

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MARCH 27, 2002

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, March 27, 2002 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chair Ben Sciortino with the following present: Chairman Pro Tem; Commissioner Betsy Gwin; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Deborah Donaldson, Director, Division of Human Resources; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Lucretia Taylor, Diversity and Employee Relations Officer, Division of Human Resources; Ms. Jeannette Livingston, Contract Administrator, Comprehensive Community Care (COMCARE); Ms. Annette Graham, Director, Department on Aging; Mr. Marty Hughes, Revenue Manager, Division of Finance; Mr. Phil Rippee, Risk Manager, Department of Risk Management; Dr. Charles Magruder, M.D., Director, Department of Health; Ms. Phyllis Gearing-Anderson, Director of Preventive Health, Department of Health; Mr. Brad Snapp, Housing Director, Housing Office; Mr. Pete Giroux, Senior Management Analyst, Budget Department; 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.

INVOCATION

The invocation was led by Commissioner Gwin.

FLAG SALUTE

ROLL CALL

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

Chairman Sciortino said, "It should be noted that Commissioner Norton was not able to attend. He is at another meeting that precluded him being here this morning. Next item please."

CONSIDERATION OF MINUTES: Regular Meeting, March 6, 2002.

The Clerk reported that Commissioner Norton was absent at the Regular Meeting of March 6, 2002.

Chairman Sciortino said, "Commissioners, you've had a chance to review the Minutes of March 6, what's the will of the Board?"

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MOTION

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of March 6, 2002.

Commissioner McGinn seconded the Motion.

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

VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item please."

DONATION

- A. DONATION OF \$110.96 BY WICHITA EMPLOYEE'S FRIENDSHIP FUND, TO BE USED TO DEVELOP AND PRESENT EDUCATIONAL MATERIALS FOR COMPREHENSIVE COMMUNITY CARE'S (COMCARE) SUICIDE PREVENTION PROGRAM.**

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "We really appreciate this donation. The City of Wichita's Friendship Fund does donate on a fairly regular basis to our suicide prevention program and we do use those funds for educational materials and presentations. I would recommend that you accept the donation and authorize the Chair to sign."

Chairman Sciortino said, "Thank you Deborah. Commissioners, any comments or questions? What's the will of the Board on this item please?"

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MOTION

Commissioner Winters moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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 Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item."

NEW BUSINESS

B. ISLAND ANNEXATION REQUEST BY CITY OF WICHITA, KANSAS FOR PROPERTY GENERALLY LOCATED NORTH OF 47TH STREET SOUTH AND EAST OF HOOVER ROAD. DISTRICT #4.

Mr. Robert W. Parnacott, Assistant County Counselor, greeted the Commissioners and said, "This is in Commissioner Norton's district. Let me bring it up on the map."

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "If I may interrupt at this point. Commissioner Norton had requested that this item be deferred. So you can take in the information today and have the presentation. You would probably recommend that we visit it again next week. The request from Commissioner Norton was that he wanted to be present. It is in his district and he wanted to be present for this item and would ask that it be deferred."

Chairman Sciortino said, "Commissioner Winters."

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Commissioner Winters said, "I was just going to make a comment. I see we do have some folks here from the City of Wichita for the presentation. But since it is in Commissioner Norton's district and he was called away this morning, I would prefer that we not take any testimony or any comments until he is here to share the whole thing with us. So, unless somebody has another plan, I would prefer that we would defer this for one week."

Chairman Sciortino said, "Okay. Before you frame a Motion I know Commissioner McGinn has a comment."

Commissioner McGinn said, "I just wanted to make the same comments. I think he needs to hear all of it."

Chairman Sciortino said, "Okay, I'd entertain a Motion."

MOTION

Commissioner Winters moved to defer Item B under New Business for one week.

Commissioner McGinn seconded the Motion.

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

VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Thank you very much. It was very eloquent, Bob. Next item please."

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C. RESOLUTION REVISING/DELETING POLICIES 4.502 AND 4.503 OF THE SEDGWICK COUNTY PERSONNEL POLICY AND PROCEDURES MANUAL.

Ms. Lucretia Taylor, Diversity and Employee Relations Officer, greeted the Commissioners and said, "What you have before you is a Resolution to amend and revise some Sedgwick County personnel policies. County policies are continually reviewed for needed revisions. Changes to two policies have been recommended for the purpose of avoiding redundancy and for increasing employee grievance rights. The first policy is Sedgwick County grievance policy 4.502. Currently employee grievances have been dismissed when employees either file a lawsuit or complaint of the same subject matter with any other board or agency, for example, Kansas Human Rights Commission or E.E.O.C. The matter is then deferred to those agencies or other bodies to make a finding.

What we are wanting to do is to revise that policy through the deletion of that section which will allow employees greater grievance rights. So in essence, we will continue to process and investigate those grievances in addition to the employee having filed with an outside agency. It just allows greater grievance rights for our employees.

The second policy revision we are requesting is that there is a remedy for addressing false reports. In section 503, which is our sexual harassment policy, there was a provision, which stated that false complaints, complaints that are filed in a frivolous matter, will may be subjected to some type of discipline. We would like to delete that section of that County policy in order to make sure that employees do not feel that they have any kind of chilling effect, I mean, that they are able to still go ahead with a sexual harassment complaints. We feel like that having that section there may create an issue with employees filing a sexual harassment complaint. So we would like to delete that section.

These are the two policy changes. Again, we are continually reviewing our policies and procedures. I would request that you would approve the Resolution. If you have any questions regarding these two policy changes I would be happy to answer any questions for you."

Chairman Sciortino said, "Thank you, Lucretia. We do have a question. Commissioner Winters."

Commissioner Winters said, "Lucretia, it would be correct to say, if any of the County employees should be listening today or on a rebroadcast, this is certainly not taking away anything from their rights but is in fact probably being more beneficial to them as employees, is that correct?"

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Ms. Taylor said, “Exactly. This just basically increases the due process rights that County employees already have. There are no rights being taken away from any County employees.”

Commissioner Winters said, “All right. Thank you.”

Chairman Sciortino said, “Just further clarification. For some reason we have a policy in place that says if any employee falsifies any documents or records and that could include somebody falsifying a document or a testimony in a sexual harassment case, our policy always did cover that, but for some reason we had an additional policy manual that focuses solely on sexual harassment case and that deletes that but it falls back to the general policy that all employees have been covered under all along.”

Ms. Taylor said, “Correct.”

Chairman Sciortino said, “So it doesn’t minimize the ability of the County to take action on any falsified report but it just eliminates focusing an additional comment on just one particular item that a County employee may . . .”

Ms. Taylor said, “Exactly, it just voids the redundancy on the policies.”

Chairman Sciortino said, “I understand. I don’t see that there are any other questions. What's the will of the Board on this item please?”

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

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Chairman Sciortino said, "Thanks Lucretia. Next item please."

D. DIVISION OF HUMAN SERVICES.

1. AGREEMENTS (TWO) PROVIDING TERMS AND CONDITIONS FOR USE OF 2002 SEDGWICK COUNTY COMMUNITY CRIME PREVENTION GRANT FUNDS.

- **TIYOSPAYE, D.B.A. HIGHER GROUND**
- **WICHITA A.C.T.S. ON TRUANCY**

Ms. Jeannette Livingston, Contract Administrator, COMCARE, greeted the Commissioners and said, "The two contracts provide 2002 Sedgwick County Community Crime Prevention Grant funding to the Learning the Ropes program at Higher Ground and the Wichita A.C.T.S. on Truancy program. The Learning the Ropes program is a substance abuse prevention and intervention program. The program involves an innovative specialized substance abuse program for adolescents. The program is designed to serve 225 youth in 2002. Program services include diagnostic and referral, a ropes challenge course, prevention services and outpatient therapy, as well as bilingual Spanish services. The program has received funding through the Crime Prevention funding program since 1998.

Wichita A.C.T.S. on Truancy provides truancy prevention and intervention services to five targeted middle schools. The program is designed to serve 220 youth through its intensive intervention services, 300 additional youth through their education and prevention services. The program works both with students and parents and has been a prevention grant recipient since 1998. Both agencies have proven track records with the program and have demonstrated the ability to work with troubled youth. The recommended action is to approve the contracts and authorize the Chair to sign."

Chairman Sciortino said, "Thank you. Any questions? I don't see any question. What's the will of the Board on this item please?"

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MOTION

Commissioner McGinn 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 Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Thanks Jeannette. Next item please."

2. MODIFICATION OF CONTRACT WITH MEDICAL SERVICE BUREAU TO REFLECT A FISCAL YEAR 2002 BUDGET INCREASE.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "This is a modification of an existing contract with Medical Service Bureau for our fiscal year 2002 mill levy contract. Mistakenly, the contract for 2002 listed the same dollar amount as the 2001 contract. There was an increase of \$2,000 in their budget. So this changes that from \$27,000 to \$29,000 and that is the only modification. We would request that you approve the modification and authorize the Chair to sign the Contract."

Chairman Sciortino said, "Thank you. Any questions on this item please? I don't see any. What's the will of the Board?"

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MOTION

Commissioner Gwin moved to approve the Modification of Contract and authorize the Chair to sign.

Commissioner Winters seconded the Motion.

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

VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item."

3. CONTRACT WITH REGIONAL PREVENTION CENTER TO PROVIDE SUBSTANCE ABUSE PREVENTION EDUCATION AND INFORMATION, AND REFERRAL SERVICES.

Ms. Donaldson said, "This is an ongoing contract that we have had with the Regional Prevention Center. They provide a variety of prevention activities including education, working with youth, and a number of community kinds of projects. This year we will be providing \$11,000 out of County liquor tax funds. I would recommend your approval and would be glad to answer any questions."

Chairman Sciortino said, "Thank you. Any questions of this presenter? I don't see any. What's the will of the Board on this item please?"

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MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item."

4. ADDITION OF ONE SENIOR SOCIAL WORKER POSITION, RANGE 22, TO THE COMCARE STAFFING TABLE.

Ms. Donaldson said, "Commissioners, this is request to add a qualified mental health professional to the COMCARE staffing table. This particular position is for Project 275, which focuses on working with youth who have a mental health issue and really have one foot into the foster care system. This system is an extremely successful program. Out of the 280 youth served only 5 of them actually went into foster care. The State provides a grant for this particular position of \$34,000 and the rest of the position is funded through revenues for a total of \$58,397. I would be glad to answer any questions and would recommend your approval."

Chairman Sciortino said, "I have some questions. Commissioner Gwin."

Commissioner Gwin said, "Thank you. Debbie, just a little bit more detail for the viewing public on Project 275. Talk to me about how those kids are identified and how we go about finding them and getting this service to them."

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Ms. Donaldson said, “Just to give a little history, we were looking in Sedgwick County at escalating numbers of children going into foster care. The decision that was made that it was time to set aside some money and literally say ‘let’s start thinking outside the box’. We can’t do more of what we already do. We have to do some things differently to keep these children in their homes. And our part of that project was to look at children with mental health needs and finding if in fact we got in there right when this was ready to happen, before it happened, and met those needs that these children could, in fact, be kept in their homes. So S.R.S. and other agencies who are seeing kids who meet that criteria are referring them and we’re responding, basically immediately, so that doesn’t happen.”

Commissioner Gwin said, “I appreciate the history because there are probably a lot of folks who aren’t familiar with this project. I’m certainly going to be approving the addition. Thank you Mr. Chairman.”

Chairman Sciortino said, “Thank you. Commissioner Winters.”

Commissioner Winters said, “Thank you. I, I guess, wanted to follow on the same theme that Commissioner Gwin was on. If I remember correctly, when S.R.S. came to us they said we want to try this and I believe the name of the program, 275, is they hoped that 275 children would be helped to not need to be entering the foster care programs. This might be a time to try to have a little celebration, a mini-celebration or something to say that we accomplished the task that S.R.S. set before us.

So much of the foster care program still seems to be semi-broke. I would hope that we could get the word to the right people that need to know that here was a challenge that COMCARE of Sedgwick County stepped up to and now maybe we need to change the name of the program from the 275 program to the 500 program because we’ve accomplished helping 275 families keep their children out of foster care. And I think that’s a significant event. I hope that you and your staff will look for ways to really let the public know. I don’t know if that is by some kind of newspaper story or report but maybe this needs to be more than just the County Commissioners approve hiring a new individual but County Commissioners approve hiring an individual to continue a very, very successful foster care program. I hope we can let others know your success. That’s all I had Mr. Chairman.”

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Chairman Sciortino said, "Thank you. Debbie, let me expand on that a little further. Why don't you work directly with Kristi in Communications. Make sure that she gets all of the facts because I think this is something that we should send up to Topeka and let our legislators know. Maybe find out what committee deals with S.R.S. funding, if indeed there is a committee and make sure, through Communications that they get a detailed report on how successful this project was and also let the public know. In these days where state legislature, I'm resigned to the fact that they are going to start trying to cut budgets. Maybe if they see some success stories in one area maybe they will be less interested in cutting out successful projects and maybe looking at those that maybe haven't demonstrated quite the same success. Please do get with Kristi and let's see if we can't do what Commissioner Winters has strongly suggested. Thank you.

Just one other thing, this is in keeping with my personality. I know the state is granting \$34,000 and you indicated the other \$24,000 comes from revenues. What revenues are you referring to when you say that?"

Ms. Donaldson said, "When the services provided, for example intakes or maybe some individual or family therapy, this particular individual can bill for those services, particularly through Medicaid. So our expectation is that they would make up that difference, in terms of revenues. Most of our positions are funded that way."

Chairman Sciortino said, "Okay. But when a person is hired they can't start billing until once they are hired and once they start providing services. Are they deferring their pay until . . . do we have a pool of revenue funds right now that we can start paying for this individual until he or she starts billing for them?"

Ms. Donaldson said, "Yes, and we have the \$34,000 directly from the State that certainly would pay for those individuals when they just start."

Chairman Sciortino said, "What will this . . . is this the annual salary that this individual will be receiving, the \$58,397 or what is the salary that this individual is coming in at?"

Ms. Donaldson said, "That is the salary and benefits together. What we are trying to do is show the total costs."

Chairman Sciortino said, "Okay. So this is the total package on an annual basis. Okay. That's all I have. Thank you. Any other questions? What's the will of the Board on this item please?"

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MOTION

Commissioner Gwin moved to approve the addition to the COMCARE Staffing Table.

Commissioner Winters seconded the Motion.

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

VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Thank you Debbie. Next item please."

E. CONTRACT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO PROVIDE FOR SHARED COSTS OF OPERATING THE EXPLOITED AND MISSING CHILDREN UNIT.

Mr. Marty Hughes, Revenue Manager, Division of Finance, greeted the Commissioners and said, "This morning we have before you the agreement with the Kansas Department of Social and Rehabilitation Services which has historically provided one third of the cost-share of materials and supplies and operating expenses for the Exploited and Missing Children Unit. This contract renews this cost share rate with S.R.S. through 2002. The contract may be renewed annually in writing subject to mutual agreement of the parties. Based on 2002 E.M.C.U. budget, one-third of the cost of the operations for the Exploited and Missing Children Unit in 2002 will be about \$36,000. Staff recommends that you approve and authorize the Chairman to sign this agreement for one more year of shared funding for the E.M.C.U."

Chairman Sciortino said, "Thank you. Is there any questions? I don't see any. What's the will of the Board on this item please?"

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MOTION

Commissioner McGinn moved to approve the Contract 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 Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Thank you Marty. Next item please."

**F. APPLICATION TO KANSAS DEPARTMENT OF HUMAN RESOURCES,
DIVISION OF WORKERS COMPENSATION FOR RENEWAL OF WORKERS
COMPENSATION SELF-INSURER PERMIT NUMBER 718.**

Mr. Phil Rippee, Risk Manager, Department of Risk Management, greeted the Commissioners and said, "As previously stated, this is our annual renewal of the self-insured workers compensation permit for Sedgwick County. This renewal application does not reflect any changes in our policy and the ultimate decision to renew by the Kansas Department of Human Resources will be based on Sedgwick County's overall financial position and history of compensation losses as presented with the application. The application will also be supported with a copy of our 2001 comprehensive annual financial report. If we were to purchase premium insurance for this coverage it would be about \$2,258,000. Projected costs for this for the self-insured program would be about \$1,200,000. That is a savings of approximately \$963,000 for taxpayers. If you have any questions I would try to answer them. If not, I would recommend you approve the application and authorize the Chair to sign."

Chairman Sciortino said, "Thank you. Do we have any questions of this presenter? I have just a question here Phil. If I understand it right, you're saying that in order to provide this type of insurance as a benefit to our employees the annual premium would be 2.2 million."

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

Chairman Sciortino said, "The self funding program, am I right in saying that what we're estimating is that they'll only be \$1,294,000 in claims."

Mr. Rippee said, "That's in claims and total operational costs of the program."

Chairman Sciortino said, "Correct. So if that's the total amount that is at risk, why would anybody be willing to pay almost double for a premium to protect you from something that would only cost half as much if you ever had to . . . In other words, if the cost to protect my house from fire was twice as much as what it would cost me to replace it if it burnt down why would I ever consider buying insurance? How do insurance companies sell premiums like that?"

Mr. Rippee said, "Well, because most of the time people don't have enough reserve to put back or enough money to put back. If you had enough money to replace your complete house and you had it in a fund that was drawing interest you would be smarter to do it that way instead of buying insurance and paying the premium. It would be like buying a car. A lot of people have the adage of buying a car by saving the money first and then buying the car but not a lot of people can do that. They buy the car and pay the interest. But on a self-insurement program, most organizations with over 500 employees will self-insure. The market got real soft in the last three or four years and a lot of people came to knock on our doors here at Sedgwick County and wanted to sell us a policy for work comp. Even though you have to tell them that you know you're just about at the break-even point you kind of last it out because over the long run over the last 14 years the premium would have cost us about \$20,000,000 and we spent about \$12,000,000 over the last 14 years so we've saved quite a few million dollars by being self insured. It takes an awful lot of work to do it in house but it is well worth it and there are a lot of things involved in it that are tangible. Taking care of our employees and doing the right thing for them, instead of waiting for an insurance company and begging them for a check for our employees or something like that."

Chairman Sciortino said, "I just applaud you for the type of thinking that you are doing here because this is very apparent that you just saved the County close to a million dollars and that is just one year so I applaud you for that. Are there any further comments or questions? What's the will of the Board on this item please?"

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MOTION

Commissioner Winters moved to approve the Application 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 Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Thank you very much Phil. Keep up the good work. Next item please."

G. DEPARTMENT OF HEALTH.

- 1. GRANT APPLICATION TO KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES – SUBSTANCE ABUSE PREVENTION, TREATMENT AND RECOVERY FOR FUNDING OF THE HEALTH DEPARTMENT BEHAVIORAL HEALTH CENTER.**

Mr. Charles Magruder, M.D., Director, Department of Health, greeted the Commissioners and said, "In terms of the Behavioral Health Center application, I assure you there is just one slide. This will not be a lengthy presentation.

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POWERPOINT PRESENTATION

To outline this quickly, the amount is for \$95,000. The history here, this has been funded through S.R.S. for more than 20 years. The money that we will obtain will be used to support two full-time counselors and perhaps the most important point of all, this is a performance-based program that has treatment outcomes that demonstrate the program's effectiveness and continued funding is clearly based upon continued demonstration of that effectiveness. I'll be happy to answer any questions that you have."

Chairman Sciortino said, "Did Jan Kennedy ask you to put that up?"

Commissioner Gwin said, "No, I did."

Chairman Sciortino said, "Oh, you did. Okay, great."

Commissioner Gwin said, "And look, it's a reserve. It's Jeff Carry. It's a reserve. That's different. Thanks, Doc, for giving him some notoriety. He'll love that. And some other team plays football. We're not sure."

Dr. Magruder said, "There is some symbolism there, based upon previous conversations. As you can see, it is a football player from particular school underneath the basketball of the other school."

Commissioner Gwin said, "About to be dribbled on."

Chairman Sciortino said, "I see."

Commissioner Gwin said, "That doesn't change your opinion of his grant application, does it?"

Chairman Sciortino said, "No, no, no. I'm fully supporting K.U. basketball. Doctor, could you just share with us some of the outcomes that you actually have been able to achieve with this program? Do you have any on the top of your head that you could share with us?"

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Dr. Magruder said, "One of the primary things that they examine is the recidivism rate, that is the extent to which clients who have been in treatment come back. That rate has been well within acceptable limits. In addition, there are other parameters that they examine for specific clients that have all come out in a very positive way. These are organized and set up in conjunction with the standard procedure for all of these clinics that operate in this manner. There is a committee that formally reviews all of that data on a yearly basis. There is a consultant at Wichita State University or at least there has been in the past that has been involved in developing these specific outcome measures and is monitoring them. All of these are presented to the organizations that make the decisions about the funding and our Behavioral Health Center has routinely come out near the top in all of those measures."

Chairman Sciortino said, "You're confident because of the outcome that we have demonstrated over the years that we have an excellent chance of this grant being renewed?"

Dr. Magruder said, "I'm very confident that the staff that works in this facility that they will continue to do the very positive work that they have done for years and that the outcomes will continue to be in the range that are necessary for continued funding."

Chairman Sciortino said, "Thank you. Any other comments or questions? What's the will of the Board on this item please?"

MOTION

Commissioner McGinn moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including the grant award agreement containing substantially the same terms and conditions as this Application.

Commissioner Winters seconded the Motion.

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

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VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item please."

- 2. ASSIGNMENT OF CONTRACT RIGHTS AND RESPONSIBILITIES FROM WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH (WSCDCH) TO BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, SITTING AS THE SEDGWICK COUNTY BOARD OF HEALTH, IN CONTRACTS OR AGREEMENTS FOR THE CONTINUING EDUCATION GRANT-FUNDED PROGRAM BETWEEN WSCDCH AND KANSAS ASSOCIATION OF LOCAL HEALTH DEPARTMENTS.**

Dr. Magruder said, "This is one of those grants that still remains to be transferred over explaining the language that you've just seen. The funding that we receive is about \$10,000 a year. We've also have been receiving this for several years. The funding originally comes from the Kansas Health Foundation and they asked the Kansas Association of Local Health Departments to coordinate and distribute the funding, which is why the agreement is with the Kansas Association of Local Health Departments. We have used this funding very nicely over the years to pay for different organizational fees that are required as a health department to be maintained and involved in different activities. It has also provided considerable funding for our staff for continuing education. So w would recommend that you approve continued use of this funding for the Health Department."

Chairman Sciortino said, "Thank you Doctor. Any questions or comments?"

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MOTION

Commissioner Gwin moved to approve the Assignment of Contract Rights and Responsibilities and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

VOTE

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|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item please. Thank you Doctor."

3. GRANT APPLICATION TO SUSAN G. KOMEN BREAST CANCER FOUNDATION FOR FUNDING OF BREAST CANCER SCREENING.

Ms. Phyllis Gearing-Anderson, Director of Preventive Health, greeted the Commissioners and said, "I'm here to request your approval and the Chairman to sign for a grant application that we're presenting to the Susan G. Komen Cancer Foundation. Many of you may be familiar with the Susan G. Kormen Breast Cancer Foundation. It does wonderful things for underserved underinsured indigent women age 50 and over in our program here. We've provided mammograms to those women, approximately 250 last year, those women that met the criteria. We're submitting another grant this year for funding to support this program. We've received funding from the Susan G. Komen Foundation since its inception in 1990. We're requesting your approval of this grant application and we're asking the Chairman to sign this grant application. Any questions at all?"

Chairman Sciortino said, "Yes, I believe we do. Commissioner Gwin."

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Commissioner Gwin said, "Not a question because I am familiar with the foundation, but just some comments. Those of us who participate in the annual fund raising Race For the Cure event help raise money through the foundation for these kinds of services. As that even comes closer, it's usually in the fall, I would encourage all of you to come and join us to help raise money. The funds do, in fact, go to local folks to help underserved women get mammograms. The other side of that is that a lot of the money goes to continuing research to help find a cure for breast cancer. As a survivor of that disease, I am very supportive of the grant application and all the good work that the Susan G. Koman Foundation does. Thank you."

Chairman Sciortino said, "Thank you Commissioner. Any further comments? I don't see any."

MOTION

Commissioner Gwin moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including the grant award agreement containing substantially the same terms and conditions as this Application.

Commissioner McGinn seconded the Motion.

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

VOTE

| | |
|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item please."

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4. ASSIGNMENT OF CONTRACT RIGHTS AND RESPONSIBILITIES FROM WSCDCH TO BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, SITTING AS THE SEDGWICK COUNTY BOARD OF HEALTH IN CONTRACTS OR AGREEMENTS FOR THE KOMEN GRANT-FUNDED PROGRAM BETWEEN WSCDCH AND KOMEN.

Ms. Gearing-Anderson said, "As I stated, we have received funding from the Susan G. Komen Foundation since its inception. This is a grant that we received in 1991 under Wichita/ Sedgwick County Department of Health. We need to change the language in the contract to reflect the transition to the Sedgwick County Health Department. We want to make sure that the contract stays the same and remains unmodified. This is what this is addressing."

Chairman Sciortino said, "I don't see any questions, but I have a question of the Manager, if I could. Why is this still being referred to as the Wichita/ Sedgwick County Department of Community Health? Should that not be changed to just Sedgwick County?"

Mr. Buchanan said, "The action that you are taking today is doing exactly right. You are assigning the rights and responsibilities from the former organization, the Wichita/ Sedgwick County . . . you are assigning it from that organization to the Board of County Commissioners. You are assigning the rights from the Wichita/ Sedgwick County Health Board to the Board of County Commissioners."

Chairman Sciortino said, "Oh, I see it. I understand. We're actually doing . . ."

Mr. Buchanan said, "Doing exactly what you stated."

Chairman Sciortino said, "I understand. Thank you very much. Any other questions or comments on this item?"

Commissioner McGinn said, "Before you move on, after we vote I have a question before she leaves."

Chairman Sciortino said, "Certainly. What's the will of the Board on this item?"

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MOTION

Commissioner Gwin moved to approve the Assignment of Contract Rights and Responsibilities and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

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

VOTE

| | |
|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Commissioner McGinn said, "I just didn't want you to move on. It's actually a question about the previous and I don't know if you said this, I was digging around in the backup material. How many women do you serve? I didn't know if you had shared that or not."

Ms. Gearing-Anderson said, "Well, what I can say is last year, through this grant, we provided 250, I think, mammograms to women and I don't know the exact number of people that are in that particular program."

Commissioner McGinn said, "So you pretty much use up all the money that is allocated. Do we have to turn anyone way ever?"

Ms. Gearing-Anderson said, "No, we can just transfer it over to the following year."

Commissioner McGinn said, "Thank you."

Chairman Sciortino said, "So, if I just understood your response, we have not, at least to this date, been in a position where more people are asking to be helped and we haven't been able to. In some cases, we have slightly more funds than the people applying and we just carry that to the next year, is that correct?"

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Ms. Gearing-Anderson said, "Not to my knowledge have we had women that required the service and met the criteria and did not receive the mammogram."

Chairman Sciortino said, "Let me just ask you another question. How do we promote the fact that we have this service to ladies that are in that risk demographic so that they might avail themselves of our service? How does a lady 50 or above find out that this service is available to them if they meet certain criteria."

Ms. Gearing-Anderson said, "We have outreach workers that go out into the community, go and speak to community groups, organization who market these services around the community."

Chairman Sciortino said, "Do we go out to the clinics, like Guadalupe, and let them know this is available so if a patient is coming in and being examined and the doctor determines it is in her best interest to have a mammogram they know that this is a service that they might suggest that the lady proceed with?"

Ms. Gearing-Anderson said, "Absolutely and then also we perform our exams at the Health Department so we don't need a physician to determine that the patient requires a mammogram. That is the whole purpose of the program is to teach prevention. To educate the women to let them know they need an annual mammogram, that this is the procedure, this is how you get into the system to make sure you get your annual screening mammogram."

Chairman Sciortino said, "Okay. So, the other clinics could just in talking to a patient suggest that they have an annual mammogram and suggest where they can go to receive it. Great."

Commissioner Gwin said, "And further, there are usually several events during the year that a lot of them center around Breast Cancer Awareness Month where they hold open seminars or informational meetings or information fairs so that women throughout the community can pick up that information. It is shared both by the American Cancer Society and the Susan G. Koman Breast Cancer Foundation. So, hopefully the word is getting out to everyone who needs it."

Chairman Sciortino said, "Thank you very much. Next item please."

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H. HOMEOWNER RELOCATION PLAN FOR LEAD PAINT HAZARD REDUCTION.

Mr. Brad Snapp, Housing Director, Housing Office, greeted the Commissioners and said, “As you know, we have a homeowner rehab program currently going on and H.U.D. has required that we implement some lead-based paint procedures that would make those homes safe as part of the rehab. The way this will take place is the program is designed to keep families healthy during the rehab process. The rehab that we currently have going on is funded by H.U.D.’s Home Investment Partnership Program, distributed by the Kansas Department of Commerce and Housing.

“H.U.D.’s goal is to make all federally assisted projects lead safe. This can be done short of abatement process. If you use under \$25,000 on a rehab job you can fall into the category of interim controls, which is paint stabilization and you can correct the paint hazards, which are cracking, peeling, chipping, chalking types of paint with paint stabilization techniques. You have to use qualified workers who have been trained in lead-safe work practices. Paint stabilization must be done in areas that effect deteriorated paint or areas that will be disturbed during the rehabilitation process.

Here is just a brief timeline of how a project would work. An inspector and the family goes out and decides what needs to be done and what can be afforded according to cost calculations for the program. A certified risk assessor takes those work write-ups and does test sampling on the deteriorated paint areas that will be disturbed during rehab and notifications of that evaluation are given to the homeowner. If significant lead is in the home, then the homeowner will be required to pack up their stuff and move out temporarily and hopefully they can stay with a friend or relative but if they can’t, they can be housed in a motel temporarily. The properties all have to be determined to be lead safe that they move into. So the easiest way to do this would just be put them in a house that would be built after 1978. All houses have to be tested, so it would be a lot cheaper just to go ahead and use a motel. We put a cap on that for \$60 a day. Those costs can be covered by program costs, so it’s nothing that Sedgwick County would have to pay.

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Then the lead workers would go in and stabilize the paint and then they would be required to clean up after themselves and that is with a hep-vac system and we've seen videos in training that they are actually cleaning stuff that looks like it doesn't need to be cleaned. They just clean, clean the whole house. Then a risk assessor goes in and examines that. If it passes, then the family can move back in and then the regular rehab can start. The only thing that we are going to temporarily house them or relocate them is during the process where the lead reduction activity is going on. Relocation is not required if it is just on the outside of the house and it allows if the household has people who are 62 years old and older they don't have to move, if they refuse to move, after receiving a full disclosure of the hazards

Again, up to \$5,000 can be used for the lead hazard reduction activities. H.U.D. requires this be done so that \$5,000 was just a number that was plucked out of the air at the beginning of the program by H.U.D. In fact, we're all, H.U.D. included, we're all in a real learning curve here because these regs were just put into effect September 2000. All sorts of kind of stays on implementation have been put into place and we're finally at the gate where we need to start doing this. If you have any questions, I'll try to answer them. I just want to add that we have tested six homes in Oaklawn and only three have paint over the threshold and they are on the outside so people won't have to move just yet."

Chairman Sciortino said, "This request for a test comes voluntarily by a homeowner? They request to have their home tested?"

Mr. Snapp said, "Actually, if they want to participate in the rehab program they have to be tested."

Chairman Sciortino said, "I understand. We do have some questions. Commissioner Gwin."

Commissioner Gwin said, "Just a clarification. You mentioned Oaklawn. The only area in Sedgwick County that participates in this program is Oaklawn/ Sunview, is that correct?"

Mr. Snapp said, "Yes."

Commissioner Gwin said, "Thank you. That's all I need to clarify. I mean, outside the corporate limits. Do cities have a similar program?"

Mr. Snapp said, "I just wanted to clarify that that's the only program that we operate. I know that Park City did get a home rehab program of their own this last year."

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Commissioner Gwin said, "Good. So this is the only one that we operate that has to do with Oaklawn/ Sunview. Thank you."

Chairman Sciortino said, "Brad, you mentioned something, that was kind of strange to me. You said that if it is found to have lead-based paint or what have you inside the home they're mandated to leave, while the repairs are being done, unless they are 62 years of age. I couldn't understand that. If the hazard, why are you letting 62 year olds decide to stay in the home."

Mr. Snapp said, "That's kind of my feeling too. I'd just as soon they did."

Chairman Sciortino said, "Would it take longer for them to die or something? I don't understand."

Mr. Snapp said, "It has to do with developmental disabilities. It's actually children under six or pregnant women who are the most vulnerable to lead dust. I'm sure everyone can be affected by it but it's only if they refuse to leave they don't have to but they have to have the full disclosure of the hazards. It would be my recommendation that they would relocate."

Chairman Sciortino said, "Okay, but right now, it isn't if they don't have any children under six and there is no pregnant women in the house, unless they are 62 years of age they couldn't opt to stay. They would be mandated to stay. And did I understand you right that you are encouraging them to stay with friends or relatives but then they have to disclose which friend or which relative and you would have to go check that house out to make sure that that house didn't have . . . okay, I think I have all my . . . thank you. What's the will of the Board on this item?"

MOTION

Commissioner Gwin moved to approve the plan 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

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|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Next item please."

I. CAPITAL IMPROVEMENT PROGRAM (CIP) AMENDMENTS.

1. CIP# R-258 – BIKE PATH ALONG WINDMILL ROAD FROM ZOO BOULEVARD TO SEDGWICK COUNTY PARK.

POWERPOINT PRESENTATION

Mr. Pete Giroux, Senior Management Analyst, Budget Department, greeted the Commissioners and said, "We've got two C.I.P. Amendments this morning. They are both bike paths, both near the Zoo. Here is an overview of the bike paths in the metropolitan area. We're going to be concentrating on the northwest corner of the City but you can see that they can proceed from the southern-most part of the city up to where we're going to connect. Mr. Harrison tells me we can now get out to Cheney Lake.

The first of the amendments is a bike path that would proceed south along the south side of Zoo Boulevard, it is designated within the C.I.P. as R-257 and it provides a connection between the bike paths on both the east and west side of the flood control project. If you're familiar with the traffic on Zoo Boulevard, you'll see that it significantly enhances safety and of course improves recreational access because I'm not sure I'd want to ride my bicycle across that bridge. This is a joint project between the City, the County and the Kansas Department of Transportation. You can see the proximity of course to Sedgwick County Park. For the recreational riders there are a lot of excellent bike paths within the park.

The bike path will actually proceed under the bridge and come up and then go across the red pipeline as indicated with the yellow across the flood control project. The cost of the project is \$810,000. About 70% of the money is going to be from federal highway transportation enhancement funds and they are administered by K.D.O.T. Our contribution of \$125,000 comes from our sales tax funds that are designated in the road and bridge fund.

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The second project is designated as R-258 and this will connect the west end of the first project, proceed along Windmill Road down to the entrance of Sedgwick County Park. This is a joint project between Sedgwick County and K.D.O.T. You can see how it connects. Of course blue indicates where the path of this project goes. This project will cost \$125,000, our share is about 20% and again this is federal highway transportation enhancement funds. We've reviewed this in detail. Public Works has worked long and hard to help make this happen. Staff and the C.I.P. committee recommend approval. Do you have any questions?"

Chairman Sciortino said, "Yes, we do Phil [sic]. Commissioner McGinn."

Commissioner McGinn said, "Could you go back a slide, Pete? I just didn't catch that. This is for the Windmill Road?"

Mr. Giroux said, "It will connect . . ."

Commissioner McGinn said, "Before you get to the crossing, is that correct?"

Mr. Giroux said, "That is my understanding."

Commissioner McGinn said, "Okay. I think that's all I have right now."

Chairman Sciortino said, "Thank you, Commissioner. Commissioner Winters."

Commissioner Winters said, "Maybe I would direct this to County Engineer David Spears. I'm going to be supportive of all these. We've talked about these before, had them on the plan for a long time. I think it will be a big improvement. Once you cross the new bike bridge, over the Ditch, then where do you go from there? Do you cross on over Windmill Road to the north side of Windmill Road or is it going to still be on the south side of Windmill Road?"

Mr. David Spears, Director/ County Engineer, Public Works Department, said, "You will cross Windmill Road. We are putting in a pedestrian actuated signal with the signal that is there now. You will cross there and then we will build the new path, which is in blue on the map, which is R-258 on the other side and then that will connect the entire system around the Sedgwick County Park and around the perimeter and be a very nice improvement."

Commissioner Winters said, "Then the reason we have two items on our agenda is . . . why do we have two items on our agenda?"

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Mr. Spears said, "We separated them out. This one, R-258, the one in blue is all in the County so we're taking care of that. There is no cost increase on that. That project has stayed the same throughout. The reason it is on today is because of the year change. It has been delayed mainly because of the other project because we want to do them both at the same time. The R-257 is both a City and County project because part of that is in the City. So we're sharing that and each of us are going to pay an equal share match to the State.

The reason for the delay . . . and that project went up in cost and the reason for that is that it went to an aesthetic committee who put many aesthetic type improvements on the project. The figure you see, that Pete has given you today is a compromise between where the project started and where it has ended up now because as of June or July of last summer, this was a 1.4 million dollar project. We have now whittled it down to an \$810,000. It had started at around \$500,000. It is higher than it originally started but it is lower than where the committee had actually wanted it."

Commissioner Winters said, "Okay. Then the basic plus will be now anybody on the east side of the Big Ditch near this area or on one of the city bike paths will be able to get to the Sedgwick County Park and all the trails at the park."

Mr. Spears said, "That's correct. We've talked about this for the last 20 years. We're very excited about it. In fact, where you see the red pipeline that Pete showed in an earlier picture, that was built, the structure was built there in order to accommodate a bike path over that for the future. There you see the piers. Those are built with enough strength to carry the bike path on top of that. That will not have to be revised."

Commissioner Winters said, "Okay, all right. Thank you. That's all I have."

Chairman Sciortino said, "Commissioner Gwin."

Commissioner Gwin said, "David, the difference that I noticed that there was a difference in 80% participation from the feds and 70 from the State, it is just because of the different funding agency?"

Mr. Spears said, "No, the reason for that is because the State will not fund a aesthetic enhancements. So those are non-participating items. Therefore, we have to pay for those ourselves."

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Commissioner Gwin said, "I'm going to be supportive, but what kind of aesthetics? You've used that word a couple of times. What kind of aesthetics are you talking about that jack this up from \$500,000 to \$810,000?"

Mr. Spears said, "Details. They did have in there an ornamental fence and we've talked to flood control and they are okay with a chainlink fence so that is one thing we brought back in."

Commissioner Gwin said, "Along side the path you mean?"

Mr. Spears said, "Yes, over on the other far side. And the lighting, that was one thing that was under discussion. In other words, you could have . . . you see the black poles there, or you could have other types of poles and they get very expensive on a bridge so I think we had a compromise on the lighting. There was what was called an art retaining wall, which we are going to have a retaining wall and they were going to put some designs on that wall and that's been scaled back. The bridge itself, they had added a lot of extra things onto the bridge which we have taken off. Some big, tall things like this. I don't know."

Commissioner Gwin said, "So when this is complete you will have a safe bridge that is well lighted, where folks using it aren't going to be in danger of toppling off the edge or not being able to see where they are going, either entering or exiting the bridge. I'm hoping what the enhancements are are enhancements for safety as well as maybe looks."

Mr. Spears said, "That is our key thing all along. You're getting the final product here, it is not generic but it is not grandiose either, it is a compromise in between."

Commissioner Gwin said, "I appreciate you continuing to work on that then. Thank you."

Chairman Sciortino said, "Thank you. Commissioner McGinn."

Commissioner McGinn said, "They're going to cross there at Windmill Road, and we'll have a crossing there. And then they'll come around here and across the bridge and they go under the bridge?"

Mr. Spears said, "Yes, under the existing bridge over there and come back up. It will be sort of a spiraling type thing because it is too steep to make a straight line."

Commissioner McGinn said, "Then they will catch Windmill Road."

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Mr. Spears said, "Yes, then the City themselves, not us, is going to do more paths over there and you'll have an entire connecting network then."

Commissioner McGinn said, "To the river over there. I guess, there's been talk about closing Windmill Road in some of their scenarios but I guess they would probably keep a bike path if they did that."

Mr. Spears said, "If they close the road we'd have a really nice bike path."

Commissioner McGinn said, "That's for sure. What kind of people sit on this committee that decided we have to do some aesthetics?"

Mr. Spears said, "I had a list of them but I didn't bring it with me. There is about 15 people on there and there are engineers on it. There are people from the community that are art type people. Just a various flavor of individuals on there. It's not just one particular group."

Commissioner McGinn said, "Every time we do a bike or road project does it go through this committee?"

Mr. Spears said, "Not the County. Ours didn't go up in price on the other side. It is just when we work with the City. It is a City thing not a County thing."

Commissioner McGinn said, "That it has to go before that review group."

Mr. Spears said, "Yes Ma'am."

Commissioner McGinn said, "Okay and the chainlink fence, is that . . . When you talked about the fence were you talking about the bridge or do we have a fence somewhere else?"

Mr. Spears said, "There is a fence on the bridge also but, no, it will be nicer. The chainlink I'm talking about on the other side that will sort of parallel the floodway so that people really won't be trying to ride their bike down into the floodway and things like that."

Commissioner McGinn said, "I guess I don't understand then why we need a fence. Because it's my understanding from people who are avid bike riders, they don't like to ride on township roads. They like to ride on asphalt. So why would they want to ride in the Ditch?"

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Mr. Spears said, "Once you have a lot of people there, and of course there are those mountain type bikes and they might get the urge to go down in there and the flood control people requested a fence."

Commissioner McGinn said, "I guess I still don't understand it because all I would have to do is go a block or two and I can be in the Ditch anytime I want."

Mr. Spears said, "That's right, but they think it is more of an attraction if the path is right there by it and they're going down the path anyway. It came from the flood control people."

Commissioner McGinn said, "Okay, thank you."

Chairman Sciortino said, "Commissioner Winters."

Commissioner Winters said, "Thank you. I'm going to be supportive of this and this is probably not the time to have the real discussion. I think that even on our projects, there are times we need to give a little more attention to the artistic enhancements that we can give the Public Works projects. We do build a lot of bridges and you can build a very good concrete bridge that looks like a great concrete bridge but with a little bit of enhancements you can make a public structure that will be remembered for a long time. I think there are times when a little bit of enhancement on a Public Works project is a real benefit to the community. I think sometimes I've seen excesses but sometimes over here I think we don't pay enough attention to that."

Commissioner McGinn said, "We're just glad to have a bridge in the 4th District."

Commissioner Winters said, "I just make that as a comment that perhaps someday we can really have a more in-depth discussion about that. But I know what we like to do is maximize the project, let's get as much done as we possibly can, as opposed to running the price up."

Commissioner Gwin said, "You notice in the background in this picture there is a really nice wrought iron fence that is extending to the north that we approved that I noticed it's going up. That is an enhancement that we don't usually do but I think it will be a real plus too."

Commissioner Winters said, "Thank you Mr. Chairman."

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Chairman Sciortino said, "Thank you. Pete, let me just ask one question. You used a word in your presentation saying the funds that were not coming locally were coming from enhancement money."

Mr. Giroux said, "Federal Highway Transportation Enhancement funds."

Chairman Sciortino said, "I just want to clarify it with all the problems that the State is having and they are starting to rattle sabers like they're going to maybe withdraw a lot of the system enhancement funds, this in no way puts these projects in danger?"

Mr. Girox said, "Let me defer to Mr. Spears."

Mr. Spears said, "These funds are not in danger. This is a different . . . it is called System Enhancement funds but these are different type of funds because they are for bike paths and things of that nature and not for roads."

Chairman Sciortino said, "So they're in no danger. Thank you. I don't have any further questions, what's the will of the Board on these items?"

MOTION

Commissioner Winters moved to approve Item I-1, the CIP amendment, project R-258.

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 Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

2. CIP# R-257 – BIKE PATH ALONG ZOO BOULEVARD.

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MOTION

Commissioner Winters moved to approve CIP amendment, project R-257.

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 Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "Thanks Pete. Next item please."

J. PUBLIC WORKS.

- 1. AGREEMENT WITH CITY OF WICHITA FOR DESIGN AND CONSTRUCTION OF A BIKE PATH ON ZOO BOULEVARD FROM WESTDALE DRIVE TO WINDMILL ROAD, TO INCLUDE A PEDESTRIAN BRIDGE THAT WILL LINK UP THE SEDGWICK COUNTY PATH SYSTEM. CIP# R-257. DISTRICT #3.**

Mr. Spears said, "As discussed in the previous item, this is the Agreement between Sedgwick County and the City of Wichita for the bike path along Zoo Boulevard over the Wichita Valley Center Flood Control project designated as R-257 in the Capital Improvement Program. We will each share the costs equally, which is estimated to be \$125,000 each. Federal transportation enhancement funds will pay approximately \$560,000. I recommend that you approve the Agreement and authorize the Chairman to sign."

Chairman Sciortino said, "Thank you David. Any questions? I don't see any. What's the will of the Board on this item please?"

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MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

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

2. RESOLUTIONS (THREE) DESIGNATING AND CLASSIFYING CERTAIN STREETS TO TOWNSHIP SYSTEMS. DISTRICT #4.

- **IDLE BANKS CIRCLE; GRANT TOWNSHIP**
- **NORTH VALLEY ROAD AND EAST VALLEY ROAD; GRANT TOWNSHIP**
- **NORTH VALLEY ROAD; VALLEY CENTER TOWNSHIP**

Mr. Spears said, "It is standard procedure that after a road is constructed within a platted residential subdivision in accordance with county standards, that road is then assigned to the township road system. Today I have three such resolutions to present.

The first, Idle Banks Circle, located in the Idle Banks Addition will become the responsibility of Grant Township. The Grant Township Board was informed that this resolution would be on the County Commission Agenda, by letter, dated February 1, 2002.

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The second, North Valley Road and East Valley Road, located in the North Valley Farms Addition will also become the responsibility of Grant Township. The Grant Township Board was informed that this resolution would be on the County Commission Agenda, by letter, dated January 31, 2002.

The final road, North Valley Road, located in the North Valley Farms Addition, crosses into and will become the responsibility of Valley Center Township. The Valley Center Township Board was informed that the resolution would be on the County Commission Agenda, by letter, dated January 31, 2002. I recommend that you adopt the Resolutions.”

Chairman Sciortino said, “Thank you. We have a question or a comment from Commissioner McGinn.”

Commissioner McGinn said, “Okay. You did not hear back from them? From the townships, just to make that clear.”

Mr. Spears said, “No. Valley Center Township, we did not hear back from them or the other one, Grant Township.”

MOTION

Commissioner McGinn moved to adopt the Resolutions.

Chairman Sciortino seconded the Motion.

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

VOTE

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|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, “Thank you David. Next item please.”

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CONSENT AGENDA

K. CONSENT AGENDA.

1. Right-of-Way Easements.

- a. One Easement for Right-of-Way for Sedgwick County Project No. 795-A-2713; 199th Street West between 117th and 125th Streets North. CIP# B-317. District #3.
- b. One Easement for Right-of-Way for Sedgwick County Project No. 831-AA, BB, CC on Rock Road from Derby to Mulvane. CIP# R-243. Districts #2 and #5.

2. Transfer of one Customer Support Analyst position, range 22, and one Advanced Registered Nurse Practitioner position, range 25, from the Department of Health Staffing Table to the Division of Information and Operations Staffing Table as one Customer Support Analyst position, range 22, and one Network Support Analyst position, Range 24.

3. Order dated March 20, 2002 to correct tax roll for change of assessment.

4. Payroll Check Registers (two) of March 15, 2002.

5. General Bills Check Register(s) for the week of March 20-26, 2002.

Mr. Buchanan said, "You have the Consent Agenda before you and I would recommend you approve it."

MOTION

Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Winters seconded the Motion.

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

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VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

L. OTHER

Chairman Sciortino said, "Commissioners, is there any other business to come before this Board at this time?"

Commissioner Gwin said, "I have a couple of other announcements. Tomorrow, for some unknown reason, I've been asked to talk to an intern seminar. These are folks who are working on being city or county managers at some point in their future and I suppose it is to talk to them a little bit about the realities of that job rather than the theories. I plan to share some examples of the wonderful working relationship that our current County Manager and I have. Anyway, I'm looking forward to doing that."

Chairman Sciortino said, "Does the current County Manager have a chance for equal representation?"

Commissioner Gwin said, "No, there is no rebuttal time. Also, Kristi talked about the Easter event at the zoo. I would like to point out to folks that I think the Zoo is the only facility in the area that has an event for special needs children. So those folks out there who have kids with special needs ought to give the zoo a contact. They have a special event just for those kiddos. Keep that in mind. Also, on the Zoo items, the media has covered it pretty well, the announcement of a wonderful and very generous gifts by Paula and Barry Downing to make our gorilla forest happen. It is extraordinary when the public steps up to make these fantastic additions to our zoo. It will be just a first rate exhibit, as have so many of the others that have preceded it that too have been gifts from the community back to our community."

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Also, on the entrance plaza to the zoo for those who have been out during this process, we've had to reconfigure the entrance because of again another dedication in the not too distant future of the entry plaza and entry has been in and out of the gift shop. Now that the other side is available, entrance now is available through the regular entry on the north side. So for folks who are going to the zoo, the regular entrance is open again and pretty soon will be closing the zoo entrance so that we can complete that side of the plaza. You can see some of the changes that have been made, the ponds that have been dug and some of the bronze pieces that are out there already. I think it is going to be a much more pleasant front door to our zoo. That entry, we'll have dedication of that later on.

Also, as Dr. Magruder pointed out, we always have the chance to cheer for different sports teams throughout the year, whether they are major universities, the smaller universities, the community colleges or others. I would hope, between now and Monday evening, despite what your university affiliation is that you'll put on a K.U. hat or shirt or something and be a Jayhawk with us for the next several days. Their game against Maryland, which will be a very tough one Saturday evening. Thank you all. That's all for me for right now."

Chairman Sciortino said, "Any other comments? Commissioner McGinn."

Commissioner McGinn said, "Thank you. I was sorry I didn't make the event yesterday and glad you were able to be a part of it. I was out at a seniors group talking about the Good Neighbor Nutrition program that we contribute to in Park City. I guess one comment I would like to make, when I saw the news last night and the article in the paper today. In the past, it is hard to Mark Reed to say we're one of the top ten. He always says we're in the top ten percent. But when I look at that, I can't help but think that our zoo is going to have to move into that top ten, top five category at some point in time. I commend our community and those individuals that make these great donations. That is a wonderful asset to our community and a great thing that we have right here in Kansas. Anyway, I want to thank the donors and the other donors who have done so many great things for our zoo.

One event I just want to mention real quick was this year Cowtown is opening on Easter weekend and we've not done that ever before. If you saw the article in the Eagle a couple of days ago they interviewed Jan McKay about the season and she's added some new events. I think she is doing a great job. I think as Cowtown continues to grow we tend to follow the successes of the zoo and hope that we can be of that level someday.

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Anyway, I just wanted to share we have a new event this year with Easter. We have Easter egg hunts and those kinds of things and different activities. I guess after everybody gets done eating their big Easter lunch and they're full, they might want to go walk around at Cowtown this weekend and also grab an event schedule for all the events they are going to have this year. I think you'll see a lot of new things happening over the year."

Chairman Sciortino said, "Commissioner, do they have a place where they can go and get these event schedules? Where can they pick them up?"

Commissioner McGinn said, "Yes. Generally we have those printed up and when they go in and pay their admission at the gift shop there is a stack of all the events we have throughout the year."

Chairman Sciortino said, "Okay and maybe we can we get a portion of those and maybe through Communications help distribute that, or something of this nature. What are the hours that they will be open Easter Sunday?"

Commissioner McGinn said, "That I don't know, but they can call 264-0671 and someone can give them that answer."

Chairman Sciortino said, "Thank you. Commissioner Winters."

Commissioner Winters said, "All right, thank you, just two quick things. Last evening I was out at Cheney at the Sedgwick County Fair Board with their first large meeting in preparing for the Sedgwick County Fair this coming summer. They, last year, needed to make some much needed repairs to the infrastructure, water system and electrical systems, and we were helpful in that to them. There are volunteers from all over Sedgwick County that go to Cheney to participate on that Fair Board. They had a good group and we're looking forward to a good fair.

Secondly, I want to say thank you to Chair Sciortino for bringing together the mayors of the small cities. A week ago tonight, last Wednesday night we had a meeting with all the small mayors. It went much better than I expected. I think there was a real advantage to it to get to know those people better and it's a plus. So, Mr. Chairman, I'd say thanks for putting that all together and we need to do it on an annual basis."

Commissioner McGinn said, "We had the mayors of all cities, all twenty. You said small, but all the cities were there."

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Commissioner Winters said, "You're right. All the cities."

Chairman Sciortino said, "Well, thank you for that. Is that all? I also thought that this leadership night that we had was productive. I think immediately, by just sharing some of the resources that we have available, I think the community of Viola immediately had some problems that Rich Euson was able to just kind of direct them in how to resolve them in a timely manner. I think the ladies there from Viola appreciated that input. Because we're all one big community, Sedgwick County and the services that the County offers, they don't have any boundaries whether you are within an incorporated community, one of the 20, or you live in the unincorporated area all citizens can avail ourselves of these services and we went one step farther last Wednesday and we were sharing with the elected officials and chief administrators of these communities that we have other resources and staff available to help consult with them if they're having any projects that benefit their citizens because their citizens are also Sedgwick County citizens. Thank you for that. Those are very nice words that you said and I appreciate it.

One thing I did last night is I attended, as you know with our redistricting I got Mulvane incorporated into the 5th District of Sedgwick County. Last night they had their annual summit meeting, which is their way of framing a town hall meeting. It was really informative for me. Some of the businesses set up booths, thanks to Kristi and Ali from our Communications Department who were with me during that event. We had our booth there. I was able to get to meet, which is something I really need to do, is to get to really meet the people in Mulvane. This gave me a good venue to do that. It was really informative. It's like everything that a city of Wichita goes through our smaller communities have too. They were talking about their comprehensive plan. They were talking about their vision for the future. They were talking about their schools and what needed to be done there. It was just really neat to see the people participate and the room was full. We had a very good turnout at the high school and kind of energized me and I'm looking forward to representing them. That's all I have."

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MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 60 minutes to consider consultation with Legal Counsel on matters privileged in the attorney/client relationship relating to legal advice and personnel matters of non-elected personnel and that the Board of County Commissioners return from Executive Session no sooner than 11:21 a.m.

Commissioner McGinn seconded the Motion.

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

VOTE

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| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Mr. Euson said, "I would recommend that you make a motion to withdraw your Motion for Executive Session and substitute it with the following additional motion which would be the 30 minutes."

SUBSTITUTE MOTION

Commissioner Gwin moved to withdraw the original motion for Executive Session to shorten the time and make a substitute motion that the Board of County Commissioners will return from Executive Session no sooner than 11:00 a.m.

Commissioner McGinn seconded the Motion.

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

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VOTE

| | |
|-----------------------------|--------|
| Commissioner Betsy Gwin | Aye |
| Commissioner Tim Norton | Absent |
| Commissioner Thomas Winters | Aye |
| Commissioner Carolyn McGinn | Aye |
| Chairman Ben Sciortino | Aye |

Chairman Sciortino said, "We're now recessed into Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:23 a.m. and returned at 11:09 a.m.

Chairman Sciortino said, "I'll call the meeting back to order. Let the record show no binding action was taken while in Executive Session. Is there anything else to come before the Board? I see none, so this meeting is now adjourned."

M. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 11:09 a.m.

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

BEN SCIORTINO, Chairman
Fifth District

BETSY GWIN, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

CAROLYN MC GINN, Commissioner
Fourth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2002