

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

December 12, 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, December 12, 2001 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chair Carolyn McGinn; with the following present: Vice Chair Ben Sciortino; Commissioner Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Irene Hart, Director, Division of Community Development; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Michael D. Pepoon, Director, Government Relations; Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Mr. Clarence Holeman, Assistant County Counselor; Mr. Andy Schlapp, Project Manager, Environmental Resources; Mr. Robert Parnacott, Assistant County Counselor; Mr. Tom Pollan, Director, Emergency Medical Service; Sheriff Gary Steed; Ms. Chris Kautzer, Systems Integration Coordinator, Department of Corrections; Ms. Annette Graham, Director, Department on Aging; 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

Mr. Jerry Gaddis, Volunteer.

Ms. Karole Bradford, Program Director, Safe State Kansas.

Mr. Fred Ervin, Chairman, Sedgwick County Extension Council.

Mr. James M. Gregory, Director, Corporate Affairs, Raytheon Aircraft Company.

INVOCATION

The Invocation was led by Reverend Alan Lindal of First United Methodist Church, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, November 21, 2001

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The Clerk reported that all Commissioners were present at the Regular Meeting of November 21, 2001.

Chair McGinn said, “Commissioners, you’ve had a chance to review the Minutes. What’s the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of November 21, 2001.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chair McGinn said, “Next item.”

COMMUNITY ENRICHMENT AWARD

A. PRESENTATION OF COMMUNITY ENRICHMENT AWARD TO JERRY GADDIS AND MONICA CEDENO.

Chair McGinn said, “Commissioners, we started the Community Enrichment award in January, recognizing a neighborhood activist and from that time throughout the year, we’ve had folks that have been involved in our social services and many different things that help our community succeed.

Well, today we’re bringing back, again, some neighborhood activists. And I’d like to introduce to you Jerry and Monica. Jerry and Monica are very active in the Historic Midtown Citizen’s

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Association. They've helped with the walking tour of Midtown homes each year, often dressing up and acting as tour guides at the various tour sites. They deliver neighborhood association materials, pick up trash in their neighborhoods. In the past, they've acted as spokespeople and worked with community police officers. Monica works part-time in a grant funded position at Botanica but she and Jerry both offer volunteer hours there on an as-needed basis.

They volunteer at Earhart Environmental Magnet School, which their daughter attends, as drivers for field trips and school events. And they are closely involved in the Celebrate Safely campaign to reduce gunfire at midnight on New Year's Eve, which we're going to hear about here in just a little bit.

The Midtown area is a vibrant, diverse neighborhood with a great deal of history and volunteers like Jerry and Monica help to preserve that diversity, along with our past. Jerry and Monica, I'd like to present you with a community enrichment award. If you'd like to make some comments."

Mr. Jerry Gaddis, Volunteer, said, "I'm not really accustomed to getting thanks for stuff that just comes naturally. My dad was that kind of guy . . . is the kind of guy who would pull over if he saw a grass fire, pull the mats out of the car and beat the fire down. It just gets engrained.

The Celebrate Safely thing is the seasonal thing right now. We've gone from a shock level, the first night I noticed it, to anger, to activism, to satisfaction to some degree of seeing more and more people, including community police, businesses and just ordinary people become very involved getting the word out and bringing an end to this situation but it's an ongoing process. It's not something we can say, 'Okay, that's done'. When it happened in New Orleans, back in '94, they had a death. Everything was great guns . . . sorry, for about two or three years, and then not the interest in it declined but the problem has come back. It has become not as bad as it was before, but it has come back. It's an ongoing process, one that has to be at the top of our priority list for the community, especially with the police enforcement and mostly education. Let people know this is wrong. So, that's just one aspect but thank you. Thank you for thanking me."

Chair McGinn said, "Well, I know just being around the Riverside and Midtown associations, one of the things that I know has been successful and that is the community policing portion of that and that doesn't happen just with the City of Wichita funding that department. It has to do with the volunteers in that community because they share information with the police departments to help them do their job better and I know you have had great successes in the neighborhoods because of that.

And the other thing I'd just like to share, I know Historic Midtown, it's the oldest part of our community and we need to preserve our heritage and we need to be able to share how our community began. So, we appreciate the fact that you're so involved in that as well. Again, thank

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you very much for being here today.”

Chair McGinn said, “Clerk, call the next item please.”

PROCLAMATION

B. PROCLAMATION DECLARING DECEMBER 15, 2001 AS “BILL OF RIGHTS DAY.”

Chair McGinn said, “Commissioners, I have a proclamation I’d like to read into the record.

PROCLAMATION

WHEREAS, our Nation and our Commonwealth were founded upon, and operate according to, certain principles regarding the basic rights of all people; and

WHEREAS, the first ten amendments to the Constitution of the United States of America were ratified by Congress on December 15, 1791 to identify and preserve certain inalienable rights of all people and the rights of citizenship; and

WHEREAS, the Bill of Rights affirms the freedom and equality of all Americans and clearly establishes the protection of these essential human liberties as the founding basis of our Government; and

WHEREAS, our forefathers and generations succeeding them to the present day have suffered and many have made the ultimate sacrifice to defend the principles laid out in the Bill of Rights; and

WHEREAS, the bright history of our nation has been guided and blessed by the ideals expressed in the Bill of Rights, and their conservation is essential to the future of continued progress and prosperity for all Americans.

NOW THEREFORE BE IT RESOLVED, that I, Carolyn McGinn, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim December 15, 2001 as

“BILL OF RIGHTS DAY”

in Sedgwick County and encourage all citizens to observe the annual Bill of Rights Day in a manner that brings to mind its meaning and importance.”

MOTION

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Commissioner Gwin moved to adopt the Proclamation 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 R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

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

APPOINTMENTS

C. APPOINTING RESOLUTIONS (TWO).

1. RESOLUTION APPOINTING BILL JOHNSON (COMMISSIONER WINTERS' APPOINTMENT) TO THE METROPOLITAN AREA PLANNING COMMISSION.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Commissioners, this is a reappointment of Bill Johnson to the MAPC for a term to expire in April of 2005. We've prepared a resolution for this reappointment and I would recommend that you adopt it."

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	Aye

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Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

Chair McGinn said, "Next item."

2. RESOLUTION APPOINTING CURT J. WARREN (AT-LARGE APPOINTMENT) TO THE BOARD OF BUILDING EXAMINERS AND APPEALS.

Mr. Euson said, "Commissioners, this appointment is for a term to expire in December of 2004 and we've prepared a resolution, which I would recommend that you adopt."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chair McGinn said, "Next item."

CITIZEN INQUIRY

D. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE "CELEBRATE SAFELY CAMPAIGN."

Chair McGinn said, "Commissioners, we have a process that if folks contact the Manager's Office

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ten days prior to our meeting, that citizens can address the Board of County Commissioners about concerns and things going on in our community. Good morning, Karole.”

Ms. Karole Bradford, Program Director, Safe State Kansas, greeted the Commissioners and said, “Thank you, Chair McGinn and members of the County Commission for allowing me this time today. My name is Karole Bradford. I work with Inter-Faith Ministries. I work on a gun violence prevention project called Safe State Kansas and Safe State Kansas is a partner in the Celebrate Safely campaign which we heard about a little bit today.

And I come before you today to make you a little bit more aware of the Celebrate Safely campaign. Celebrate Safely, as was mentioned, was created by members of the Historic Midtown Citizens Association, because they were concerned about celebratory gunfire in their neighborhoods on New Year’s. The goal of Celebrate Safely is to reduce celebratory gunfire, specifically on New Year’s. Several community organizations, major employers, law enforcement and neighborhood associations have signed on to the Celebrate Safely campaign. And we are committed to educating people about how truly dangerous it is to fire a gun into the air.

Three years ago, here in Wichita, at what had been a very quiet family New Year’s celebration several family members got out a few guns, including a high-powered rifle, and shot off over 350 rounds in less than 45 minutes. We know it was over 350 rounds because that’s how many slugs the police department were actually able to recover. While this is an extreme example, people across the City shoot their guns into the air every New Year’s Eve. Most of us know that what goes up, must come down. Folks who shoot their guns into the air forget that this applies to bullets as well.

Shooting a gun into the air, any kind of gun into the air is dangerous. Bullets shot into the air can travel up to two and a half miles before returning to earth. Depending on the type of gun used, they can descend with up to 50% of their original force. That means that if someone shot a rifle into the air from where we are today it could kill someone as far away as 23rd Street North and West Street or at the corner of Mt. Vernon and Hillside.

Please be aware of this problem. I’ve gone out, as Monica and Jerry have as well. I’ve gone out and talked to neighborhood associations, community groups and quite often one of the first things that people say is ‘Well, I don’t hear the gunfire’. Well, I don’t hear the gunfire either in my neighborhood and what I need folks to know is that that does not matter. None of us in Wichita are safe because a few people, scattered throughout the City, shoot off guns into the air at New Year’s.

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But what I also want folks to know is that in the past few years we have made a difference. We have decreased the incidence of shots fired, as reported by the Wichita Police Department, by almost 50% in the last couple of years. And we can continue to make that difference but what we have to do is each person has to spread the message to their family, to their friends, to their congregations.

During the season, people in our community are celebrating Ramadan, they're fasting and giving alms, people are celebrating Hanukkah and Advent and preparing for Christmas and New Year's. We all celebrate at this time of year. We just need to understand that there are safe ways to celebrate and this is one way that our community can work to prevent gun violence.

I want to close with a final point. I want to invite each of you and the folks gathered here and anyone watching on television to come to a party. The party is with the Historic Midtown Citizens' Association and it's at the Midtown Community Resource Center, 1150 North Broadway on Saturday, December 29th, from 2 to 3:30. And I'm inviting you to this party because I can't invite you without telling you what it's for. And it's for the Celebrate Safely campaign. It's for spreading the message that there are safe ways to celebrate and there are ways that endanger our entire community. And I want you to do one thing. I want you each to invite one person to this party, because through word of mouth, by inviting folks and by letting folks know that this is a problem in our community, by word of mouth we have made a difference and we can continue to make a difference in our community. That's all I have for you today. Thank you."

Chair McGinn said, "Well, thanks for being here, Karole. I remember last year you came in somebody else's stead and I made the mistake of saying you probably don't have the answers and I quickly found out you were the expert. So, I appreciate you being here again, because you do provide some very good information.

One question I had was is there any statistics or what the result is, you know, you talked about the bullets that go up, they must come down. Is there a determining factor of the speed of the bullet that comes down or statistics of people getting hit in the head or anything like that or is it more of the stray bullet?"

Ms. Bradford said, "It's a little of both. Thinking back in our community, we know that a few years back, about eight years ago, someone was celebrating a victory for the Super Bowl. I don't know what team they were cheering on but they stepped outside of the outside of a bar and shot off a gun and killed a woman that was about eight months pregnant. Jerry's going to come up and answer some questions because he's the ammunitions expert. I do have to say that, depending on the arc, depending on the type of caliber, even a small gun can go up to a mile. A larger gun can go up to two and a half. That we know. I'm going to turn it over to Jerry, if you don't mind, to answer

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the ammunitions part.”

Mr. Gaddis said, “Anybody that’s a motorcycle rider and who has run into a June bug at 60 miles an hour, that smarts, you know. These bullets, it doesn’t matter what size gun, it doesn’t matter the angle, it’s going to come down somewhere. Okay, remember the guy that was on the bypass, got shot through the back of his head by somebody over in the Big Ditch. Okay, that was probably a high-powered rifle but still he’s just as dead as if it had been a .22.

One of the other aspects of this that nobody has addressed is range safety. Anybody that’s been in the military or the police or even just recreational shooter know to assume your weapon is loaded, always keep it pointed down-range and do not aim it at anything that you don’t intend to kill or to destroy. When a group of individuals get together, drink a lot of beer, dark of night, uncontrolled situation, traffic, children in the living room, you know, mom in the kitchen, we’re out here reloading, you know, ‘Gee, is this thing loaded’. ‘Wait a minute. I didn’t shoot off that last round’. You know, we’ve got guns pointed in every direction. We’ve got the noise factor. Nobody is out there with their ear protection. It’s just a totally uncontrolled situation. It’s chaos. And it’s up to each individual. When he picks up that gun, he’s made a decision. When he puts the bullets in the magazine or in the chamber, it’s a decision, a conscious decision. When he points it in the air, it’s a conscious decision. When he pulls that trigger, it’s a conscious decision. We need to make those decisions . . . make them accountable for those decisions. That’s all I have to say.”

Chair McGinn said, “Okay. Thank you. I think that example of the person that got shot in the back of the head at 235 is a perfect example, because they couldn’t figure out where that bullet came from for a while.”

Mr. Gaddis said, “We’re just talking about America here. If you watch Saddam Hussein on TV, you know, he’s out there doing this. Doesn’t care who he’s going to kill. At wedding celebrations in other countries guys will get out there and they’ll start shooting, inside buildings, and six people will die. But you don’t here about it unless you read the little byline on page three of the newspaper. It happens all the time. It is dangerous. It does kill people and who knows about the roofing costs at our schools, things like that.”

Chair McGinn said, “Okay, I have another Commissioner with a comment. Commissioner Sciortino.”

Commissioner Sciortino said, “Ms. Bradford, I understand completely and I support this idea of trying to reduce or eliminate the illegal discharge of weapons within Sedgwick County. I hear you talking about you want to educate the people on the dangers, so maybe they’ll think twice before they discharge a weapon illegally. Are you also encouraging the citizens that if they hear discharge to call the police. Because if I don’t hear it, I can’t do . . . and I’m not doing it. I don’t know how I

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can contribute to reducing the illegal discharge if I don't hear it and I'm not doing it myself. But are you also encouraging people to call the police or the sheriff? Is that part of your campaign?"

Ms. Bradford said, "Yes, and we've gotten wonderful response from the police department and from the Sheriff's Department about how difficult it is for them to pursue this sort of incident because it's like entering a war zone for them but it is still something that they place a high priority on and we do encourage people to call the police. And I thought, you know, I might be giving lip service to telling folks each one tell another. I found out yesterday that one of my coworkers had shot off a gun randomly into the air in New York a few years back in a similar situation and I never thought that someone I knew, knowing where I come from, knowing what projects I work on, I never thought that someone I knew would have a story like that. But she didn't know that this shotgun could be lethal. She had no idea that she could have killed a neighbor. So, while you don't hear it and I don't hear it, maybe, in our neighborhoods, I know that each one of us knows someone that needs to hear this message because, for us, it's about prevention. If we're going to send police officers and sheriff's department officers out into what's basically a war zone, we need to do what we can to diminish the war zone first."

Chair McGinn said, "All right. Thank you, Karole for being here today."

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chair McGinn said, "Next item."

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NEW BUSINESS

E. DIVISION OF COMMUNITY DEVELOPMENT.

1. AGREEMENT WITH SEDGWICK COUNTY CONSERVATION DISTRICT TO PROVIDE NONPOINT SOURCE POLLUTION PREVENTION SERVICES AND PROGRAMS IN SEDGWICK COUNTY.

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "The Sedgwick County Conservation District provides non-point source pollution programs and services in partnership with the State Conservation Commission and Sedgwick County. Due to demand, the district exhausts its budget for cost-share programs prior to the end of each state fiscal year. Last year, Sedgwick County Conservation Action Grant funding allowed an additional 55 abandoned water wells to be plugged and allowed implementation of best-management practices in the Lake Afton watershed.

This agreement today will enable plugging of an additional 77 abandoned wells in Sedgwick County and continuation of activities to improve water quality in the Lake Afton watershed. Wilmer Friend, president of the Conservation District, had expected to be here today but has been detained. I'd be happy to try to answer any questions you might have."

Chair McGinn said, "Commissioners, I believe it was last year or two years ago, we hired a water quality specialist to help aid the conservation office and a good portion of this money is going to go towards some of the work he's doing at Lake Afton, which is on the TMDL list for the State. So, I certainly support this program. Also, you'll see that \$7,500 is the continued program that we're doing for well plugging in this community, which is very much needed because that's just a direct source to groundwater, to polluting groundwater. So, if there aren't any questions for Irene, I'll take what the will of the Board is."

MOTION

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

Commissioner Gwin 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 R. Norton	Aye	
Commissioner Thomas G. Winters		Aye
Commissioner Ben Sciortino		Aye
Chair Carolyn McGinn		Aye

Chair McGinn said, "Next item."

2. AGREEMENT WITH SEDGWICK COUNTY EXTENSION COUNCIL TO PROVIDE EDUCATIONAL SERVICES AND LEASE OF PREMISES.

Ms. Hart said, "The Extension Council was formed in Sedgwick County in 1918 and provides research-based education in the following areas: youth, family, technology, community development, agriculture, horticultural, natural resources, environmental management, food, nutrition, health and safety, and consumer sciences. This agreement clarifies the relationship between Sedgwick County and the Extension Council, which is an independently elected governing board here in Sedgwick County. It provides a five-year annual review for . . . it's a five-year agreement with provisions for annual review and outlines and clarifies the operation of the Sedgwick County Extension Education Center at 7001 West 21st Street and the relationship between staff and the County organization.

Today, we have the current Chair of the Extension Executive Committee, Fred Ervin, who has a few remarks and Bev Dunning who is the current Extension Director."

Mr. Fred Ervin, Chairman, Sedgwick County Extension Council, greeted the Commissioners and said, "Commissioners, it's always a pleasure to see you and this looks like a Christmas card. That's great. Someone should take a picture of that. What's the little bear thing? What's that deal?"

Commissioner Gwin said, "That's Ben's. That's Ben's little friend."

Commissioner Sciortino said, "That's Execu-bear."

Mr. Ervin said, "I'm kind of liking that. That's kind of interesting. It's good to see everybody. I don't have much more to say than what Irene just told you. What you've got in these eight pages, I kind of compare this to the birth certificate that you didn't have for a long time. The Extension has been a part of this organization, this family, for a long time but really didn't have a birth certificate on file. Well, this kind of makes it official. It spells out exactly what Irene has talked about. It's a wonderful group of people over there. I think you all know that and this is kind of long overdue and it's great to be able to stand here and finally get this done. It was Irene and Bev that did all the work on it. I kind of knew what was going on but they did all the work on it.

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It spells out kind of 'a to z' exactly what the facility will do and what Extension does, the services, the rental of the building and all of those good things. So, if you have any questions, I'll be more than happy to defer those to Bev or Irene. If you have any questions of me, from the Board's perspective, I'll be more than happy to answer them."

Chair McGinn said, "How much longer are you going to be the Chair, Fred?"

Mr. Ervin said, "Bev, how much longer? I know we have a meeting tomorrow. Actually, I think it's really giving them a break because I'm the one that's been asking all of those crazy questions all year long. Things that everybody takes for granted, you know, crop yields and test strips. You know, when I think of a loaf of bread it's pretty well wrapped up and it's in a grocery store. I don't think of it the other way around but really, it's really been an interesting experience, very interesting experience."

Chair McGinn said, "I'm still going to get you on a tractor. I'll have to keep working on that, Fred. Farmer Fred. Commissioner Winters."

Commissioner Winters said, "Thank you. I think I have a question for Irene. Fred, thanks for being here. Irene, just again, one more time, this is basically putting in an agreement form what's been happening for a number of years. Is that correct?"

Ms. Hart said, "Yes, sir."

Commissioner Winters said, "There's nothing new or radical or changing directions?"

Ms. Hart said, "No, sir and this doesn't convey money or title to property. It formalizes the arrangement that we've had over the past number of years."

Commissioner Winters said, "All right. Well, I'm going to be supportive. I've always been a supporter of Extension and the work they do out there. I think, if there's ways we can let this maybe be a guiding light to make sure that everyone knows what direction each other is headed, I hope this will be a help. I'm going to be supportive and will continue to be supportive of Extension. Thank you, Madam Chair."

Ms. Hart said, "One thing I might add, Bev tells me that other counties have asked for copies of the agreement because they'd like to use it with their extension councils."

Chair McGinn said, "Great. And I'd like to commend Bev Dunning too, because she works extra hard, I think, to make sure our communications back and forth are good, so that we can make good decisions together because we are partners and the Extension Office is certainly a great contribution

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to our community. So, thank you Bev for all you do.”

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.

VOTE

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

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

F. RESOLUTION AUTHORIZING ISSUANCE OF NOT TO EXCEED \$130,000,000 PRINCIPAL AMOUNT OF TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR RAYTHEON AIRCRAFT COMPANY.

Mr. William Buchanan, County Manager, greeted the Commissioner and said, “I’m not Jim Gregory. Sedgwick County has entered a partnership with Raytheon for several years. A couple of years ago, we entered into a new partnership for \$1,000,000,000 of taxable Industrial Revenue Bonds to assist Raytheon in the development of their business plan, equipment and buildings to be competitive in today’s market. We’ve seen what’s occurred over the last several months, in the last year or so in the aircraft industry. We’ve seen how important it is for that industry for Sedgwick County’s economy. We know that if they grow and do well, we grow and do well. We’re beneficiaries of their production, their employees taxes and we can assist them, in their taxes delivered to them, we can assist those citizens by providing services that are needed in this

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community.

So, Raytheon has come back to us asking us for issuance of \$130,000,000 of taxable Revenue Bonds. It's part of our \$1,000,000,000 commitment. And I would recommend that you approve this, as part of that previous commitment. If there's questions about the details of this, both legal counsel and Jim Gregory are here to respond."

Chair McGinn said, "I think, Jim, you need to come on up here. Commissioner Gwin."

Commissioner Gwin said, "Good morning, Jim. How are you? In the past, you all have done some major construction projects. Bought new equipment to do your jobs better. Tell me about this issuance. What plans have you?"

Mr. James M. Gregory, Director – Corporate Affairs, Raytheon Aircraft Company, greeted the Commissioners and said, "Commissioners, the request today is for \$128,000,000 in Industrial Revenue Bonds. \$127,000,000 of that was expended within Sedgwick County over the last year. It includes \$13,000,000 in new facility improvements to our manufacturing campus where we employ around 8,000 people right now. The rest of it is primarily machinery and equipment to support the new airplane programs that we have, the J-Pats, the Joint Primary Aircraft Training System, which we just received the go ahead from the Air Force for full rate production."

Commissioner Gwin said, "I was worried about that for a while."

Mr. Gregory said, "Well, we weren't worried. We expected it all along because we knew the airplane is a great airplane and really fulfilling the mission that the Air Force and the Navy have required of it. Also, a lot of the machinery and the tooling go for a couple of the new airplanes that we have, the Premiere One which we just entered into certification this year and we're now beginning deliveries of that airplane. It's a new entry-level light jet airplane. And also the new super mid-size jet, the Hawker Horizon, which we have in development. So, that's where most of the money was expended. This really represents the fifth consecutive year that the company has invested more than \$100,000,000 in the Sedgwick County community and facility and machinery and equipment improvements, so it's another example of our continuing commitment to the community."

Commissioner Gwin said, "And then Raytheon also has a facility in Salina and improvements there are included in these bond issues. Can you talk to us about what kinds of plans or what things have been done in Salina, at your plant there?"

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Mr. Gregory said, “Most of the money, less than \$1,000,000 this year but that was primarily associated with tooling to accompany the move of the Premiere One wing to Salina, under the inter-local cooperation agreement that we have with Andover and Sedgwick County and the City of Salina. We have leveled the playing field and we can move different programs and projects where they make more sense. The Salina center has been, for us, a center of excellence for wing manufacturing and so we elected that, with all the new programs that we had coming in, primarily the Hawker Horizon and the other work that we were doing on the Premiere One assembly, that it would make more sense to do the Premiere One wing manufacturing in Salina so we made that decision and moved that up there. So, the tooling that you had previously expended here money for, as a result of the IRBs has just been transferred up to Salina. It doesn’t impact the tax abatement in any way, so we get the full ten-year tax abatement but it deducts whatever the amount was, the several hundred thousand dollars, from our previous IRBs here and then we also deduct it from what Salina has authorized.”

Commissioner Gwin said, “Okay. So much of our country, or so many aspects of our country have been impacted since the September 11th tragedies. How has that affected Raytheon Wichita? What about your business? What about sales?”

Mr. Gregory said, “We’ve been impacted. 9-11 has had an effect on the company and, just this year, we’ve actually announced the layoff of 1,700 people from previous highs. We’re still up, if you take a look at our IRB program over the last few years, we still are generating more jobs. In effect, even though we were down about 2,000 people in Sedgwick County, we hired hundreds of people to fill in for natural attrition that occurs. And so, we have actually hired new people to come to the factory and to work but overall employment is down. It’s a cyclic business but we anticipate that, at some point in time, it will go the other way. So, these investments that we’re making in the community will help us position ourselves so that we can take advantage of any upswing in the future.”

Commissioner Gwin said, “What about 2002? Does that look like a difficult year for you also?”

Mr. Gregory said, “2002 will be a continuation of 2001. We really don’t see an uptake. Our business is primarily related to corporate profits and we look at the first quarter of 2003 maybe corporate profits going up and then we’ll start to realize some of the upside. But we have reduced

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our production rates and, you know, we're just adjusting for those.

We wish we could predict what was going to happen very, very clearly in 2002 but with the effect of 9-11 that's an unprecedented event and so we really can't make those kinds of predictions right now."

Commissioner Gwin said, "Okay. Well, I think you know that this commission and our predecessors have been very supportive of Beech Aircraft and Raytheon as it's changed its mission and product line. And over the years, I suspect that will continue and we wish you well."

Mr. Gregory said, "Thank you. We appreciate the support very much."

Commissioner Gwin said, "Thank you. Thank you, Madam Chair."

Chair McGinn said, "Thank you. Jim, I guess one of the things I thought might occur and I don't know if it's going to happen, but after 9-11 I thought about businesses that do a large volume of travel may think about buying smaller jets and airplanes that you sell. So, I was just curious if you saw that kind of thing happen or maybe it's too early to see."

Mr. Gregory said, "It's a great theory and we hope it comes to fruition. We haven't really seen that since 9-11. Really, most of the business is based on corporate profits and corporate profits performance has been mixed and so, that's kind of reflective in our marketplace."

Chair McGinn said, "Okay. Commissioner Sciortino."

Commissioner Sciortino said, "Thanks. Jim, first of all, just as an overall comment, I think you're to be congratulated, Raytheon is, that in the middle of a recession or a down-turn you're still willing to make substantial investments, betting that things will be better tomorrow. And a lot of companies hunker down and cut everything and actually not only cut fat but start cutting into muscle and bone and then, when there's a turn-around, they don't have the capacity to accept that and they're behind the curve on that. And I think you're to be complimented on that and I think, in a small way, if we can do anything to assist businesses and encourage them to continue investing in themselves, which indeed is an investment in the whole community and we need to try to do whatever we can to make sure that we're not doing things that would distance said people. So, our relationship, as Commissioner Gwin has said, has always been good and I hope it will continue and I think you very much for making an effort to come out today too. Because I know you were . . . I don't know what coast of the country you were in . . ."

Mr. Gregory said, "Boston yesterday."

Commissioner Sciortino said, "How's the weather down there?"

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Mr. Gregory said, “Snow.”

Commissioner Sciortino said, “Okay. Well, thank you very much. That’s all I have.”

Chair McGinn said, “Okay, thank you Jim. If there aren’t any questions, what’s the will of the Board on this item?”

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chair McGinn said, “Thank you for being here today, Jim. Next item.”

PLANNING DEPARTMENT

G. CASE NUMBER DR2001-15 – RESOLUTION PROVIDING ADJUSTMENTS TO FILING FEES FOR DEVELOPMENT APPLICATIONS.

Chair McGinn said, “Before you begin, Marvin, I don’t always recognize this person, but I would like to recognize former Commissioner Bud Hentzen, who’s in the audience today. And I don’t always recognize him because he does come in now and then and what I wanted to share is that he continues to stay active in our community and he serves on the Metropolitan Planning Commission, which pays a high salary. Thank you for being here and participating in many of our decisions. Okay, go ahead Marvin.”

Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, “Here to ask you for a raise in Bud’s salary. I am here to thank you for putting this item ahead of Dave Spears’ annual presentation on roads and bridges though.”

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Commissioner Sciortino said, "Everybody bid on that position, but you were the winner."

Mr. Krout said, "Thank you. The Planning Department is about 20% funded with fees from application fees that we collect. It amounts to almost \$250,000 per year and that pays for a little bit more than half of the costs of the current plans operation, which is involved in processing the applications, all the advertising costs and mailing and postage and printing and Minutes and hearings and all of that cost, fees pay about 50% of that cost. About every three years, we've been revisiting the fees to look at our cost of services and try to maintain that approximate balance and each time the costs have gone up, but they've gone up moderately. We've tried to not create sticker shock by waiting ten years and then coming back and re-looking at it.

And we're here back again. We've analyzed our costs and they have increased. A lot of our costs have increased at faster than the rate of inflation and what we're asking you to approve today is a resolution that would increase fees by approximately 10% over the fees that were established three years ago. There's a little bit of difference from one case to another but basically it would result in an increase of about 10%. Our regular daily costs have increased. We also are in the process of investing in technology. There's a cost to that to put zoning maps and other maps on desktops so that planners can answer questions immediately. It's better customer service but there is a cost to it. The intension is to also to get involved in document imagining, which will be a further productivity improvement.

We bring these issues to the Planning Commission, to the Metropolitan Area Planning Commission, every three years and the Planning Commission this time has recommended, and I think the vote was 7 to 2, that the fees not be increased at this time and they pointed to the current economic climate as a reason and felt that any increase would be the wrong signal and might discourage some development. So, they have not recommended that the fees be increased at this time.

The approved 2002 budget does assume that there will be an increase in fees and so, either there would need to be an increase in revenue from some other source or we'd need to look at our budget again and reduce services accordingly. We brought this issue also to the City Council yesterday. The City Council approves a separate ordinance for city cases that are filed, the County resolution for the County cases that are filed. The City Council unanimously approved the increase in the fee schedule yesterday. I'll try to answer any questions that you have."

Chair McGinn said, "Commissioners, are there any questions for Marvin at this time?"

Commissioner Sciortino said, "When we come to the Bench, I have some questions."

Chair McGinn said, "The Bench is open. Commissioner Sciortino."

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Commissioner Sciortino said, "Thank you. I have a question of . . . well, it might be of Marvin but it will be of the County Attorney. Is there any state law, I know Marvin has said that . . . if we don't approve this today, does that preclude us from maybe looking at it at any time during 2002 or does it have to be approved now, prior to the 2002 or we can't look at it for another year or something?"

Mr. Euson said, "Commissioner, I'm not aware of any law that requires you to adopt this for 2002. So, no, I don't think you have to do that today. I think you could do it in January."

Commissioner Sciortino said, "Or February or March or April or what have you. Okay. The one concern Commissioners, that I have on this and I'm not saying that the MAPD couldn't use additional funds because I don't know of one department or division that couldn't use additional funds. But we did increase our contribution. I think it was about 30,000 or 40,000, I don't know the exact figure, this year over last year and so did the City. They have budgeted about another \$6,000 or \$7,000 increase in program income, as Marvin indicated. So, the budget did go up five or some odd percent this year, which it covers salaries and contractual services and what have you.

My concern is two-fold. I do agree with what the MAPC said. I think this is the wrong message at this time to be giving the business community. Just like when Raytheon was here. We're trying to incent them and then this is . . . although it's a small thing, it's kind of a disincentive to continue to invest in the community. I think it's a wrong message right now that we're giving our other departments within the County because we've asked all of them to try to sharpen their pencils and see how you could reduce expenses and come back with maybe as much as a 10% reduction, just to show the citizens of Sedgwick County that we are really trying to spend their dollars efficiently, and I'd like to give the MAPD the opportunity to participate in that.

We don't know what's going to happen in 2002. We were shown a pretty austere picture, which argumentatively was worst-case scenario. But it's becoming pretty apparent in some of the conversations I had with our State legislators, that they're going to have a tough time, which could possibly contribute to us have a tough time, meaning that some of the flow is going to be shut off. And I'd like to at least entertain the idea of deferring this fee increase, giving the MAPD the opportunity to see exactly what they might be able to do in their budget and also give us all the opportunity to see how 2002 unfolds, knowing full well that if there is a problem, we could always address this fee increase at any time to offset anything unforeseen at this time. So, I'm going to be supportive of deferring this request indefinitely. Thank you."

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Chair McGinn said, "Thank you, Commissioner Sciortino. Marvin, I have a question now. In looking at the backup material, one of the questions that Warren asked was that if the rates would hit the small guy harder than the larger projects and your response was that you were going to check into that. Did you guys have a chance to check into that?"

Mr. Krout said, "Yes, we did and as a result of that, we included, at their recommendation, we included a change in the fee for Conditional Uses so there's not an acreage fee. If you want to put an accessory apartment on one acre or twenty acres it's the same fee and there's not a per acre charge, which would penalize the larger lot. So, the proposed fee schedule took that recommendation into account."

Chair McGinn said, "Okay, thank you. Well, I guess, looking at the budget numbers, trying to make some sense of that. I too am concerned about sending the wrong message at this time and if this is something that we can put off and if the need is there, come back and put it back in, that type of thing because, as Commissioner Sciortino said, we are asking other folks within the County to live and work within their means and the money that they have. So, I think I need to hear more from my colleagues at this time. And I don't know which one was first. Commissioner Gwin."

Commissioner Gwin said, "Marvin, of your budget, there's a portion that comes from the City of Wichita for property taxes and then from Sedgwick County. How much of your budget depends upon fees? Do you know?"

Mr. Krout said, "About 20%, overall, not including grant funds, but just local funds."

Commissioner Gwin said, "Okay. So that's over and above then the contributions . . ."

Mr. Krout said, "It's about 40 and 40 and 20."

Commissioner Gwin said, "Okay. All right. Thank you. Thank you, Madam Chair. That's all for right now."

Chair McGinn said, "All right, thank you. Commissioner Winters."

Commissioner Winters said, "Thank you. Well, I certainly heard the comments of Commissioner Sciortino and I think many of them are very valid. I'm prepared to go ahead, today, and vote on this adjustment and I'm going to be supportive for a couple of reasons. And I guess, one is that it's been three years since there's been any adjustment, so we know in today's world there have been cost adjustments in a lot of areas, even though inflation hasn't been wild, it's still . . . things continue to cost more.

And secondly, I guess the second reason would be that we do have this partnership with the City of Wichita in this particular department and I don't think we're here to necessarily discuss the merits

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but planning is such an integral part of a countywide environment that I have always been supportive of a cooperative planning department with the City. The City has adopted these fee schedules yesterday at their meeting. I think, if we were really going to stop the process, we probably should have maybe visited with them beforehand. Maybe we can do it after the fact and sit down and visit so we both know the thoughts of each other.

But I, again, think this is one that they've moved forward on and I'm ready to do that. I would just hate to see the Planning Department start to pinch back here, reduce staff because what that's going to do is it's going to delay the permitting process. It's going to delay how fast they can get things to move through their system. And I think it would be a detriment to those in the development industry, because we're going to want certain things to happen through the Planning Department and if we cut them back, I think it could have a negative effect on the development community."

Chair McGinn said, "Commissioner Sciortino."

Commissioner Sciortino said, "Marvin, has this already been figured into your budget for 2002?"

Mr. Krout said, "Yes. It was part of the approved budget that the City and the County both approved."

Commissioner Sciortino said, "Because I saw that, I assume that these fees are under program income?"

Mr. Krout said, "Right."

Commissioner Sciortino said, "And I saw that you only increased program income from last year by about \$6,000. So, if this project was going to generate \$25,000, where's the other money?"

Mr. Krout said, "It may have been that that increase was based on a projection on the adopted budget for 2001 and the revenue dollars that were supposed to come in in 2001 and actually they're something lower than the projection was for the 2001 budget."

Commissioner Sciortino said, "Okay. Commissioners, one thing that might be a little bit more comfortable, the budget that's being proposed for 2002 is \$1,522,000. This project, if approved, is going to generate 25,000. I don't know what percentage that is, but that's a pretty small percentage and I have confidence that any manager managing a department with that much of a budget could figure ways to save \$25,000 without slashing into essential services and greatly curtailing any of the services they provide the community. With that small of a figure, based on that large of a budget, I mean, pencils and erasers could probably make up . . . I'm not trying to play this down, but it's a pretty small percentage and I have no fear that, by going and sharpening the pencil, that \$25,000 could be found in expenses without putting at jeopardy any of the services that we provide the

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community.

And I just think this is . . . And one other comment too that it's a two-way street too, Commissioner Winters. It might have been nice if the City of Wichita had consulted with us to try to find out what our thoughts or feelings were on this, given the fact that the MAPC rejected it. If they have any concern, unless they just assumed that we're going to rubber stamp everything they do, I would have thought it would have been incumbent upon them to try to find out what maybe our thoughts were ahead of time. I think, in the future, it would be a great idea for us to maybe even have some kind of an informal discussion with them, to find out what both of our thoughts are.

I still would like to see if we could show the citizens of Sedgwick County that we are willing to sharpen our pencils and reprioritize how we spend in all the departments that the County's involved with in this downturn period that we find ourselves in. Thank you."

Chair McGinn said, "Thank you. Commissioner Gwin."

Commissioner Gwin said, "Thank you. Marvin, have you submitted your 10% reduction plan to our Manager?"

Mr. Krout said, "Yes, through Irene, yes."

Commissioner Gwin said, "Through Irene, okay. If the city . . . well, the City has approved this fee schedule and so the fees in the City of Wichita will go up effective what date?"

Mr. Krout said, "January 1st."

Commissioner Gwin said, "Okay. If the County denies this, then the fees in the unincorporated area of the County, then, will remain the same. Is that correct?"

Mr. Krout said, "Right."

Commissioner Gwin said, "We go forward but one entity has increased and the other has chosen not to."

Mr. Krout said, "That's right."

Commissioner Gwin said, "So, would you say the majority of your fee income comes from within the city limits of Wichita?"

Mr. Krout said, "No, I wouldn't say that. And we haven't ever tried to break it up and see but most . . . a lot of the income comes from plats from new single-family developments and when

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they're filed, they're generally filed outside and then they come into the city after they're filed."

Commissioner Gwin said, "Well, I was trying to get what the real impact, if this were denied."

Mr. Krout said, "And if I were to guess, I would guess it would be at least 50%."

Commissioner Gwin said, "Okay. All right, thank you. Thank you."

Chair McGinn said, "Commissioner Norton."

Commissioner Norton said, "Well, it's interesting. Based on the information here, I think I would vote, presently, to hold off and at least revisit this and keep looking at it. I think, as we go into this economic downturn, I'm not going to be real supportive of a lot of fee increases, as we try to keep economic growth going throughout the County and the City.

It is disconcerting that it has failed at MAPC, it's passed at the City and now we're in the conundrum of trying to figure out all of that. I wish we'd had a little more heads-up as to what the thinking was. To me, it's just another instance of governments and entities and advisory boards not talking to each other about all these things that we have to coordinate on. And I think maybe we will finally determine that we need to move forward on this, but I'm not prepared to do that today. I'd like to hear a little more information of what my representative at the MAPC thought about this issue and what maybe some of the other board members on the MAPC were thinking. Obviously, they had some ideas where they declined it and I haven't talked to any of my compatriots across the street as to why they would not take the recommendation of our MAPC.

So, I agree with Ben that maybe we want to be a little more cautious on that and on the user's fees that we're getting ready to put into fruition. Thanks."

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

Commissioner Winters said, "Well, the last comment that I was going to make was just, again, I'm not anxious to see increased property taxes or increases of any kind, but when we have an availability to look at the fee part of it, which means to me that the ultimate user or the person that needs the service is going to be bearing part of the cost, I look at favorably upon that, because the next issue is going to be, 'Well, if we don't raise these fees, then we'll be looking at regular increases and it's going to come right back to the property taxes, eventually'. And whether it's this year or next year, but if we keep squeezing down, pretty soon the burden is going to come back on the property tax owner, which means the folks that live in their homes and probably aren't

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developing, aren't involved in big projects, aren't buying a new home, but they're going to end up paying for the work that Marvin's department does.

So, I'm still prepared to go ahead today. With those last comments, though, I don't know that I can count the votes to see that happen. So, I guess Madam Chair, I'll look to you. I'm prepared to make a Motion that we approve the filing fee increases, but if there's not three votes to do that, if we need to defer it for a couple of weeks, I would be interested in that. But I don't think we can just avoid making a decision."

Chair McGinn said, "Commissioner Sciortino may have already asked this question, but I have a question for the Manager. If we do see that this is needed, at a later time, it doesn't have to happen January 1. It can happen March 1, April 1, that kind of thing. Is that correct?"

Mr. Buchanan said, "Yes."

Chair McGinn said, "Okay, thank you. All right, Commissioners. I will entertain a Motion."

MOTION

Commissioner Winters moved to approve the filing fee increases and adopt the Resolution.

The Motion died for lack of a Second.

Chair McGinn said, "Looks like it dies for a lack of Second."

MOTION

Commissioner Sciortino moved to defer this item indefinitely.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Tim R. Norton	Aye
Commissioner Thomas G. Winters	No
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

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Chair McGinn said, "Thank you, Marvin. We'll have continued discussions on this. Next item."

H. PRESENTATION DEPICTING ROAD AND BRIDGE CONSTRUCTION PROJECTS COMPLETED DURING 2001. ALL DISTRICTS.

POWERPOINT PRESENTATION

Mr. David Spears, Director/County Engineer, Public Works, greeted the Commissioners and said, "I would like to report to you on the projects that were constructed in the year 2001, including roads, bridges, maintenance and repair projects. The map shows all projects that were funded in 2001. This year, we completed 23 miles of skim coating shown in blue and 18 miles of chat seal, shown in green on the map. The roads are selected by our staff, in January, and you are notified by memorandum, accordingly.

In addition to these projects, the 2001 construction program can be summarized as follows: 25 miles of road were constructed by contract this year, shown in yellow on the map, 33 miles of road were overlaid with 1 inch of BM-1 hot mix, shown as red lines on the map, 31 miles of road were treated with a latex modified slurry seal, depicted by the orange lines, 10 bridges were constructed, or are under construction, by contract shown by red dots, 9 bridges were constructed by our crews, shown on the map by green diamonds and 46.5 miles of shoulders, both sides, were constructed shown as black dashes on the map.

All of the projects are in accordance with Sedgwick County's Capital Improvement Program. The exact locations of all the improvements are shown in your backup material. In total, improvements were made to 151.75 miles of the 500 miles of paved roads that Sedgwick County is responsible for. That means that 31% of the County's road system were improved in the year 2001.

A memorandum depicting the expenditures on our projects was sent to you on November 27th. Due to several projects being 'finalized out' in the last couple of weeks, those numbers may differ from our final amounts. For example, the sales tax savings on road projects increased from 2.5 million dollars to almost 3.3 million dollars. In general, the expenditures for 2001 were about \$14.3 million in actual road project costs, 5.4 million in actual bridge project costs and in total we were about 3.3 million dollars under budget on road projects and \$577,000 under budget for the bridge projects.

We also had a special assessment project; Cessna Streets Addition located at Ridge Road and K-42 at a total cost of \$223,000. If you will recall, the sanitary sewer plant was taken over by the City April 1st, so we don't have any sewer projects to report on.

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Now we are ready to view the 2001 Public Works road and bridge presentation and I simply want to remind you that infrastructure is still the mother's milk of economic development.

This is the handout that you have. I'm not going to go over each one of those. I'll just tell you that, of those twelve projects, two came in over budget and ten came in under.

Total budgeted, actual cost. First project is the roads between Clearwater and Viola, a state project. This is a before picture and that's after. It's the road between Clearwater and Viola. And that shows you that this project was over \$62,000. That's our match. The State put up 80% of money. This is a 3.6 million dollar project. The State paid for the rest.

R-220, 109th Street North, between Ridge and 151st. These are the before pictures. I'll show the before and then the after. After. After. You see, it came in under 499. This is Maize Road, north city limits of Wichita to 45th Street North. This is one of our, I guess I'd call them the 'crown jewel' projects because they're bigger projects. Before. Before. Still before. Now, there's after. I don't know how Jerry . . . Jerry Day is here this morning. I want to thank Jerry for taking the pictures for the projects. That's a . . . were you on the bucket truck?"

Chair McGinn said, "Dave, how come that had to have a curve in it? Was that just because you couldn't acquire . . .?"

Mr. Spears said, "I don't recall the reason for that. PEC designed it and I don't recall. It could have been a right-of-way acquisition problem."

Commissioner Winters said, "Well, I believe behind those trees are houses. There are several houses there and on the east side of Maize Road there were no houses."

Mr. Spears said, "You'll notice the concrete-lined ditch because it's so flat out there. This will give us an opportunity to keep it maintained better, with the concrete-lined bottom. And also note the bike/walking trail over on the left. We've had a lot of compliments about that."

Chair McGinn said, "David, was that cheaper to make than the concrete bike path?"

Mr. Spears said, "Asphalt versus concrete? Yes, by far."

Okay, this is a before picture, Hoover between 37th and 53rd. That's after. Came in under by

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\$216,000, mainly because we didn't have to use an aggregate base on that. We were able to stabilize it with fly ash, so we saved quite a bit of money there.

Okay, Hydraulic between 85th- 101st, a before picture. That's after. Came in under \$165,000. Central Paving did the work.

Next, the MacArthur Road relocation, this is in progress, one of the bridges, a little bit of aesthetic work. That's the other one. There are two of them there. You can see the new road's on the left and the old road's on the right, how it's going to relocate around. That also shows you the under, so far, \$754,000."

Mr. Norton said, "When is that due to be completed."

Mr. Spears said, "It will probably be late spring, early summer."

Mr. Norton said, "What will the access to Lake Afton look like, as you go into spring and summer. I mean, is it going to look very similar to what it is right now?"

Mr. Spears said, "Yes, they have access. They're not cut off. The people can get in and out. And then the old road will remain and become part of the internal system. We're just going around with this one."

Commissioner Norton said, "So, it's not really going to affect anything different than what it is right now, until it's totally opened with the new construction. Okay."

Mr. Spears said, "Webb Road, we widened this to four lanes. Before. That's after. Isn't that nice. This could, at some point in time, provide some relief for Rock Road and all the problems associated with that. Under by 1.1 million."

Commissioner Sciortino said, "Now, that's a completed project, so we know that's a hard figure."

Mr. Spears said, "That's a hard figure."

Commissioner Gwin said, "What about that railroad crossing? Carolyn was a little concerned about that."

Chair McGinn said, "Is that a very active rail line?"

Commissioner Gwin said, "Because it just had a little crossing sign. That's not a very visible . . . is that just not a very active line?"

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Mr. Spears said, "No, it's active. I mean, the markings are there on the road. There's not a . . . you're talking about there's not any flashing lights or an arm to come down."

Commissioner Gwin said, "I wouldn't think an arm would come down but does the railroad have any plans to do any other kinds of markation on that?"

Mr. Spears said, "No. The State determines those crossings. They have all the crossings in the State and they have the priority and most of those are paid . . . well, they're paid now, 100%, by the federal government."

Commissioner Gwin said, "Okay."

Mr. Spears said, "Okay, the signal at 23rd and 199th, it's down by Goddard school. This is a before picture. That's what it looks like now. We did this mainly . . . well, in conjunction with the City of Goddard and the school. They both participated in this project, still came over \$31,000.

Coliseum parking lot, it's a new lot. Built half of it last year. This is the south side of the Coliseum. Built the other half this year."

Chair McGinn said, "Is that why Public Works won all the prizes at John's golf tournament?"

Mr. Spears said, "No, that was based upon skill.

Commissioner Gwin said, "Well, that lot needed to be paved. That's a nice job."

Mr. Spears said, "Thank you. Under, 185. This is the Zoo, before of course. There's after, the new parking lot out there."

Commissioner Gwin said, "That's the one on the north or the south?"

Mr. Spears said, "South."

Commissioner Gwin said, "We needed that too, because is it next year you rework the main parking lot?"

Mr. Spears said, "We have it scheduled . . . I can't recall. We have several things scheduled for the Zoo and it's like non-ending. Almost every year we're doing something out there."

Commissioner Gwin said, "Well, they're going to redesign that central or main parking lot and

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redo it and I think it's . . ."

Mr. Spears said, "There's a few drainage problems there and we need to take care of that. Yes, ma'am."

Okay, this is the slurry seal. Didn't Mara do a nice job on this Powerpoint? She added that in this year. That's kind of a neat thing. Thirty-one and a quarter miles we did and there's the locations. We're not going to show all these, just a typical. Broadway, 69th to the Harvey County line looks like that.

This is 53rd, between Andale and Maize Road. This is 53rd in Colwich. We also slurry sealed a different parking lot at the Coliseum because it'd been five years since we had done anything. That came in under 177, about 178.

Okay, the BM-1, this was a one-line hot-mix asphalt overlay at these locations, thirty-three miles. This is Meridian, between Valley Center and the Harvey County line. Colwich Road, between U.S. 54 and 53rd Street North. And again, that's Colwich Road, under \$16,000. That was pretty close.

Rock shoulders, we do that with our people, in-house. This is mainly a safety project. Also with the white rock that we use, not only for cars, the safety of them going off the road, but also at night you can see it.

This is a before, of course, Hoover Road. This is kind of in process, shows you the machine putting it out. There's the roller going over it and that is when you're done. The cost is about \$2,300 per mile for those forty-six and a half miles.

Twenty-three miles of cold-mix this year. We shoot for 20 each year. Tyler Road, 71st to 103rd. And that costs us, the entire program, about \$25,000 per mile.

Chat seal, many locations are the same, 18 miles this year. And that costs a little over \$9,000 per mile. There's a typical example."

Commissioner Sciortino said, "Now, is that done in-house too, the chat seal?"

Mr. Spears said, "Yes, sir. Bridge projects by contract and again you have that list in front of you. I won't go over all those. Summary, there's the budgeted amount, actual spent. Okay, this is the bridge on 85th Street North, over the Floodway between Ridge and Hoover and that's a before picture. It is under construction now. That's still a before."

Commissioner Gwin said, "Is that the one that was falling apart?"

Mr. Spears said, "Yes. Well, it's one of them. Again, this was a State project. That's just our

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share and this is not done of course. We'll have the final pictures a year from now.

Now, these are the before and afters, of course, on bridges. So, 55th between Rock and Webb, Commissioner Sciortino's district. Came in under 28,000. There's two bridges on that road. There's another one.

This was our famous bridge on Ridge Road, had a hole in it. This is after. After. This is not going to look too good. One of them came in over. We had to replace . . . we thought we could save a lot of steel in the deck and we ended up having to replace all of it after we got into it. Before picture. Still before. Now, that's what it looks like."

Commissioner Sciortino said, "David, what's the lifespan? Like those bridges before look like they've been around for a few years."

Mr. Spears said, "I'd say some of them have been out there at least 50 years."

Commissioner Sciortino said, "So, what is . . . like on the new one, just in general, what's the lifespan?"

Mr. Spears said, "We estimate 50 years on a bridge.

There's another one, under \$89,000. 247th, between 47th and 55th South. Under 84, King Construction built that. Seneca, between 117th and 125th North."

Commissioner Sciortino said, "David, is there a structural reason for those little arches in the center, like they're kind of scalloped?"

Mr. Spears said, "It's just a different type of bridge. Some are like that, some are straight."

Commissioner Sciortino said, "So, is it just kind of for aesthetics, over structural?"

Mr. Spears said, "Depending on how the engineers feel about it, which engineer designs it. Under 174. This is a bridge on 127th, between 109th- 117th. Commissioner Gwin, you just thought you didn't have any bridges. No more trees. Dondlinger.

Now, this is the bridge on Meridian, after we detoured traffic off of Ridge, traffic went on Meridian and then we lost this bridge. That's new."

Chair McGinn said, "Actually, this is the one where they had to raise the bridge, so we had to raise the road because when it floods in our country, that bridge was just always under water."

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Mr. Spears said, "That's right. We raised the grade on this one. It came in under \$322."

Commissioner Sciortino said, "Is there that much of a grade on that bridge or is that just at a bad angle we're looking at it? Does that road actually go down like that? It looks like you could almost snow sled on it."

Mr. Spears said, "No, it's the angle. It's not that bad. This is the bridge over . . . another in Commissioner Gwin's district, although it's turnpike bridge, twin bridges. We've got to widen that out. We had to put a new bridge on, so we could get it wide enough below to take four lanes below on Central. That's the old. See how narrow it is, two lanes. This isn't finished yet. Mara put the arrows in there. That was nice, to show you, see the new pier on each side, the white colored. The one in the middle will then . . . the darker colored ones in the middle will come out and we'll have room for four lanes. Under 98,000.

Commissioner Gwin said, "So far. It's not finished out yet is it?"

Mr. Spears said, "Now, by our people now. No, that's not finished. Here's all the ones we did. They set up to about 150,000. A before. They're all B-133, the number at the right will tell you how many. That's a before of course. That's an after, 20,000 on that one."

Chair McGinn said, "How come these are County roads? They look like a township road."

Mr. Spears said, "Well, we are responsible for bridges on township roads. If the span is like 20 feet or greater it's ours. That's the finished product. Before. Still a before. After. Before. After. That's the fifth one. Now, that is not a funny angle. That is skewed. Well, it is a funny angle and we put pipes back for that one, \$5,000. Here, about to fall down, so we had a beam in the middle. See, I think they're in the middle of all those openings. There's the new one.

Some of these were built in the 30s, Commissioner, WPA. We buy about \$90,000 worth of materials to build these bridges with each year. Put the pipes back for that one."

Commissioner Gwin said, "So some of you just determine the bridge isn't necessary, just put the pipes through."

Mr. Spears said, "Right. We have the engineers do the hydraulic analysis to see what square-foot opening is needed and that's important there because of the velocity of the water. If the velocity is

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too high, you can't put the pipes in because it will wash the pipes out."

Commissioner Winters said, "But David, if you'd leave it right there for just a second. At some place, when we're look at these bridges, it might be good to point out to some folks that it does depend on where you are in the County as to how many bridges there are. And some counties, in their entirety, do not have very many bridges because of the way the topography is. But I know that some in Finance and other departments wonder why we continue spending money building bridges.

Well, there are so many bridges in this County and there are a lot of them that look just like that. And so . . . and worse. So, it really is topography, the lay of the land, determines . . . we've got a lot of creeks and a lot of rivers."

Mr. Spears said, "That's absolutely correct. I think we have 659 bridges that we're responsible for. There are some counties that have like two, out west."

Commissioner Winters said, "Since we have some of the Finance people in the room, I just wanted to remind them of that."

Mr. Spears said, "We'll move on. Final product. Specials by Cessna, put in a signal there at K-42 and Ridge Road. That's all special assessment. County didn't pay for this.

A little bit of miscellaneous. I want to show you some work that our street maintenance people did this year, out along the Big Slough and that area just north of K-96. This will show you a little better, right there. We cleared that so that drainage would improve. This is a before. Before. Before. Isn't that beautiful. In some areas we could leave some trees. We try, where we can."

Commissioner Sciortino said, "Now, is this in-house also, David?"

Mr. Spears said, "In-house, yes sir."

Commissioner Sciortino said, "Okay."

Mr. Spears said, "Did this with our bulldozers and excavators. That's about what it costs, almost 30,000. This is out at the Zoo. Mark Reed asked us if we would remove their existing zoo entrance. They're going to do some nice improvements out there and he thinks that we've saved them about \$25,000 by doing this in-house."

Commissioner Gwin said, "I'm telling you, I was out there several mornings watching your people work. Those guys are magicians with those big pieces of equipment. I mean, and they were rocking and rolling. I wish the contractor, who is now putting down the concrete, would work as quickly as your folks did."

Mr. Spears said, "I think we were only two or three days."

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Commissioner Gwin said, "I've never seen work so quick and so impressive and your guys were moving it."

Mr. Spears said, "You mentioned that before and I did tell them your comments and they appreciated that."

Commissioner Gwin said, "They're just magicians. And I've been out there since and the concrete guy is still working in the same corner he started a week ago. Has me a little worried."

Mr. Spears said, "That's Fritz Forrester and Dale Evans. They're on our stream maintenance."

Commissioner Gwin said, "They're awesome. Good job, Dave."

Mr. Spears said, "Any questions?"

Chair McGinn said, "Thank you, David. Yes, we have some. Commissioner Sciortino."

Commissioner Sciortino said, "David, if I saw it, right at the beginning, the total of amount of savings, adding and subtracting, was around 4 million dollars. Is that about what I saw?"

Mr. Spears said, "Well, 3.3 on the roads and another almost 600 on the bridges."

Commissioner Sciortino said, "Okay, so close to 4 million. Based upon what we budget and what we spend, we're restricted, I think, since you already have the money and you didn't spend it. It has to be spent on similar projects, is that correct?"

Mr. Spears said, "The 3.3 was sales tax. The other was bond money, so we wouldn't have it. But the sales tax, that's remaining and you have it. You can . . ."

Commissioner Sciortino said, "So, could that be used for projects that we've budgeted in 2002 and maybe try to give us some relief on some of the budget restraints that we've already budgeted or could we add an additional project that we hadn't budgeted for? Do we have some flexibility there, as long as it's for similar projects?"

Mr. Spears said, "Well, the nice thing about saving money, 3.3 million, is it does give you a lot of flexibility and we'll be getting with Mr. Chronis and the CIP committee and I'm sure I'll be recommending to leave all the projects intact in the CIP for next year and plus, now the discussion will be over what you're going to do with the rest of it. Are you going to add more projects or do you just want to save that money, in case something comes up?"

Commissioner Sciortino said, "Or move a project that's been deferred a little quicker. But those

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are the possibilities that we have.”

Mr. Spears said, “There’s many options and that’s a nice problem to have.”

Commissioner Sciortino said, “Yes, it is and I compliment you for giving it to us. That’s all I have.”

Chair McGinn said, “All right. Commissioner Gwin.”

Commissioner Gwin said, “Just real quickly, you know we’ve always given David such a hard time about the road show, but in truth this kind of infrastructure is a real basic responsibility of government. I mean, this is one thing that folks expect of government. Commissioner McGinn and I were just chatting during that, that our friends who live in other counties comment frequently about the differences they see in the roads, when they pass from their county line into Sedgwick County.

Our projects are successful for several reasons. We have a plan for doing these projects and expending the money that we all wrestle with every year, as we adopt the budget. We are blessed in this community to have competent contractors who know their jobs, who bid competitively, in most cases, and give us an opportunity to provide those. We have a highly skilled staff of personnel in Public Works who too know their jobs and go about the business of doing their job in a very quiet and effective manner.

Then, people in the room notwithstanding, David Spears is a quality County engineer who oversees that department and a number of people who are in it in a very professional, albeit engineer’s way of looking at the world. And Mara and Jim Weber and others who assist him on a daily basis are an integral part of the success of that department. I congratulate you and your employees and the good people who work for us, whether they’re contractors or whether they’re our own County employees. Thank you, Dave.”

Mr. Spears said, “I appreciate those comments and our success is due to our fine people that we have down there.”

Commissioner Gwin said, “Absolutely. Thank you, Madam Chair.”

Chair McGinn said, “Thank you. Commissioner Norton.”

Commissioner Norton said, “I just have one comment. You gave me one picture this year, Dave, and that was the Cessna project which is a special assessment project, by the way. And I would look forward to setting a goal of three pictures. That’s my goal, three pictures, quality projects, in the District 2.”

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Chair McGinn said, “You saw how long it took. See, I sounded just like you my first year because there was nothing.”

Commissioner Norton said, “One is okay. I don’t have an emotion about that but we all have to have expectations and goals and my goal next year is at least three pictures of non-special assessment projects.

I think my comment will be that I agree that the engineering group does an awesome job. Obviously, most of the Commissioners know that I’ve really focused in on drainage this year, which roads and bridges is obviously something we have a core value of, but drainage has been a huge problem on the south side and I continue to get great support from Dave’s group on that. And, you know, now that we’ve got that off the ground, I’ll focus a little more on roads and bridges. But I have great admiration for the work they do and the support they’ve given me. And I’ll be talking with Dave about those projects that I think are going to be important to spend that \$4,000,000 on next year. Thanks.”

Chair McGinn said, “Okay, thank you. I don’t see any other questions. Thank you, David.”

Mr. Spears said, “I’ll just say one more thing. I appreciate all your support. I appreciate the support of Mr. Buchanan and Mr. Chronis and I think everything has been working pretty good.”

Chair McGinn said, “Great.”

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chair McGinn said, “Next item.”

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I. PRESENTATION OF THE 2002 SEDGWICK COUNTY LEGISLATIVE PLATFORM.

Mr. Michael D. Pepoon, Director, Government Relations, greeted the Commissioners and said, "Each year, Sedgwick County adopts a legislative platform and before you this morning is the draft of the 2002 legislative platform we'll present to the legislators.

Just to give you a brief background of how this was developed, I sent out a request to department heads and other officials in July for ideas and received many requests and reviewed those and then several are included in the platform. I've been serving on the Kansas Association of Counties platform committee since the early part of the summer, attending those meetings. Getting an idea of what issues are going around, not just in Sedgwick County, but around the State, involving counties. I've also been in contact with the City of Wichita and the Wichita Area Chamber of Commerce to get an idea of their issues as well. And of course then I've reviewed these drafts with the County Manager and met with some of you individually about the platform.

The proposed platform for 2002 is broken down into two sections. We have the priority issues and then we have what we call core positions. The core positions are those platform positions that generally involve legislation that we either know is pending in the legislature at this moment or recurring issues in which we know there will be legislation at some point probably develop during the session. This gives me a blueprint from which to work with to let legislators know what our strong positions are on those particular issues. And as in any legislative session, I think probably 75% of the time you spend in Topeka lobbying you're in a defensive position, as opposed to maybe promoting particular issues.

A couple of the core position issues in our platform involve continuing our position on the cellular, or the wireless 911 tax to be done at the local level and not a centralized system and we have a very strong position on county home-rule on the platform as well.

Under priority issues, I've listed three priority issues for this session. The first two are in the form of initiatives. First is budget authority for the district courts. We will be asking the legislature, this upcoming session, to bring some consistency in the law as it relates to the budget authority for the district courts. As you're well aware, there are conflicting statutes at this point on who has final authority for setting a district court budget and we want the legislature to address this problem.

The second initiative I have presented deals with getting our regional forensic science center a \$150 fee for forensic analysis that they do, similar to what the Kansas Bureau of Investigation has at this time. We do the same work that Kansas Bureau of Investigation does and we're taking on many, many more cases and they have a great operation down there and we'd like to try to get them some additional funding, much in the way the KBI gets.

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And the last initiative is a broader priority issue, involving State funding for essential county programs. As you are well aware, also over the years, the State has passed down many of the functions that they formerly were addressing to the county, whether it be community corrections or mental health programs. In many cases, the corresponding state funding hasn't continued. You are also aware that this year they're looking, I believe at this time, at projects of revenue down something like \$148,000,000 below what their estimates were. It's going to be a very difficult budget year for state legislators but we want to impress upon them that these programs, essential county programs, that have been passed down and other county programs that rely on critical state funding need to be continued to be addressed and keep at least the same level of funding that we have been receiving for these programs so we can meet state mandates and we don't have to pass along property tax increases to our citizens. We don't want the state to balance their budget, in essence, on the backs of our local property tax patrons.

So, that's my proposed budget for your approval. I'll stand for questions."

Chair McGinn said, "I was just . . . in talking about the state funding for essential county programs and looking at the backup material, I think it's important to know that many of the functions that we do have been handed down to us from the state and so we need to, as they give us responsibilities, we need to protect that source of funding in order to do our job. So, I know this is an ongoing issue. I hope we can work together with our legislators to see to it that the demand transfers that are to come to local governments are not cut. Commissioner Sciortino."

Commissioner Sciortino said, "Thanks. Mike, have you had a chance to visit with any of our delegation from Sedgwick County as to kind of a feel? I know that I think it was you who had suggested or somebody had suggested that we let them know a little bit ahead of time kind of what our platform is going to be and kind of get a feel for it. In general, do you think we have a good shot at trying to get some or all of these approved."

Mr. Pepon said, "I'm always optimistic. As part of the background process of developing it, I have met with some of the legislators and was talking to even state legislators as late as yesterday who had brought up, for instance, the district court issue to our local bar association during one of their legislating meetings. This has been an ongoing process and I'm optimistic that we can make some headway on these issues. It's going to be a tough legislative session. They have two very significant priorities. One, balancing their budget and dealing with the re-districting, re-apportionment and these other issues, we're going to have to get their attention as we can and

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impress upon them the importance of these issues to Sedgwick County.”

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

Chair McGinn said, “Okay. I don’t see any other questions.”

MOTION

Commissioner Gwin moved to approve the Platform.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chair McGinn said, “Thank you, Mike. And Mike, I would like to add that you have done a great job in doing some relationship building and I know our legislators have some challenges this year and so I’m just glad that we have a good working relationship and I feel that our working relationship with them, as well, has been improved. So, anyway, as Betsy said, good luck. Thank you. Next item.”

J. RESOLUTION AUTHORIZING TRANSFER OF MONIES FROM THE DIVISION OF HIGHWAYS FUND TO THE SPECIAL HIGHWAY IMPROVEMENT FUND AND/OR SPECIAL ROAD, BRIDGE AND EQUIPMENT FUND.

Mr. Chris Chronis, Chief Financial Officer, Division of Finance, greeted the Commissioners and said, “Generally, state law allows us to transfer fund balances at the end of the year into equipment reserves, so that that money can be used in future years for special equipment or capital project requirements. In the case of the highway fund, however, the state law has a special requirement that you act prior to the end of the year to authorize that transfer, if we choose to make one. The difficulty with that is that we don’t know how much money there might be to transfer until after the books have been closed at the end of the year.

So, the resolution that’s before you today gives us the authority to do that statutorily permitted transfer after the end of the year if we should determine, once we’ve closed the books, that there’s

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enough cash on hand to permit that transfer to be made. This is a routine action. You have done it each of the years that I've been here and I believe you've done it in years before that as well. If there are no questions, I'll recommend your approval."

Chair McGinn said, "Commissioners?"

Commissioner Gwin said, "Has the percentage always been 25%?"

Mr. Chronis said, "That's the maximum that the statutes permit for the highway fund. So, the resolution authorizes up to that amount."

Commissioner Gwin said, "Okay. All right, that's all I needed to know. Thank you."

Chair McGinn said, "Any other questions for Chris?"

Commissioner Sciortino said, "Let me just get one thing clarified, if I could, Madam Chair. This just will give us the authority to do it and to whatever level we wish to do it, if indeed we decide."

Mr. Chronis said, "That's correct."

Commissioner Sciortino said, "Okay."

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 R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

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

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K. RESOLUTION AUTHORIZING SALE OF UNREDEEMED REAL ESTATE AFTER TAX SALE.

Mr. Clarence Holeman, Assistant County Counselor, greeted the Commissioners and said, “This is the annual resolution that we present so that you can proceed with your statutorily required tax sales. The tax foreclosure statutes require you to take this formal action so that we can engage outside counsel and proceed with the tax foreclosure sales that you’ve seen occur down in jury room on the first floor. This is simply necessary so you can proceed with that duty. If you don’t have any questions, I would recommend that you go ahead and approve it.”

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

L. DIVISION OF COMMUNITY DEVELOPMENT.

- 1. RESOLUTION AMENDING CHAPTER 19 OF THE *SEDGWICK COUNTY CODE*, PROVIDING FOR ABATEMENT OF PUBLIC NUISANCES BY THE DEPARTMENT OF CODE ENFORCEMENT; ESTABLISHING HEARING PANEL TO HEAR APPEALS OF NUISANCE ABATEMENT DETERMINATIONS AND ASSESSMENTS.**

Ms. Hart said, “What I’ll be doing is paraphrasing some of the resolution. As you know, it’s several pages long. We do have representatives from the Attorney’s Office and from Code

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Enforcement to answer more of the technical or detailed questions, if you have any.

In recent months, we've updated and reorganized county codes related to nuisance, to public health, to zoning and to solid waste. In each, we've obtained public input and participation and established community standards, as well as defining the safety and welfare of the public. Now, we need to make sure that we can protect the public and enforce these standards.

The resolution before you establishes a process to abate public nuisances. Public nuisance, in this code, are generally defined as the following. A condition or an activity under the nuisance code that the court has declared to be unlawful or that the health officer has determined to be an imminent threat to a person's health or safety. Now, examples of that might be an abandoned building that's in danger of collapse or an open sewage discharge. So, those would fit under those categories. A public nuisance can also be defined as a continuing violation of the zoning code, again that the court has said is unlawful. And third, a violation of the solid waste code, such as cleaning up illegal dumping or trash, for example.

The resolution provides for two kinds of abatement. The first is summary abatement. That's when the public health, safety or welfare is in imminent danger. The Department of Code Enforcement then can immediately board up, barricade or otherwise make its condition safe. The second condition would be regular abatement. Generally, the offender has been found guilty in county court and is unwilling or unable to comply with the court order. The process begins with a written notification that the condition must be fixed or the county will clean it up and assess the costs against the property on the next regular property tax bill.

The resolution that you have before you has eight pages of procedures which insure due process but the keys to insuring fairness is that, first in nearly all the cases, the county court has to have found the resident or the property owner guilty. Second, under this resolution, the county commission appoints a five-member hearing panel. When Code Enforcement sends out the initial written notification, the property owner then has 30 days to appeal the abatement procedure. The hearing panel can then amend, modify, extend the time frame or may order the abatement. If the county does abate the situation, an itemized list of expenses will be kept and the owner notified of the cost and given the opportunity to pay. The owner, at this time, could again appeal the cost to the hearing panel.

So, these are the essential elements of the resolution. But why are we asking you to consider it. Now, just yesterday I received a call from a frustrated resident who lives next door to a problem property. Code Enforcement has tried to work with the offending resident. When that failed, they issued a notice of concern. When there was no change, they issued tickets. The tickets have not been paid. The conditions have continued to deteriorate and now are seriously affecting the neighbor. She was completely frustrated and was happy to know that we were taking steps to try to help her in her situation.

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With this resolution, we'll be able to enforce the laws that we have, we'll be able to assist the law-abiding neighbor and we'll be able to provide due process to the property owner. We'll be able to enforce the standards, which the community has told us that they want, which is to live in health and safety in their own house. I'd be happy to answer any questions or Aaron Blase and Glen Wiltse are here to answer those that I won't be able to."

Chair McGinn said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. Irene, you know we've been fighting this fight even before I came on board. You know, junk cars and trash and stuff and they've just sort of flaunted our efforts and then we were not able to get legislative relief, giving the court the authority to abate these nuisances. But these are also types of nuisances that, if the court decides that they are in violation, the court can order an abatement and we can now do it and get it accomplished because that's been one of the bigger headaches I've had. I don't know why in my district, with like you say law-abiding citizens really upset over our impotence on doing anything and this is designed to resolve that. Is that correct?"

Ms. Hart said, "Yes, sir."

Commissioner Sciortino said, "Great. That's all I have. Thanks."

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

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chair McGinn said, "Thank you, Irene. Next item."

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2. RESOLUTION ESTABLISHING A SEDGWICK COUNTY ADVISORY BOARD OF HEALTH; PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTING MEMBERS AND ESTABLISHING RESPONSIBILITIES.

Mr. Andy Schlapp, Project Manager, greeted the Commissioners and said, "Today I have two items for you. The first is an agenda item that is going to effectively take the Joint Board of Health and it will cease to exist and the Sedgwick County Commissioners will then become the Board of Health and then that board, the Joint Board of Health that existed before, will now become an advisory board and be your eyes, ears and the experts to advise you on how to proceed. If you don't have any questions, I would ask that you adopt this resolution and to proceed."

Chair McGinn said, "Andy, is the City . . . do they go through this process too, as we continue?"

Mr. Schlapp said, "Yes, they are also. I'm not sure when they're putting . . . they won't have the same home rule resolutions but they will have similar . . ."

Chair McGinn said, "Some different ones as this transformation takes place."

Mr. Schlapp said, "Their part of the Health Department that they will keep. Correct."

Chair McGinn said, "Okay."

Commissioner Sciortino said, "So, this will now be an advisory board that this commission appoints all of those members. Is that correct?"

Mr. Schlapp said, "Right. And currently, what we're going to do in part of this resolution is all the members that are currently sitting will move over and become an advisory board and then, in the future, as those appointments come up, then you will be appointing new members."

Commissioner Sciortino said, "Okay. So the restrictions and . . . like we say one has to be a medical doctor, a veterinarian, a dentist, etcetera, those are basically the same as what were in the . . ."

Mr. Schlapp said, "Correct."

Commissioner Sciortino said, "Okay."

Chair McGinn said, "Okay. Are there any other questions for Andy? If not, what's the will of the Board?"

Commissioner Norton said, "I have one question, Madam Chair. Describe the difference between

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how the board functions now and what it will become because I think that needs to have some dialogue.”

Mr. Schlapp said, “The City . . . and I don’t know how far back to go and I’m not the expert in this field. But the City originally, when it set up its charter, had some governing boards and the Park board was a governing board and the Airport Authority was a governing board and the Health Department was a governing board, where they actually had the ability to sign contracts and hire and fire the personnel. The City has been moving away from that and the Health Department is still a governing body. When we’re moving over to the County, we don’t have governing bodies. You sit as the Board and we have advisory boards. So, to be consistent with all the boards that we have, we need to change them from their current situation to a situation that’s not unique to our situation. So, they’ll be an advisory board, just like any of the boards at the County are advisory boards.”

Commissioner Norton said, “Okay. I thought we needed some clarification on that because it does change. I mean, we’re going from a really governing body board to an advisory board and that is a distinct difference of how we’re going to be governing the Health Department. That’s all I had, Madam Chair.”

Chair McGinn said, “Okay, thank you. Any other questions? If not, what’s the will of the Board?”

MOTION

Commissioner Sciortino 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 R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

Chair McGinn said, “Next item.”

3. RESOLUTION REDEFINING THE TERMS “WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH” AND “HEALTH

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OFFICER” TO REFLECT REORGANIZATION OF THE SEDGWICK
COUNTY HEALTH DEPARTMENT, EFFECTIVE JANUARY 1, 2002.**

Mr. Schlapp said, “This resolution, essentially, is using Charter Resolution number 54 again and what we need to do is change the name of the Wichita/ Sedgwick County Department of Community Health. That will cease to exist and the new name will be the Sedgwick County Department of Health. Also, the health officer role or his place in that organization will change and he will now currently answer to the County Manager.

We’re doing this, again, to be consistent with the Sedgwick County Code. This is kind of a global change that will allow us, as we make other changes, to substitute that language in the various places that it needs to be. And again, if there’s not any questions, I would ask that you approve this amendment.”

Chair McGinn said, “Any questions for Andy on this?”

Commissioner Gwin said, “Okay. Is it the Sedgwick County Department of Health or Division of Health?”

Mr. Schlapp said, “Department of Health.”

Commissioner Gwin said, “Department of Health . . . because the resolution says division, under section one. So, does that need to be corrected? On page 83 of our backup, section one says that the term ‘Wichita/ Sedgwick County Department of Community Health wherever it is used in the Sedgwick County Code shall be construed on or after January 1st of 2002 to refer as the Sedgwick County Division of Health.”

Mr. Robert Parnacott, Assistant County Counselor, greeted the Commissioners and said, “That’s my drafting error, apparently. At one point we were going back and forth as to whether it was going to be called division or department. It was finally communicated to me it was going to be department of health. Apparently, I did not get that change made. But we do need to provide you with a substitute resolution that would reflect that change.”

Commissioner Gwin said, “Well, can we just indicate that that’s what we want now and make it in the Motion now.”

Mr. Parnacott said, “Sure. And then we’ll get a corrected resolution available for the Chair to sign.”

Commissioner Gwin said, “Okay. Anybody else have any confusion, other than that?”

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Commissioner Gwin moved to adopt the Resolution, anticipating the technical change to the Sedgwick County Department of Health.

Commissioner Norton seconded the Motion.

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

VOTE

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

Chair McGinn said, "Go ahead."

Commissioner Sciortino said, "Okay, well just again, looking at it, in the caps up there, it says, 'will be replaced with the' . . . excuse me. I withdraw the question. I don't have a question. It's been answered since I read it right now. That's all."

Chair McGinn said, "Okay. Thank you, Andy. Next item."

M. TREASURER'S OFFICE.

- 1. RESOLUTION AUTHORIZING CERTAIN PERSONAL PROPERTY TAX JUDGMENTS TO BECOME DORMANT.**
- 2. PRESENTATION OF THE 2002 TAX DISTRIBUTION CALENDAR.**

Mr. Buchanan said, "Commissioners, Jan Kennedy is unavailable this morning and therefore request that we defer items M-1 and M-2."

MOTION

Commissioner Sciortino moved to defer Items M-1 and M-2 indefinitely.

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Commissioner Winters seconded the Motion.

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

VOTE

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

Chair McGinn said, "Next item."

N. AGREEMENT WITH EAGLEMED, A DIVISION OF BALLARD AVIATION, INC. PROVIDING AIR AMBULANCE HELICOPTER SERVICE WITHIN SEDGWICK COUNTY.

Mr. Tom Pollan, Emergency Medical Service, greeted the Commissioners and said, "This is an agreement to allow EagleMed to perform as a service for Sedgwick County EMS and to respond to them on scene flights, or scene locations where we have critically injured patients. The process is that we've asked them for documentation. All that documentation has been supplied. This particular agreement has been amended to request the CAMTS accreditation certification slip. That has been amended and placed in the agreement to be signed and has agreed to submit that information to us. I would recommend approval of this agreement."

Chair McGinn said, "Okay. Are there any questions for Tom? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Agreement 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 R. Norton	Aye	
Commissioner Thomas G. Winters		Aye

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Commissioner Ben Sciortino Aye
Chair Carolyn McGinn Aye

Chair McGinn said, "Thank you, Tom. Next item."

O. SHERIFF'S DEPARTMENT.

1. PRESENTATION REGARDING THE MIDWEST HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM.

Sheriff Gary Steed, greeted the Commissioners and said, "Commissioners, this morning I wanted to visit with you about a High-Intensity Drug Trafficking Area grant. Specifically, what we're trying to do is the State of Kansas, through the KBI, is trying to obtain a HIDTA grant. The grant would fund two Sheriff's detectives, two Wichita Police Department detectives and a KBI agent to form a Meth Amphetamine investigation task force to be assigned to the local DEA task force. The state would actually have the grant and what we would do is sign a memorandum of agreement with them to participate in the task force. I saw the recommended action was to receive and file but I think what I would request, or what we would need, this grant requires that we would hire two new people for the grant and so, we would need the slots added, the positions added to our staffing chart. So, I think what we really need is two or at least tentative approval of two positions added to our manning charts.

The grant is a five-year grant, funding for all of these folks. It has to be reapplied for annually, I believe but it's a five-year plan on the grant and it would fund over-time, staffing, office's salaries, all expenses paid for these individuals."

Chair McGinn said, "Okay. Commissioner Gwin."

Commissioner Gwin said, "Have you submitted the grant yet?"

Sheriff Steed said, "HIDTA has. It's all been submitted through the state and they have a manager that's already done that. We would expect approval . . . I think they said that if it's approved, the money will be available in February."

Commissioner Gwin said, "Okay, and that's when your folks . . . if it's approved, that's when you would hire people."

Sheriff Steed said, "Right."

Commissioner Gwin said, "Would it be more appropriate if we would wait until we find out

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whether or not there's approval before we add positions to the staffing table?"

Sheriff Steed said, "We could and I'm fine with that. I would certainly not like to miss the distinction that we were certainly interested or wanting to do this, we're committed to doing it. I don't think there would be too many issues with that, other than I guess we would have to come back before the Board of County Commissioners and ask for it then. And my only other concern about that is we have to hire and train our deputies and sometimes that timing gets involved too."

Commissioner Gwin said, "Okay. These would be new people . . . or would these be . . . we'd put existing personnel in these positions and then hire new personnel to fill the ones they left?"

Sheriff Steed said, "Yeah. The grant requires that we backfill those positions."

Chair McGinn said, "Mr. Buchanan."

Mr. Buchanan said, "Madam Chair, if it would please the Commission, by taking the action today to support the addition of two Sheriff's deputies for this, would give the Sheriff and us the flexibility when . . . it does two things. First, it gives us the flexibility to act quickly if there's strong indication is going to be forthcoming and the paperwork is just held up and the money is on the way. More importantly than that, it sends a strong signal to the state and to the federal government that we're serious about this, that we've already made the commitment. I don't think Sheriff Steed is in the position to not use these positions for this purpose or fill these positions if he doesn't need them. I would recommend we authorize those positions and send that message to the state and federal government."

Commissioner Gwin said, "Okay."

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

MOTION

Commissioner Gwin moved to add two positions to the Sheriff's Staffing Table in anticipation of receipt of this grant.

Commissioner Winters 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 R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

Chair McGinn said, "Next item."

2. GRANT APPLICATION TO U. S. DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO PROVIDE FUNDING FOR AN ADDITIONAL DETECTIVE TO WORK IN CONJUNCTION WITH THE WICHITA/SEDGWICK COUNTY INTERNET CRIMES AGAINST CHILDREN PROGRAM.

Sheriff Steed said, "Commissioners, currently we have an ICAC task force, through our EMCU, the Exploited and Missing Children's Unit. This is a second year of funding, or some additional monies that are available for 2002. And Lieutenant Roy Mitchell, over at EMCU, has put together a grant to hire a police detective and a sheriff's detective to be assigned to the Exploited and Missing Children's Unit task force, specifically assigned and trained to investigate Internet crimes against children. These are the traveler cases, the predator cases and the cases of that type that EMCU investigates. They have one investigator over there now investigated, I believe, 85 cases last year. It's a crime that continues. It's a crime that crosses borders and jurisdictions and it's also a crime that requires substantial investigative expertise, in terms of computers and computer expertise and a good bit of this grant covers the cost of training these detectives to investigate these crimes properly and also some training for other Exploited and Missing Children's Unit personnel as well.

I guess my request would be that you approve application of the grant and authorize the Chair to sign."

MOTION

Commissioner Norton moved to approve the Grant Application and authorize the Chair to sign.

Commissioner Winters 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 R. Norton	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Ben Sciortino	Aye
Chair Carolyn McGinn	Aye

Chair McGinn said, "Thank you, Gary. Next item."

P. DIVISION OF HUMAN SERVICES.

1. GRANT APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY FOR USE OF UNEXPENDED STATE FISCAL YEAR 2001 FUNDS FOR VARIOUS JUVENILE PROGRAMS.

Ms. Chris Kautzer, Systems Integration Coordinator, Department of Corrections, greeted the Commissioners and said, "Before you is a grant application to the Juvenile Justice Authority for use of the State Fiscal Year 2001 unexpended funds. This past October, the Juvenile Justice Authority confirmed that the 18th Judicial District had a total of \$788,531 in unexpended funds from our previous fiscal year. The Juvenile Justice Authority chose to allow each judicial district the opportunity to submit a plan that would allow us to keep this money in our community. The carryover funds can be used for existing programs, as well as new initiatives.

Following the recommendations of our local Juvenile Corrections Advisory Board, which is Team Justice, the Department of Corrections worked with Wichita State University to write the grant application that is before you. I'd like to briefly discuss how the carryover funds will be allocated for each of the prevention and the intervention/ graduated sanctions arenas.

The first arena we're going to talk about is prevention. A total of \$345,205 is available in carryover funds for prevention programming. The first project is the USD 259 Suspension Reduction project. This is a program to reduce elementary school suspensions in Wichita Public Schools. It was funded last year and we would like to use carryover funds to completely fund this program for a second year. The next program is a program that is part of our overall truancy efforts and that is the Community Resource and Referral Network. This program offers parent-to-parent mentoring services in the Hilltop neighborhood. The Hilltop Improvement Alliance is our new partner in this effort this year that is providing that service. Team Justice also felt it was important to not only have a community-based component of this program, but also a school-based site to work with the

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youth. So, we are asking for carryover funds to fund a Communities in Schools site at Jefferson Elementary School and then additional funds for the administrator's salary at Hilltop. We're requesting \$46,788 for this project.

The next project, again, is a truancy effort. It's a Truancy Immunization project. The DA's Office is asking for . . . or requesting funds for a part-time truancy coordinator to help process the truancy referrals from school districts. And Wichita A.C.T.S. on Truancy is requesting a part-time clerical position.

The next item is a truancy media campaign. We are proposing to use carryover funds for kind of a two-phased project. One is to do a research project and the Morris Agency is the lead agencies for this campaign and they would work with Wichita State University to do campaign awareness research. Based on those results, we would like to use some of the funding for extension of this media campaign. No more development costs. Just additional air time and print media space.

Kansas Children's Service League has two programs with us. One is parent training and one is Juvenile Intake and Assessment Center case management. A portion of the carryover funds they would like to use in both programs for staff training and in the JIAC case management program, some funds for flex funds, which are basically purchase of service dollars for clothing or transportation for the youth.

And finally, Functional Family Therapy Program, which is a model program with Family Consultation Service is requesting \$10,800 in carryover funds for staff training.

In our intervention/ graduated sanctions arena we have a total of \$443,326 in carryover funds. We would first like to restore funds to personnel for our Juvenile Intake and Assessment Center, which received a budget cut in this current fiscal year. Juvenile Field Services Division, which is also under the Department of Corrections, is requesting \$121,123 for a variety of projects. The first one being purchase of service funds, which is similar to flex funds. Again, can be used for transportation or clothing for youth. They would also like to do a research project to help verify the drug use among their clients. They feel, at this time, they have a high rate of compliance but they want to do additional testing and hire a part-time lab technician to do some additional testing to verify those results.

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They would also like to use some funds for improved orientation to Juvenile Field Services clients, families and the community by creating some brochures to explain the process that families and youth go through if the youth is involved in field services, as well as display board materials so the community can also understand this program. They would like to do a cultural competency training for staff and community that work with kids in the Juvenile Justice arena and take this one step further and take some of the forms that are commonly used by professionals and translate them into several different languages and finally, funds for staff training.

Next program, Detention Advocacy Service is a program through the 18th Judicial District Court. They are asking for additional funds for contracted attorney time to continue what they have collaboratively worked with the DA's Office and District Court to develop a Thursday morning docket. So, this program is an effort to get detention hearings in a more timely fashion. The diversion program with the DA's Office and the Multi-Systemic Therapy program with Family Consultation Service are asking for additional funds for staff training.

And finally, we have one new program request. Everything I've mention, thus far, is an already approved program. Our new program request is a request by Team Justice that they're recommending. This is a media campaign entitled 'Second Chances'. This campaign was developed in 1999, in commemoration of the 100 anniversary of the juvenile court. They have developed public service announcements to highlight individuals who were involved with the court system when they were younger but they have been able to turn their lives around and become successful adults. This campaign will not only help to reinforce the importance of staying involved in a child's life but it will also help change, possibly, some of the negative attitudes and maybe fears that adults have towards youth in our community that have previously been involved in our court system.

Team Justice has reviewed and approved this grant application on November 26th. I ask that you approve the application and authorize the Chair to sign the grant award agreement and any agreements with providers, which will contain substantially the same terms and conditions as this funding application. I'd be happy to address any questions that you have at this time."

Chair McGinn said, "Commissioner Norton."

Commissioner Norton said, "As I look over the monies, I have a real problem with spending \$128,000 and \$182,000 on media campaigns. I think that money needs to be put closer to where the kids are that are at-risk. I just think that we're going to research it again. We're going to come up with nice advertising that spends a lot of money for media and I think there's plenty of folks out there, teachers, non-profit people that know what the problem is and if we put the money a little closer to where the kids are, we'd get a lot better bang for our buck than telling people in the community that we have a problem. I think the professionals and we sitting on this bench already know there's a problem, so I have a problem with spending that much money. That's almost \$300,000, or over \$300,000 on research and media campaigns."

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Ms. Kautzer said, "One thing that I might mention is that the carryover funds will become available in January and have to be spent by the end of June. And the Correction Advisory Board, or Team Justice, felt that this was part of our overall strategic plan for our district as well. And we did also give opportunities for programs to apply for this funding. So, maybe that might be a little helpful for you to know that."

Chair McGinn said, "Commissioner Winters."

Commissioner Winters said, "What I was going to say is maybe we could approve all of these today except those involving the media campaigns and then get some more information about exactly what it is that Team Justice was talking about, thinking about and take them at a different time because I think it is important that some of these we get on with. And so, instead of delaying the whole thing, maybe we could just pull those two out, temporarily. Mr. Manager, do you have a suggestion about that?"

Mr. Buchanan said, "Yes, sir. The process that we're going through today is getting your approval so that the state has on record that we've applied for this money. There are ways in which we can then, once the State blesses it and says that we can retain the money, is to amend the program and budgets later. We can do one of two things and I would recommend that we do this. I would recommend we delay action on this until next week and I know next week's meeting is going to be long also, and let us assure you of what our plan is and that you have amendment rights and how we might be able to change this.

Our primary goal is to retain that money. We need to do whatever we need to do to retain that and then if we have to change the program later, we'd be happy to do that. But to make sure that that money's here. And I would recommend that . . . give us a chance to come back to you with some alternative solutions and think this through for one week."

Chair McGinn said, "Commissioner Sciortino."

Commissioner Sciortino said, "Yeah. I need to hear the 'or else'. We have to spend the carryover money . . .?"

Commissioner Winters said, "Or they send it to Kansas City or western Kansas."

Commissioner Sciortino said, "But my point is, the thing that I have a concern is, okay, let's figure out how to spend all this money. But that's still taxpayer's dollars too. A part of it is still Sedgwick County taxpayers' dollars and I don't want to see us rush just to spend it because we have it and we didn't figure out where to use it the first time around, just so that we couldn't, heaven forbid, send back some money and say we didn't need it this time.

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So, I mean, if we can figure out how to do this to really fund programs that are needed, great. But not just out of pride that we don't want to ever send money back to the government because it's not found money, damn it. It's Sedgwick County taxpayers' pay a portion of that money."

Mr. Buchanan said, "And our primary goal is to make sure that it's spent in Sedgwick County, A. Secondly, I would suggest that this is a dance, this is a dance that we do with the State legislature, the bureaucratic agency with the Juvenile Justice Advisory Board, the Community Corrections Advisory Board and at least the folks from this end, in Juvenile Justice in the state are trying to make sure that we have the funds available that we need to continue the programs. We knew that we were going to have seven hundred and some thousand dollars left at the end of the fiscal year. We planned on it. We planned on using it to cover shortfalls in 2002. I need to go back and talk to the advisory committee about some of the questions that were raised here."

Commissioner Sciortino said, "Okay. Well, that's all I wanted to get sure, is to make sure that if we have money that we can spend on programs and projects that need to have the money spent on, that's great. I don't want to just . . . we had \$300,000 left over. We couldn't figure out where to spend it so let's dump it into advertising and get some bang for the buck type thing because we didn't have any other programs to use it on. That's my concern. Okay, that's all I had."

Chair McGinn said, "Commissioner Norton."

Commissioner Norton said, "I kind of agree with Ben, other than if it's going to be turned back to the state and it's going to end up going to some other authority, if the tax money is going to be spent, Ben, I think it might as well be spent in Sedgwick County. I'm not disagreeing that we need to go after the grant funding.

I just have a problem with spending almost half of it for media type campaigns. To me, we haven't worked hard enough to find those places where the money can spend. I mean, it easy to just earmark it for a nebulous kind of media campaign that we're going to figure out later. That scares the heck out of me. I mean, I think we've got plenty of need and we know what it is, or shame on us if we don't know what all those little needs are out there."

Chair McGinn said, "I agree with Commissioner Norton. I mean, I'd like to see more about what this media thing is and I think we just did one last year and what the results and are we getting any positive impact off of that. But I guess I also look at this \$700,000 that we didn't use as organizations that are trying to spend their money wisely. They could have just gone out and spent it and they didn't. And one of the things that we have worked with our legislators and tried to send the message is 'bring the money home'. And so, I'd hate to send this message back that let's give it back and go ahead and give it to Johnson County because we do have, as I was just at a press

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conference yesterday, we have a lot of community issues that have to do with the judicial system, I mean the juvenile offender system, people getting out of jails, our prevention programs and all those things right here in Sedgwick County.

So, I'd hate to see us give this money to another county that doesn't have the kinds of problems and the challenges that we have right here in Sedgwick County. So, again, I'm for understanding this media thing a little better, but at the same time I see this \$700,000 is the fact that these groups did not spend it and they could have created ways to spend it and they didn't. And so, as we continue to look at programs that work in our community, that's where we need to take that money and use it there. Commissioner Gwin."

Commissioner Gwin said, "Chris, aren't we currently running some PSAs? I mean, I think I've seen some that indicate Sedgwick County's logo and I think the JJA's logo on the bottom."

Ms. Kautzer said, "Yes, that cycle will be completed at the end of January."

Commissioner Gwin said, "Could you bring . . . could someone bring some dubs of those, so we can at least see what the message is, to this point?"

Ms. Kautzer said, "Absolutely."

Commissioner Gwin said, "And remind us what the targeted audience is on those. I'd like to see kind of what we've been running already and what phase two is. I agree with Tim. If there's a better place to do it, fine but I'd kind of like to see how we've used it for this media campaign and then what the next step might be before I can say I approve or disapprove of those expenditures."

Commissioner Norton said, "Well, and to dovetail onto that, I'd like to see if we're coming to that end cycle, are we doing some kind of sampling out there that tells us how many people that's reached and did it make a difference and do people know about it. I don't necessarily think we need to spend more money if we find out that it didn't make any impact. That we just feel good because we had something on television that had Sedgwick County's logo on it. Sometimes, that's all that is, is feel good."

Chair McGinn said, "So, can we get that information back? Because I've seen some of those programs and I've seen some others and I don't know which ones are ours and which ones are somebody else's. I think one of the main focuses of the ones I thought were ours had to do with parents, you need to talk to your kids. And I know that that's sometime a hard thing to do in talking to our teenagers. But the message is, is that's what your teenagers really wants you to do. So, I would like to know whether they've been effective and that kind of thing. Commissioner Sciortino."

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Commissioner Sciortino said, "Thanks. I heard the term from Commissioner Gwin, PSAs. Were these just public service announcements that the media was just giving us for free? I heard PSA."

Commissioner Gwin said, "Oh, I think that was probably a misstatement. I think we probably had to pay for the time."

Commissioner Sciortino said, "We did pay for it?"

Ms. Kautzer said, "For the new campaign, it would be public service announcements that we would purchase the right to use here. For the truancy media campaign, those were not public service announcements. Those were developed and we paid for the air time."

Commissioner Sciortino said, "Well, I will say the one spot that I've been seeing and I don't know who puts it on, because I don't pay attention to what logo's on it, but where it's the kids busting the parent's butt for not getting on their butt to avoid . . . you know, I got mad at you when you did this. I got mad at you when you gave me that detention. Thanks, mom and dad type thing, because I think the problem is not the kid. The problem originated in the parents not giving the kid proper discipline. So, there are some effective campaigns.

What I was going to talk about is if these were PSAs that we had gotten, then I could almost argue that if we have an opportunity to pay back the media in real cash for freebies that they've been giving us all along, it's nice to give them some money saying, 'Hey, whenever we actually get some money, we'll actually pay for these spots' and then, in the future, they may be more receptive to giving us PSAs. But you indicated that we paid for those also."

Ms. Kautzer said, "Yes, but the media buyer for the Morris Agency was able to negotiate kind of a buy one, get one. So, we did get a match on that."

Commissioner Sciortino said, "And Bill, you indicated that if we could defer this for a week to get our hands around the thing that Tim's got a problem with and I sort of have a little bit, that wouldn't hurt this project about getting this?"

Mr. Buchanan said, "It will not hurt the project."

Chair McGinn said, "All right. So, I think I'm hearing a Motion?"

MOTION

Commissioner Sciortino moved to defer this item for one week to give staff the chance to respond to some of the questions that were brought up from the Bench today.

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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 R. Norton	Aye	
Commissioner Thomas G. Winters		Aye
Commissioner Ben Sciortino		Aye
Chair Carolyn McGinn		Aye

Chair McGinn said, "Thank you, Chris. Next item."

2. CONTRACTS (THREE) TO PROVIDE HOME CARE SERVICES TO ASSIST INCOME-ELIGIBLE ELDERLY CITIZENS TO REMAIN IN THEIR HOMES.

- **AFFORD-A-CARE, INC.**
- **ALL SAINTS HOME CARE**
- **SILVER SPARKLE**

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "The Income-Eligible Senior Care Act program provide care to persons 60 and over who are in need of options to help them remain in their homes. These consumers can acquire services through case management, which will allow help for personal care, homemaker services, respite care, personal emergency response, management and installation, as well as specific purchases that will assist them to maintain their independence in their home.

The Income-Eligible Senior Care Act services are offered in Butler, Sedgwick and Harvey counties

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through a network of providers who offer a variety of services. We use a vendor-designed system to minimize the shifting of provider contract amounts to the client transfer requests or provider closure. Vendor contracts allow the funding to follow the client, based on the provider of their choice.

The Income-Eligible administration and program budget for fiscal year 2002 is \$566,522, which is totally funded out of state dollars. Senior Care Act’s budget totals \$334,971, which is funded also through state legislative money. However, this does require a two to one match. The match for Sedgwick County is \$53,462. The other two counties contribute a combined total of \$13,365. The Sedgwick County total has already been approved through the mill levy budget process.

What I bring before you today is contracts for three new providers in our area. They are Afford a Care Incorporated, All Saints Homecare and Silver Sparkle. Each agency will provide services for both the income eligible and their senior care act programs. So, I would request that you authorize the Chairperson to sign and approve the contracts.”

Chair McGinn said, “Commissioners, are there any questions for Annette?”

MOTION

Commissioner Gwin moved to Approve the Contracts and authorize the Chair to sign.

Commissioner Sciortino seconded the Motion.

Chair McGinn said, “Any discussion?”

Commissioner Norton said, “I have just one comment. I think it’s critical that we keep adding to these home care services because, as I do reading on this, that is a much needed service in the senior community to be able to stay in their home and have services and everything. So, I think it’s very important that we continue to find other sources for this and I applaud you for that. Thanks.”

Chair McGinn said, “I think our citizens save money that way too, versus the alternative. Okay, I have a Motion and a Second. Any other discussion? Clerk, call the vote.”

VOTE

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

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Chair McGinn said, "Thank you, Annette. Next item."

Q. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH CORNEJO & SONS, INC. ON SEDGWICK COUNTY PROJECT 813-J, K; HOOVER ROAD BETWEEN 37TH AND 53RD STREETS NORTH. CIP# R-242. DISTRICT #4.

Mr. Spears said, "Item Q is a modification of plans and construction for the road improvement project on Hoover, between 37th and 53rd Streets North, designated as R-242 in the Capital Improvement Program. This project has been constructed and is ready to be finalized out. There will be a net decrease of \$154,132.60 mainly due to the elimination of the aggregate, which was not needed to stabilize the sub-base. I recommend that you approve the modification and authorize the Chair to sign."

MOTION

Commissioner Norton moved to approve the Modification of Plans and Construction and authorize the Chair to sign.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chair McGinn said, "Thank you, David. Next item."

R. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF DECEMBER 6, 2001.

Mr. Chronis said, "You have before you the Minutes of the Board of Bids and Contracts meeting of December the 6th."

**1) LIQUID APPLICATION SYSTEM EQUIPMENT- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

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Item number one on that list is liquid application system equipment for Public Works. The recommendation is to accept the low bid meeting specifications, which is the one from Kansas Truck Equipment in the amount of \$58,425.

**2) FILENET MAINTENANCE RENEWAL- DISTRICT COURT
FUNDING: 18TH JUDICIAL DISTRICT**

Item number two is the renewal of a maintenance contract for a Filenet system in the District Court. The recommendation is to accept the quote from Filenet in the amount of \$46,755.

**3) SURVEY EQUIPMENT- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

Item number three is survey equipment for Public Works. The recommendation at the Bid Board meeting is to accept the low bid, including trade-ins, from Griner & Schmitz for the amount of \$10,900. You have separately received an e-mail from Iris Baker explaining that, because of an issue that has surfaced after the bid board meeting, we are recommending that you refer this item back to bid board, at which time the bid board will recommend that all bids be refused and that this item be re-bid.

**4) OUTBOUND EXPRESS MAINTENANCE RENEWAL- DIVISION OF
INFORMATION & OPERATIONS
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

Item number four is Outbound Express Maintenance renewal for the Division of Information and Operations. Recommend that you accept the quote from Allen Systems Group in the amount of \$13,359.60.

**5) HON FURNITURE- COMCARE
FUNDING: COMCARE**

Item number five is furniture for COMCARE. The recommendation is that you accept the low bid of G21 Budget Office Furniture in the amount of \$18,390.62.

**6) HEAT SOFTWARE MAINTENANCE RENEWAL- DIVISION OF INFORMATION
& OPERATIONS
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

Item number six is Heat Software Maintenance renewal for the Division of Information and

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Operations. Heat Software is the tracking software that's used for calls that go into the Help Desk. The recommendation is that you accept the quote from FrontRange Solutions in the amount of \$15,647.31.

**7) COMPUTERS- ENTERPRISE RESOURCE PLANNING
FUNDING: TECHNOLOGY**

Item number seven is computers for the Enterprise Resource Planning project. The recommendation is that you accept the bid from Gateway for \$38,670.

**8) TRACTORS- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**

And the final item is item number eight, which is tractors for Fleet Management. The recommendation is that you accept the low bid from Western Implement, which net of trade-ins, will be \$97,920.

If there are no questions, I recommend that you approve the Minutes and the actions as recommended by Bid Board.”

Chair McGinn said, “Commissioners, what’s the will of the Board?”

MOTION

Commissioner Gwin moved to approve the recommendations of the Board of Bids and Contracts with the exception of number three, which we refer back to Bid Board for reconsideration.

Commissioner Norton seconded the Motion.

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

VOTE

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

Chair McGinn said, “Next item.”

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CONSENT AGENDA

S. CONSENT AGENDA.

1. **One Easement for Right-of-Way for Sedgwick County Project No. 833-I, J, N ½ K; Webb Road between the north Wichita city limits and K-254. CIP# R-238. District #1.**
2. **Agreement with Haskell County providing access to Sedgwick County's Motor Vehicle Tax Estimator.**
3. **Agreement with Special Needs Billing providing Developmental Disability Community Services Provider Status to contractor.**

4. **Applications for License to Retail Cereal Malt Beverages.**

<u>Applicant Name</u>	<u>Business Name</u>
Henry R. Waguespack	Kwik Shop #706
Joe Gregory	Quik Trip West Inc.
Sam Eberly	Eberly Farm Inc.
Sharon F. Anderson	Bud's Bait & Burgers
Christopher Rickard	Bomber Burger

5. **Section 8 Housing Assistance Payment Contract.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V010165	\$358.00	Hvy	South Park Apartments

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

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<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V98004	\$78.00	\$8.00
V2004	\$245.00	\$194.00
V2009	\$525.00	\$462.00
V200106	\$59.00	\$43.00
V200108	\$273.00	\$278.00
V200109	\$321.00	\$350.00
V200122	\$308.00	\$280.00
V01024	\$149.00	\$149.00
V20144	\$116.00	\$68.00
V2070	\$200.00	\$232.00
V20102	\$324.00	\$340.00
V99066	\$600.00	\$410.00
V99079	\$432.00	\$473.00
V01024	\$450.00	\$149.00

7. **Notifications of Grant Award (two) through Older American’s Act Title III C-2 providing funding to Newton Meals on Wheels and Susan B. Allen Memorial Hospital (El Dorado Meals on Wheels).**

8. **Authorization per K.S.A. 79-2012 to withhold delinquent personal property taxes under the County Treasurer’s certification dated November 28, 2001.**

9. **Technical corrections to the Sedgwick County Personnel and Policies Manual.**
 - Policy 4.310: Equal Employment Opportunity Policy/Drug Testing/Substance Abuse
 - Policy 4.500: Employee Conduct and Relations Standards/Termination
 - Policy 4.501: Employee Conduct and Relations Standards/Discipline
 - Policy 4.601: Separation/Involuntary Termination
 - Policy 4.604: Separation/Retirement – Kansas Public Employees Retirement System
 - Policy 4.605: Separation/Retirement – Kansas Police and Fire Retirement System
 - Policy 4.700: Leave Benefits/Vacation
 - Policy 4.701: Leave Benefits/Sick Leave
 - Policy 4.703: Leave Benefits/Maternity Leave

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- Policy 4.704: Leave Benefits/Paternity Leave
- Policy 4.709: Leave Benefits/Leave of Absence Without Pay
- Policy 4.711: Leave Benefits/Family and Medical Leave

- 10. Orders dated November 28 and December 5, 2001 to correct tax roll for change of assessment.**
- 11. General Bills Check Register of December 7, 2001.**
- 12. Budget Adjustment Request.**

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “You have the Consent Agenda before you and I would recommend that you approve it with the addition of Item thirteen. It’s an addition of a plat, Country Terrace Addition, which was inadvertently left off the list.”

MOTION

Commissioner Gwin moved to approve the Consent Agenda and add item thirteen, the plat for Country Terrace Addition.

Commissioner Norton seconded the Motion.

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

VOTE

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

Chair McGinn said, “We’re going to recess this meeting.”

The Board of Sedgwick County Commissioners recessed to the Fire District Meeting at 11:44 a.m. and returned at 11:45 a.m.

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Chair McGinn said, "I'll call back to order our Regular Meeting. Is there any other business to be brought before this Board?"

T. OTHER

Commissioner Norton said, "I have a few things. First of all, I got the Spread Your Christmas Cheer from recycling, and Do the Math advertising campaign. I had one comment. It says, under Sedgwick County, it listed quite a few of the small cities. It did not list Derby or Haysville and I know they both have Christmas Tree recycling programs that may be individual to their communities, but I think it would make good information, as we put it out, to let everybody know that probably all the small cities have a drop-off point. I know in Haysville it's at the Senior Center and I'm not sure in Derby, but I know they have recycling tree programs. It wasn't listed on here and maybe these are just locations that we take care of in Sedgwick County but I don't know that we take care of Botanica and Boston Park and Buffalo Park in Wichita, so we probably should have listed . . ."

Commissioner Gwin said, "Yeah, we do. We do now."

Commissioner Norton said, "We may want to list other places that are available. I guess that was my idea.

I attended a meeting on the Cowskin Diversion, which is one of the next drainage projects that we're looking at and we got into a pretty heated discussion about the Cowskin Creek and who has ownership of that, is there an old drainage district that was created and abandoned and I would like to ask that maybe Rich Euson and Dave Spears get their heads together and see who controls the Cowskin Creek, maybe not just from the Big Ditch south to the County line, but maybe even the north portion. There's been some old drainage districts that have controlled that, I feel they were just abandoned and maybe never really legally abandoned, they just went inactive. And I'd like to find out where we stand on that.

It's going to make a difference on how we move forward on some of our drainage problems on the south side and I need to have that cleared up. So, as we move forward on the Cowskin diversion, I did have a great meeting with Paul Taylor and his group, three township representatives, the City of Haysville representatives. We had a really good meeting for about two hours but we finally got down to the point that the Cowskin needs to be cleaned out on the south side too, to make the drainage work, some of the projects work, and we don't know who controls that. So, I'd like to challenge you to find that out for me.

We went through a Fleet Management tour Tuesday and although it was relatively cold out there, it was warming to know that we've got a wonderful new building going in that's going to supply great services to the County for many years to come. I'd like to go on record as one of the challenges that I would have is that, as we build this great facility with a lot of capacity, that we try to work with the townships and small cities now to make sure that they know we've got that facility and we can provide

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maybe them some services on their fleet management. And you know, for a small fee and some costs that we can determine later, that maybe out facility can be used at 100%, 365 days a year and supply great service to townships and small cities that don't otherwise have the ability to do that.

The final thing I have, and I've asked the Manager to check it out for me, is several years ago we bought small Veterans' flags and markers for some of the cemeteries within the County and we discontinued doing that. I've had several organizations come to me about that and I'm think, for a small amount of money, we may want to re-institute that next year, based on the new Americanism and what's going on with war and Veterans. So, I'm going to throw that out. It's not a Motion or anything. I'd like for us to consider that, as we move forward next year. We've got a little contingency money. I think for a small amount we might be able to do something there. There may be some history of why we quit doing it that some people know about that maybe it's not going to be appropriate. I'd like to hear that some time in a comment. That's all I have. Thanks."

Chair McGinn said, "Thank you, Tim. Is there any other business?"

Commissioner Sciortino said, "Yes, Madam Chairman. I don't know if anybody else has any comments. I have just a couple of things prior to the main thing. One, I attended, along with some of you, the dedication of the new Wichita Area Business Association's new corporate offices or association's office."

Chair McGinn said, "Wichita Area Builder's Association."

Commissioner Sciortino said, "Builder's Association and as our Chairman mentioned, at that function, it is really nice to see the builders put some of their money where their mouth is about resurrecting the interior of a city and trying to infill. They could have just as easily put it out on the fringes, like a lot of companies do, but they opted to come right down to the core of Wichita to put their facility and do nothing but further enhance this area, because of their presence in a new building and what have you. And they're to be congratulated. Their national director announced that this association has the honor of being the best association, I think was what he said, in the country. And I thought that was . . ."

Chair McGinn said, "Next to his local."

Commissioner Sciortino said, "Well, he did that tongue-in-cheek, because he didn't come in under budget and on time. And the other thing, just real briefly, a former colleague of ours, Mark Schroeder, as you probably noticed in the paper, has been appointed the new city administrator for the City of Derby. So, I think you probably feel comfortable with me in joining in wishing him the best of luck and, if he's watching, I question whether or not he has sufficient things to do down there with this new facility but that's it.

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MOTION

Commissioner Sciortino moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider consultation with Legal Counsel on matters privileged in the attorney/client relationship relating to legal advice and also personnel matters of non-elected personnel and that the Board of County Commissioners return from Executive Session no sooner than 12:05.

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 12:05 p.m. and returned at 12:22 p.m.

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

U. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 12:24 p.m.

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

CAROLYN McGINN, Chair
Fourth District

BEN SCIORTINO, Vice Chair
Fifth District

BETSY GWIN, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2001