE ASSOCIATION TO PROVIDE MEDICAL SERVICES TO JUVENILES PLACED WITH DEPARTMENT OF CORRECTIONS’ DIVISION OF YOUTH SERVICES.**

**Mr. Larry Ternes**, Youth Services Administrator, Department of Corrections, greeted the Commissioners and said, "The University of Kansas School of Medicine, Wichita Medical Practice Association currently provides medical services to the juvenile offenders that reside in the residential facilities of the Youth Services Division. The cost for this annual contract reflects an increase of \$12,000 compared to last year's contract. The increase can largely be attributed to an increase in personnel costs and the continuing impact of the loss of Medicaid coverage for most youth in juvenile detention. The contract period is one year and the maximum amount of the contract will not exceed \$144,000. I would request that you approve this Agreement and authorize the Chair to sign. I'll be happy to answer any questions that you might have.”

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**Chair McGinn** said, "Commissioner Winters."

**Commissioner Winters** said, "Thank you. Larry, would you make just a comment about your working relationship with the University of Kansas. I assume that if it wasn't going well you wouldn't be here with this contract. Just kind of a nuts and bolts presentation, how is the working relationship and how is the medical treatment process working at your facility?"

**Mr. Ternes** said, "It works quite well. The increases in the contract that you see this year are largely due to, as I said, increased medical costs for the university when they can't get reimbursements and also we had our physician's assistant that serves our facility retired and a new person was hired at a little bit higher salary. I think our relationship is very good. Unfortunately, the negotiations have taken a little longer than we would have liked but otherwise the relationship is solid and I would certainly recommend we continue."

**Commissioner Winters** said, "They are responsive, they respond when your staff requests and they seem to provide good service to your clients."

**Mr. Ternes** said, "That's correct. We have meetings throughout the course of the year. As a matter of fact, I meet weekly myself with the physician's assistant to check and see how things are going, what's the pulse on their side as compared to our side to make sure that we mitigate any problems that might be stemming or might be surfacing and we head those off at the pass before we ever have a significant problem."

**Commissioner Winters** said, "All right. Thank you very much."

**Chair McGinn** said, "Thank you. Any other questions for Larry?"

**MOTION**

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

Commissioner Norton seconded the Motion.

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

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**VOTE**

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

**Chair McGinn** said, "Next item."

**5. AGREEMENTS (TWO) TO PROVIDE DETENTION SERVICES ON A SPACE-AVAILABLE BASIS.**

- **NORTH CENTRAL KANSAS REGIONAL JUVENILE DETENTION FACILITY**
- **FINNEY COUNTY BOARD OF COUNTY COMMISSIONERS, FINNEY COUNTY, KANSAS**

**Mr. Ternes** said, "As you know, in 1996, Sedgwick County entered into a consent agreement with the Kansas Department of Health and Environment which limits the juvenile population at our juvenile detention facility to 45 residents. Additional options to house the over flow population from our detention facility are obviously necessary. The two agreements before you this morning from the Southwest Kansas Regional Juvenile Detention Facility in Garden City and the North Central Kansas Regional Juvenile Detention Facility in Junction City allow for the purchase of off site detention services on a space available basis.

Each agreement before you includes a per diem rate of \$115 per day per juvenile, unless that is, Sedgwick County maintains five or more juveniles in these facilities and during those days the per diem rate would drop to \$100 per day for each juvenile. The terms of both Agreements are essentially the same and each Agreement is for a one year period. I would request that you approve these Agreements and authorize the Chair to sign. Once again, I would be happy to answer any questions."

**Chair McGinn** said, "Commissioner Winters."

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**Commissioner Winters** said, "Thank you. I'm going to be supportive of approving these contracts, Larry. Just a question. It seemed like we were using some folks who were closer than these facilities. Are the closer facilities not available or what is the story there?"

**Mr. Ternes** said, "Commissioner, we continue to use primarily the Clarence Kelly Facility in Topeka, Kansas. We have a guaranteed contract with them that takes care of most of the needs that we have. These are just for additional overflow beds if the facility in Topeka should become full."

**Commissioner Winters** said, "Thank you very much."

**Chair McGinn** said, "Thank you. Any other questions of Larry?"

**MOTION**

Commissioner Gwin moved to approve the Agreements and authorize the Chair to sign.

Commissioner Winters seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "Thank you, Larry. Next item."

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**I. AMENDMENT TO THE 2001 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCLUDE THE DESIGN PHASE OF CIP# B-310, BRIDGE ON BROADWAY OVER THE BURLINGTON NORTHERN SANTA FE (BNSF) RAILROAD AT 45<sup>TH</sup> STREET NORTH.**

**POWERPOINT PRESENTATION**

**Mr. Pete Giroux**, Senior Management Analyst, Budget Department, greeted the Commissioners and said, "You have an amendment to the 2001 C.I.P. This is a design of a replacement bridge for the bridge on Broadway, over the Burlington Northern Santa Fe. It has served us well but it was built in 1934 and now doesn't meet the standards. It's got a low load limit. You approved this as a submission to the Kansas Department of Transportation five year plan in June. As you are well aware, they administer the project and pay the major share of that cost. It is northwest of the northern interchange of I-135 and I-235.

Under this program, Public Works is responsible for the design cost. However, the construction phase is funded and they currently estimate that the contract for construction would be awarded in late 2004. Public Works has, however, also identified possible earlier funding in 2003 under a federal program. I believe you heard about that last week from Mr. Krout of the Metropolitan Planning Commission. By designing it now, beginning the design now, this will allow us to compete for the federal funds.

The cost of the design is \$379,000. Overall costs of the project is currently estimated at \$5,300,000. Either construction funding opportunity would provide approximately 80% of the cost of the bridge and our County contribution would be approximately \$1,000,000.

Our recommended fund source is the Special Highway Improvement fund. This is a set aside. We normally put funds into this at the end of the year. The current balance is \$594,000 and we don't have any other commitments for these funds. This would leave a balance of \$219,000. The C.I.P. committee has reviewed it in detail. Mr. Spears has worked closely with Mr. Krout and the Planning Commission, and recommends approval. Any questions I or Mr. Spears can answer?"

**Chair McGinn** said, "Commissioner Winters."

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**Commissioner Winters** said, "I guess I would direct this to David Spears. I was not at last week's meeting and I caught just a brief part of it. Did I hear Marvin Krout with Planning talking about this project last week? Can you remind me what he said?"

**Mr. Spears** said, "Probably not verbatim but I'll give you the gist of what he said. I've been working closely with Marvin and as you may or may not know that bridge is within the urban boundary of this community. The urban boundary is not necessarily the city limits. It can be outside the city limits but inside what is called an urban boundary, which is established by the Kansas Department of Transportation. Therefore, it is eligible for federal funds because it is inside urban boundaries. We also have funds for bridges outside in the rural area and I have talked to KDOT and this could end up being the first time ever something like this is done. We will probably use funds from inside the urban boundary identified by Marvin, and that is what he spoke of last week, in 2003 he has identified funds. We will use those funds, in conjunction with some rural funds, and KDOT thinks they will be able to do that and it will be the first time ever that is done and we'll be able to come up with 80% of the money to do the project."

**Commissioner Winters** said, "I guess this is an obvious question and again the Burlington Northern Santa Fe does continue to have that as not part of, not a main line, but a significant line for them and there is no way this could be an at-grade crossing, is there?"

**Mr. Spears** said, "That's right Commissioners. In fact, you've hit upon the very issue why this has been delayed for several years. At one time, we did have this in the C.I.P. and we removed it. We've had continued discussions with the B.N.S.F. about that issue to try to go at-grade and then to even see if they were going to abandon the lines, if there was any possibility of that. Because if they were going to abandon them, obviously we wouldn't need a bridge and it wouldn't be too smart to spend \$5,000,000 for a bridge. They assure us now that they are not going to abandon the lines and even they say they may put an additional line there for high-speed passenger trains. Now, that could be long range but the point is that the line will not be abandoned and we cannot go at-grade and so a bridge will be required."

**Commissioner Winters** said, "Okay, good, that makes sense. I hadn't really thought about that being on the line but there is certainly a contingency of folks in Oklahoma and here in Kansas who are working on passenger rail service from Dallas to Newton. That certainly would be on the line. Thank you very much."

**Chair McGinn** said, "Any other questions for Pete?"

### **MOTION**

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Commissioner Gwin moved to approve the C.I.P. Amendment.

Commissioner Sciortino seconded the Motion.

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

### VOTE

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

**Chair McGinn** said, "Thank you, Pete. Next item."

### **J. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.**

#### POWERPOINT PRESENTATION

**Dr. Charles Magruder**, M.D., Director, Community Health Department, greeted the Commissioners and said, "I thought this morning I would hone in on two particular issues to get you updated on our activities. The first relates to bio-terrorism. I will hone in on a program called MMRS, which is the Metropolitan Medical Response System. I will also hone in on an area that we call emerging infectious diseases and make you aware and give you some background information on West Nile Fever and let you know what we are currently doing in regards to that situation and give you some items that might potentially be looked at for future consideration.

First of all, within the MMRS process as I presented to you not too long ago, there are several variables. We have completed a number of those already. The one of primary importance here on this slide is an overall plan for managing the human health consequences of a terrorist incident involving the use of a weapon of mass destruction, which has been formally reviewed and approved by the federal government.

Two perhaps more pertinent areas are the plan for the forward movement of patients. This was the one area where we actually utilized some of the work that had already been done with the recent

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World Trade Center when we were notified by the federal government to begin preparation to possibly accept some patients had that become necessary. In addition to that, we have developed a very extensive plan for chemical, radiological, nuclear or explosive weapons of mass destruction events. Again, this document has also been formally reviewed and approved by the federal government for implementation here in the local area.

There are still some items pending and they are due in March of 2002. Managing the health consequences related to a biological weapon of mass destruction, a plan for local hospital and health care system management, a plan for current and follow on training requirements and an overall pharmaceutical and equipment plan for dealing with different types of casualties.

Now some key actions related to that. Our steering committee has met with the Metropolitan Medical Response System and we are going to try to accelerate the time frame in which we get those final deliverables completed from March of 2002 to December 2001. We're also planning a community meeting October 18 from 2:00 to 4:30 in the Health Department auditorium where we will outline in detail what we've done to this point and where we plan to go in the future. We also are planning some specific training related to weapons of mass destruction in November for medical personnel.

I'd also like to point out the considerable cooperation that we have received in many areas. We routinely get support from the E.O.C., Fire Department, E.M.S., and other first time responders. I want to point out in our local community something that really stands out. In most places there is considerable difficulty getting hospitals involved in this process. Here, we are receiving 110% cooperation from all of our hospital facilities in helping us do the necessary things that we have to have in place in order to deal with a situation like this. We've also gotten considerable support from law enforcement, which is not routine in most communities.

I also want to point out that this is a process that has been ongoing for some time. With MMRS its inception was in July of 2000. The Department of Justice related work that impacts the medical arena actually started in the fall of 1998. Our overall Health Department capability in this area has also been improved over time. You can see in 1998 we had one individual working in this arena and in 2001 we have a whole series of personnel who are now addressing this issue, primarily as a result of the leadership that we have had from the County Manager has enabled us to make this progress. You'll note specifically the epidemiologist I and epidemiologist II where we have a considerable amount of technical support and capability now in this area.

In terms of West Nile Fever, just very quickly, the name West Nile comes from the West Nile District of Uganda where this was originally discovered. The characteristics of this virus were first elucidated in Egypt in 1950's. In 1957 was when it was first recognized as the cause of Encephalitis. Equine, which simply refers to horses, that disease was noted in Egypt in the 1960's

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and of course the first time it came to our attention was in 1999.

Just very quickly to give you a notion of how this is developing in the United States. You can see in 1999 first in New York. In the year 2000 we begin to see some expansion along the Mid-Atlantic seaboard and other New England areas. Then finally at the end of 2001, in September, we see now further westward expansion. Basically, just in terms of the clinical presentation, I won't give you details here, but basically this can present itself in a nondescript way. It can be like any other influenza or other similar illness. But, it can cause a severe Encephalitis or infection in the brain that can cause death. Just to give you a general notion, less than 1% of the infected people will actually develop a severe illness. Case fatality rates are highest among the elderly. It is assumed at this point, although we don't have firm data since this is a relatively new illness, that if you do get infected, immunity will be life long."

**Commissioner Sciortino** said, "Would you go back to that again?"

**Dr. Magruder** said, "We don't have definitive data at this point, but it is assumed that if you do get infected that you will have immunity the rest of your life from additional infections. Immunity meaning your body has the ability now to fight off the infection if you should get infected in the future."

**Commissioner Sciortino** said, "Okay, but that isn't what you say here, it says it may wane in later years."

**Dr. Magruder** said, "Yes, it is possible, just as with most other infections we encounter that as you get older and your immune system has less capability that you may . . ."

**Commissioner Sciortino** said, "So this is like Chickenpox. You get it once and for all intents and purposes you're not going to get it again."

**Dr. Magruder** said, "This is the assumption that we are making at this time, based upon the limited data that we have. It is not like Chickenpox where we have lots and lots of information. At this juncture, this is the assumption with limited information."

Peak human risk is mid to late August. The risk rapidly declines in early September, which coincides with the decrease in infection from mosquitoes and horses. As Commissioner Sciortino has requested, we provide specific information related to people who may have an above average chronological age."

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**Commissioner Sciortino** said, "You guys just wait. If you're lucky, you'll get to my age, too."

**Dr. Magruder** said, "Just to make you aware, most patients are older adults who are aged more than 50 years. The median age of all patients who do require hospitalization; in the year 1999 it was 71 and in the year 2000 it was 63. Again, just to show you how this occurs in nature in general to state it very simply, the mosquitoes and a number of different types of bird species keep this infection alive in nature but occasionally mosquitoes do desire a different kind of a meal so they will go and bite humans and also bite horses. Horses can have a severe economic impact with loss in certain areas.

In terms of our status here in Sedgwick County, we're working closely with KDHE and K-State on a number of different mechanisms. Surveillance is our primary control mechanism. Basically, surveillance or methods of control involve vector management, a surveillance of mosquitoes control measures, also personal protection. In our community, again, surveillance is our primary control method. At the time, we use what we call an avian ecological process. Ecologic surveillance is three types: birds/ avian, horses/ equine, or mosquitoes. Then we can also survey for human cases. With avian ecologic surveillance you can look at avian morbidity and mortality, which is what you've heard about in other areas. They look at dead crows, they ask people to bring those in and they inspect them.

What we are doing here at this time is using captive sentinel surveillance. We are utilizing chickens. We have chickens in different areas and our folks go out and they get blood from them during specified time frames and then that is analyzed to determine if infection has become apparent.

In terms of future considerations, one of the things we should look at, in terms of enhancing our surveillance, is actually looking at avian mortality as other communities east of us have done and also look at mosquitoes. The advantage there is it renders the earliest evidence of transmission, much better than the current mechanism we are utilizing. It also provides information on the particular mosquito species, which allows discriminate use of pesticides only on the potential vector of mosquitoes. So in other words, if you know the particular species and that species will not transmit disease to humans, it means that you won't necessarily have to use pesticides. I think this

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is a very important consideration, based upon experiences on the east coast, where people have raised concern that we are causing more damage by using pesticides indiscriminately than if we tried to determine if they are actually needed.

In addition, prepare for this discriminate mosquito control with pesticides as necessary. Then also a public education process would be very important by the spring of 2002. How do you report dead birds? What are the measures to reduce mosquito habitat that you can do within your own personal area? Then, of course, personal protection and I won't belabor this. I think we all are aware of those items that we can do to protect ourselves from mosquito bites, but that would be something, these items in spring of next year, we might want to consider emphasizing once again to our public. Be happy to answer any questions that you might have."

**Chair McGinn** said, "I don't see any questions for you right now, Dr. Magruder. I see that Randy Duncan is in our audience and I would like you to move your way forward to the podium. You talk about the medical response team when there is a tragic thing that happens in our community. Randy has returned from New York City and, Randy, I would just like for you to give us a little brief update of your experience while you were there."

**Mr. Randy Duncan**, Director, Emergency Management, greeted the Commissioners and said, "First of all, I would like to thank you and the Manager and Bob for allowing me the opportunity to go and observe so that we have the opportunity to learn lessons and bring home to use them in our facilities here. I appreciate the fact that you are forward looking and concerned enough about your constituents to do that.

Secondly, what an experience. I know it is an issue, the images, the smells, the sounds will linger with me, I know, for the rest of my life. We arrived in New York Monday [sic] afternoon, slightly less than one day after the occurrence of the event. As we were flying into LaGuardia, we could still see the smoke and soot rising in columns from what they describe as ground zero where the towers were formerly located. We had an opportunity to work with Chief Frank Caruthers, who was assigned as the incident commander over all of the tactical end of the response at the World Trade Center. We were able to assist him with doing documents related to the management meetings and so on. The scope and size of that emergency is such that it requires an extremely complex management setup, lots of resources. To give you an idea of the emergency operation

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center in New York City, the expedient one is about 15,000 square feet and utilizes 600 persons per shift to operate. Interesting little sideline there, not everybody always gets along well with FEMA but usually it is on very small issues. FEMA announced to the City of New York that they were no longer going to fund the food catering inside the E.O.C., so as soon as FEMA announced that the signs went up on the buffet that said federal employees no longer allowed. You'll have to go find your own lunch. They know how to deal with a federal agency, I assure you. I did pick up some lessons there. Luckily, our relationship is good with those folks.

The scope of the disaster is just unimaginable up there. To kind of get my brain around it, the two towers were 110 stories tall. Each floor of each tower was roughly one acre of space. So if you imagine there is 220 vertical acres that, when I arrived, were basically in an 80 foot tall heap of rubble. The fire is still burning uncontrolled inside the facility as we speak. They stood not only at 110 stories in the air but six stories underground as well. So the facilities were absolutely huge.

In terms of the actual area, the whole campus of the thing is about between 13 and 20 acres. So it is not that large an area but there was a lot of vertical real estate in that area. I'm in the process of working with Bob and Bill and others on staff, I'm putting some of my impressions and lessons learned down on paper so that we can share that in a more formal method later on."

**Chair McGinn** said, "I know, locally, that starting at the federal level and down to the state we're looking at how we do things differently in emergency management. Randy, for the short period of time that you were there, when you first got there and had a chance to see it, by the time you left could you tell of any progress going on or is it so massive it is going to take a long time?"

**Mr. Duncan** said, "It is massive but as you might imagine the City of New York City has massive resources as well as the other levels of government to throw at it. Yes, there was noticeable progress during the ten day period I was there, not only in terms of the reduction of rubble and so on at the site, but I've got to tell you there was also kind of a way to measure the difference in attitude. Perhaps you will think it is a silly thing, but I've been to New York City before and if you all have shared that with me you know that New York drivers utilize their horn much more often than their turn signal or their steering wheel or any other part of the car. But when we first arrived the streets, in terms of traffic, were eerily silent. People weren't honking at other people like you would expect in normal traffic. Yet, on the day I left, as I was taking the taxi out to LaGuardia, the light turned green and the guy didn't move immediately so the taxi driver went 'beep, beep' and I

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started to think to myself, well things are returning to normal, here comes the car horns again. By that little informal measure, I think we are kind of returning to normal. It is not business as usual, but we are open for business.”

**Chair McGinn** said, "Thank you, Randy. Commissioner Winters.”

**Commissioner Winters** said, "Thank you. I just wanted to make a brief comment. I wanted to let folks know that Manager Buchanan and the rest of us have been talking about issues that we need to be fully aware of since the events of September 11th. I think, here in a few days, we’re going to have more that we need to say to the community. We have here in our meeting today so I think the Commissioners would join me in saying to you, Randy Duncan, the Director of Emergency Management and Dr. Magruder, Director of the Health Department and Debbie Donaldson here, Director of COMCARE, you three folks are going to play a critical role for the Board of County Commissioners and the rest of the citizens as we continue to think about things differently. As the days and weeks progress here, we’re going to be talking to you and visiting with you and hopefully sharing with the community. We don’t want to over react but we want our community to be as ready as it can possibly be for any event. Thank you.”

**Chair McGinn** said, "Thank you.”

**Dr. Magruder** said, “Thank you for those comments Commissioner. I think you hit the issue right on the head and I know that, as a professional, I am very appreciative of the leadership that you all as elected officials are providing to us in this time. Thank you very much.”

**Chair McGinn** said, "Thank you. Thank you, Dr. Magruder. If there are no other questions, what's the will of the Board?"

### **MOTION**

Commissioner Norton moved to receive and file the report.

Commissioner Sciortino seconded the Motion.

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

### **VOTE**

Commissioner Betsy Gwin                      Aye

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Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "Next item."

**K. AGREEMENT WITH PARSONS, BRINCKERHOFF, QUADE & DOUGLAS, INC. TO PROVIDE ENGINEERING SERVICES FOR SEDGWICK COUNTY BRIDGE PROJECT NO. 821-J, K, BRIDGE ON BROADWAY OVER THE BNSF RAILWAY AT 45<sup>TH</sup> STREET NORTH. CIP# B-310. DISTRICT #4.**

**Mr. Spears** said, "This item is in conjunction with Item I, the amendment to the C.I.P. presented earlier. It is an Agreement with Parsons, Brinkerhoff, Quade & Douglas, Inc. to provide engineering design services to Sedgwick County for the bridge project on Broadway over the B.N.S.F. Railway designed at B-310 in the Capital Improvement Program. The total cost of this engineering service is \$379,000. I recommend that you approve the agreement and authorize the Chair to sign."

**MOTION**

Commissioner Gwin moved to approve the Agreement and authorize the Chair to sign.

Commissioner Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye

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Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

**Chair McGinn** said, "Next item."

**Chair McGinn left at 11:00.**

**L. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF SEPTEMBER 27, 2001.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, "The following items presented today for your consideration are a result of the Regular Meeting of the Board of Bids and Contracts that was held on September 27, 2001.

**1) DRAPES AND PIPING- KANSAS COLISEUM  
FUNDING- CONVENTION/ TOURISM/ VISTORS PROMOTION**

Item one, drapes and piping for the Kansas Coliseum. Recommend the low bid from Georgia-Expo of \$14,927.

**2) RE-ROOF/ HVAC REPLACEMENT- FACILITY PROJECT SERVICES  
FUNDING- CAPITAL IMPROVEMENT PROJECT**

Item two, re-roof and H.V.A.C. replacement for facilities project services. Recommend the low bid of from Bauer and Son of \$111,020.

**3) TAX FORECLOSURE TITLE SEARCH & SERVICES- FINANCE  
FUNDING- FINANCE**

Item three, tax foreclosure title search and services for Finance. Recommend the low bid from Columbian Title for \$59.50 per parcel.

**4) DESKTOP PC'S- DISTRICT COURT ADMINISTRATION  
FUNDING- COURT TRUSTEE OPERATIONS**

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Item four, desk top PCs for District Court Administration. Recommend the quote from Gateway of \$21,304.

**5) WORK STATION SYSTEMS FURNITURE- DISTRICT ATTORNEY  
FUNDING- DISTRICT ATTORNEY**

Item five, work station systems furniture for the District Attorney. Recommend the quote from Goldsmiths of \$10,129.23.

**6) DB2 LICENSES- ENTERPRISE RESOURCE PLANNING  
FUNDING- ENTERPRISE RESOURCE PLANNING**

Item six, DB2 licenses for Enterprise Resource Planning. Recommend the quote from IBM of \$94,109.

**7) COMPUTERS- PUBLIC WORKS  
FUNDING- DEPARTMENTAL CAPITAL OUTLAY**

Item seven, computers for Public Works. Recommend the quote from Gateway of \$10,532.

**8) BODY ARMOR- SHERIFF  
FUNDING- ASSET FOREFEITURE- STATE**

Item eight, body armor for the Sheriff. Recommend the only bid meeting County standards of Baysinger Police Supply for \$18,725.

**9) RADIO MAINTENANCE CONTRACT- EMERGENCY TELEPHONE SERVICES  
FUNDING- EMERGENCY TELEPHONE SERVICES**

Item nine, radio maintenance contract, emergency telephone services. Recommend the quote of Motorola for \$13,834.56.

**10) ANTENNA SITE LEASE- EMERGENCY TELEPHONE SERVICES  
FUNDING- EMERGENCY TELEPHONE SERVICES**

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Item ten, antenna site lease for emergency telephone services. Recommend the quote of Pinnacle Towers for \$57,330.

- 11) WORK PERFORMED AGAINST 100/ 400 HR. INSPECTION- FLEET MANAGEMENT  
FUNDING- FLEET MANAGEMENT**

Item eleven, work performed against the 100/400 hour inspection of the airplane for Fleet Management. Recommend the expenditure for the service center of \$74,334.01.

- 12) ½ TON PICKUP- FLEET MANAGEMENT  
FUNDING- FLEET MANAGEMENT**

Item twelve, half ton pickup for Fleet Management. Recommend the low bid from Don Hattan of \$16,462.

- 13) HYDROSTATIC 4-WHEEL DRIVE TRACTOR- FLEET MANAGEMENT  
FUNDING- FLEET MANAGEMENT**

Item thirteen, hydrostatic four wheel drive tractor for Fleet Management. Recommend the only bid meeting all specifications of Wichita Tractor for \$14,601.

- 14) SQL SERVER ENTERPRISE 2000 PROCESSOR LICENSES- COMCARE  
FUNDING- COMCARE GRANT**

Item fourteen, SQL server enterprise 2000 processor licenses for COMCARE. Recommend the quote from Software Spectrum of \$49,311.60.

- 15) DELL SERVERS- COMCARE  
FUNDING- DEPARTMENTAL CAPITAL OUTLAY**

Item fifteen, Dell servers for COMCARE. Recommend the quote from Dell for \$49,090. Be happy to answer questions. If there are none, I recommend approval of these items as presented today.”

**Vice Chair Sciortino** said, "Commissioners, I can't see the light. Are there any questions of Iris? I have just one real quick one. Let's go back to number eight for a minute. I'm not going to oppose this bid, but did the Sheriff specify that particular brand that he wanted?"

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**Ms. Baker** said, "Yes, that brand is specified, based on prior testing."

**Vice Chair Sciortino** said, "Okay, so he specified the brand so then why do we send out quotes to other people who don't carry that brand?"

**Ms. Baker** said, "We actually sent the quote to two of these vendors, the local vendors, and the rest of them were picked up through the web site and word of mouth that was out there."

**Vice Chair Sciortino** said, "Did we send it out to other vendors that carry the Monarch brand?"

**Ms. Baker** said, "No, we did not. We sent them only to the local vendors."

**Vice Chair Sciortino** said, "I understand that, but if Monarch was the only brand acceptable, why didn't we send it out to other Monarch brand vendors so we could get some competition between qualified vendors?"

**Ms. Baker** said, "Because one of the other considerations we make is we prefer a local vendor because these are custom-fit vests. They come out and measure officers."

**Vice Chair Sciortino** said, "That still doesn't answer my question. I would think that if the Sheriff is getting so specific, in other words if it has to be a Ford pickup there is no use sending any quotes to Chevrolet but why not . . . I would think that, I don't know that we could have, but I would have felt more comfortable if we could have got other Monarch vendors bidding and the specification would have to be that you would have to come and fit these people up or whatever. Okay, that's all I have. If there are no other questions, what's the will of the Board?"

#### **MOTION**

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

Commissioner Norton seconded the Motion.

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

#### **VOTE**

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Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Absent at vote

**Vice Chair Sciortino** said, "Next item please."

**CONSENT AGENDA**

**M. CONSENT AGENDA.**

- 1. Two Easements for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 833-AA, BB, CC on Rock Road from Derby to Mulvane. CIP# R-243. Districts #2 and #5.**

- 2. Plats.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2000 and prior years have been paid for the following plats:

El Paso Cemetery East  
Schulte Country Storage Addition

- 3. Order dated September 26, 2001 to correct tax roll for change of assessment.**
- 4. General Bills Check Register of September 28, 2001.**
- 5. Budget Adjustment Requests.**

**Mr. William Buchanan**, County Manager, said, "Commissioners, you have the Consent Agenda before you and I recommend you approve it."

**MOTION**

## Regular Meeting, October 3rd, 2001

Commissioner Gwin moved to approve the Consent Agenda as presented.

Vice Chair Sciortino seconded the Motion.

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

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim Norton	Aye
Commissioner Thomas Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Absent at vote

**Commissioner Sciortino** said, "Is there other business to come before the Board?"

**Chair McGinn** returned at 11:06.

### N. OTHER

**Commissioner Gwin** said, "I was informed this morning before I read the paper of the passing of Ron Blakely. I guess if we're going to thank people for the beautiful zoo that we have today, there are lots of people we can thank who made it happen, but certainly Ron would be at the top of the list. One of the first official duties I had was dedicating the education building out there in his honor at that time and that plaque is still there today. But besides his love and passion for that zoo, I think he was on the Cowtown Board. I know he was very active in the City of Cheney and the events out there and I think I have seen him at the Sedgwick County Fair from time to time. The community will certainly miss him and owes him an everlasting debt of gratitude for that zoo.

Secondly, my pink ribbon today and all of them I wear every day all of this month is to acknowledge that this is Breast Cancer Awareness Month. It is a reminder that both men and women can contract the disease. It is also a reminder for women to do their monthly breast self-exam and to be sure to do their annual clinical examinations and get their annual mammograms. The key to surviving, and I'm a walking testimony, is early detection. Do that, take care of yourselves this month, it is Breast Cancer Awareness Month. That's all I have."

**Vice Chair Sciortino** said, "And before we hear from Commissioner Norton, just a thought Betsy, is there any idea that we could give the family of Mr. Blakely some kind of a commendation or recognition of his past services to Sedgwick County?"

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**Commissioner Gwin** said, "I was so shocked because of his natural death and this morning I just haven't gotten to that but I think certainly we should look at that."

**Commissioner Sciortino** said, "Maybe we could ask his widow or somebody to come before us and we could make some kind of a presentation."

**Commissioner Gwin** said, "I don't know if there is any family locally but we can check on that. Thank you, Ben."

**Commissioner Sciortino** said, "Commissioner Norton."

**Commissioner Norton** said, "I would like to alert everybody that Arts and Humanities Daze that we are helping sponsor officially starts Friday night with a director's show. All the museum's directors are picking their favorite two or three artists or whatever and they're having a director's show. Art can be purchased but it is also for show. It is a wonderful event to kind of kickoff the Arts and Humanities Daze.

Last week, I had the opportunity to go to Hutchinson to a K.A.C. Leadership Training. It was an advanced training leadership academy. Taught along the lines of Peter Drucker, some of Peter Drucker's teachings. It really was a wonderful event. I've had a lot of leadership training over the years but there was a lot of protocols and disciplines that were brought up in this that I really enjoyed.

My final thought today was I've never passed so many notes back and forth since I was in the fifth grade when Billy loved Susie. I thank the Chair for allowing me to do that. It took me back to fifth grade. Thank you."

**Commissioner Gwin** said, "Real quickly, on the Arts and Humanities Daze, one of the things that is a part of that is the dedication next Thursday at 10:00 in the morning of the new Envision sculpture at our zoo for the visually impaired. As fate would have it or whatever we are dedicating the symbol of the United States, the American Bald Eagle sculpture. That is a part of that and you all should come and join us at that dedication. That will be pretty slick."

### **Regular Meeting, October 3rd, 2001**

**Commissioner Norton** said, "People don't always see that as art, it is kind of a public symbol but that also ties in with the art community because it is art. An artisan had to put that together."

**Commissioner Gwin** said, "That dedication and that piece is in the Art and Humanities Daze calendar."

**Chair McGinn** said, "Commissioner Winters."

**Commissioner Winters** said, "Thank you for allowing me to share in this 'other business' section. I was not here last Wednesday and I would just report to you that I was involved with a training session of a group of coalitions here in the city who brought some folks in from Kansas City to talk about their program in Kansas City known as K.C. Brainchild Development. It has to do with, again, the development of the brain in the very youngest ages of life. So I spent a day in training with them and then half a day on Wednesday. Also on Wednesday I was able to participate along with Commissioner Norton after the meeting on an initiative of training and retraining and training for specific industries. With the events that are going on in the economy now and I think training and retraining are going to be very critically important. So, I was not playing hooky last week, I was hopefully about the business of the County. Thank you."

**Chair McGinn** said, "Thank you. Commissioner Sciortino."

**Commissioner Sciortino** said, "Okay, I'll do it in 30 seconds. Saturday, Derby will be dedicating the amphitheater in High Park. That was the amphitheater that the County funded. They're calling it the Funopolis. I'm going to be out there. They say something about a magician is going to make me disappear. If you're not doing anything and would like to see me disappear, come on down to Derby about noon. That's all I have."

**Chair McGinn** said, "In case you missed the first part of our meeting, this weekend is Sedgwick County Fair Days at Old Cowtown Museum. It is a great event. Take the family out."

**Commissioner Norton** said, "That is part of Arts and Humanities Daze, too."

**Regular Meeting, October 3rd, 2001**

**Chair McGinn** said, "We need to recess this meeting and take up the Fire District. I'll recess this meeting."

**The Board of Sedgwick County Commissioners recess to the Fire District Meeting at 11:09 a.m. and returned at 11:12 a.m.**

**Chair McGinn** said, "I'll call the meeting back to order. Is there any other business to come before this Board?"

**MOTION**

Commissioner Sciortino moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with Legal Counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation, potential litigation, and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 11:20 a.m.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chair McGinn** said, "We're in Executive Session."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 11:12 a.m. and returned at 11:29 a.m.**

**Regular Meeting, October 3rd, 2001**

**Chair McGinn** said, "We're back from Executive Session. Let the record show there were no binding action taken while in Executive Session. Is there any other business to come before this Board? Mr. Euson? Mr. Buchanan? This meeting is adjourned."

**O. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:29 a.m.

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

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**CAROLYN McGINN**, Chair  
Fourth District

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**BEN SCIORTINO**, Vice Chair  
Fifth District

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**BETSY GWIN**, Commissioner  
First District

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

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**THOMAS G. WINTERS**, Commissioner

**Regular Meeting, October 3rd, 2001**

Third District

ATTEST:

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**Don Brace**, County Clerk