

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

April 16, 2003

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, April 16, 2003 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Kathy Sexton, Assistant County Manager; Mr. Dale Miller, Acting Director, Metropolitan Area Planning Department (MAPD); Mr. Chris Chronis, Chief Mr. Brad Snapp, Director, Housing Department; Mr. Mark Masterson, Director, Department of Corrections; Ms. Pamela Martin, Clinical Services, Health Department; Ms. Iris Baker, Director, Purchasing Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Jack Kellogg, 601 W. Douglas, Delano Business Association.
Mr. Ray Rancuret, 232 S. Millwood, Delano Neighborhood Association.
Mr. Wayne M. Wells, 432 S. Osage, Delano Neighborhood Association.
Ms. Mary Lou Rivers, 728 W. Douglas, Delano Business Association.
Ms. Joan Dodds, 149 N. Athenian, Delano Business Association.

INVOCATION

The Invocation was led by Pastor Carol Ramey of First United Methodist Church, Valley Center.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES: Regular Meeting, April 2, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of April 2, 2003.

Chairman Norton said, "What's the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of April 2, 2003.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Next item."

PROCLAMATION

A. PROCLAMATION DECLARING APRIL 22, 2003 AS "EARTH DAY."

Chairman Norton said, "Commissioners, I'd like to read the following proclamation into the record.

PROCLAMATION

WHEREAS, the 33rd annual Earth Day will be celebrated in 2003 by more than 5,000 different community organizations representing 184 countries around the world; and

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WHEREAS, local government should strive to be a role model for the communities it serves by exemplifying leadership in the conservation of natural resources and waste reduction practices; and

WHEREAS, Sedgwick County continues to educate citizens about the importance of environmental stewardship through the promotion of recycling, reduction and reuse opportunities; and

WHEREAS, more than 150,000 pounds of recyclable materials, including paper, cardboard, aluminum, plastic, printer cartridges, motor oil, tires, hazardous waste and more were diverted from landfills through Sedgwick County's internal recycling program; and

WHEREAS, the principle to reduce, reuse and recycle is a responsibility which every human being shares, and through voluntary actions like recycling, each of us can join in building a productive land in harmony with nature.

NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Tuesday, April 22, 2003 as

“EARTH DAY”

in Sedgwick County, encouraging residents, businesses and institutions to use the day to celebrate the Earth, while making a commitment to undertake programs and projects that will enhance our natural environment.

And that's dated April 16, 2003. And I think Kathy Sexton is going to receive that.”

MOTION

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

Commissioner Unruh seconded the Motion.

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

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VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, “Kathy.”

Ms. Kathy Sexton, Assistant County Manager, greeted the Commissioners and said, “Commissioners, good morning. Thank you very much for this proclamation. We do appreciate this proclamation and your support. As you know, next Tuesday is Earth Day, and the way we’re celebrating that here at the County is a little different from what we’ve done the past couple of years. Previously, we had a table out front, actually out on the courthouse lawn, that we asked all departments to clean out your closets. Anything you haven’t been using, any office supplies, those type of things, that someone else could use, it was a great exchange of items no longer used, minimizing waste, cleaning out closets, many goals were achieved that way. But it was just a couple of hours, one day of the year.

So this year we decided to change that and make it better for County departments. We put a site on our intranet. It looks like a website, only available to County employees though. If you go to e-line, Waste Minimization Team, you’ll see our new page there titled the ‘This and That Exchange’. So all throughout the year, anytime anyone has a surplus office supply or small items, then they may put those on that site and others who need something, before buying it, they may check the site and see if there’s something they could swap, they could trade with each other. So that site will be available all throughout the year, not just one day and that is our new and exciting activity for Earth Day.

And many of you know as well, this Friday at the management meeting, that we will be having also recognition of many of the volunteers throughout the County organization who help with recycling and waste minimization throughout the year. So, Commissioners, again thank you very much and certainly will answer any questions you may have.”

Chairman Norton said, “Okay, I see none, but programs continue to evolve and we continue to lead the way, as far as Sedgwick County and I applaud the Waste Minimization Team for all their efforts, not only for Earth Day, but throughout the year.”

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Ms. Sexton said, "Thank you very much."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Kathy, do you know any more details about the Earth Day out at the Zoo this year and there will be activities going on at the Zoo and I think Kristi mentioned that earlier. But anybody that wants to do an Earth Day event, the Zoo is certainly a place you can go do that."

Ms. Sexton said, "Commissioner, thank you very much. I do not know any more details about that event, so perhaps someone else will have to report that."

Commissioner Winters said, "Okay, very good."

Chairman Norton said, "Thank you, Kathy. Clerk, call the next item."

APPOINTMENTS

B. APPOINTING RESOLUTIONS (THREE).

- 1. RESOLUTION APPOINTING BOBBY STOUT (COMMISSIONER NORTON'S APPOINTMENT) TO THE SHERIFF'S CIVIL SERVICE BOARD.**
- 2. RESOLUTION APPOINTING RONALD R. EALEY (COMMISSIONER MCGINN'S APPOINTMENT) TO THE SHERIFF'S CIVIL SERVICE BOARD.**
- 3. RESOLUTION APPOINTING THE HONORABLE KAREN LANGSTON (AT LARGE APPOINTMENT) TO THE SEDGWICK COUNTY JUVENILE CORRECTIONS ADVISORY BOARD.**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Commissioners, these are three resolutions and Items B-1 and B-2 deal with Sheriff's Civil Service Board. Those resolutions are reappointments for three-year terms to this board and these resolutions are in proper form.

And then Item B-3 is a resolution that would appoint Judge Langston to an unexpired term as an at-large appointment on the Juvenile Corrections Advisory Board and that resolution is also in proper form. So, I recommend you adopt the resolutions."

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Commissioner Sciortino said, "Can we adopt all three at once?"

Mr. Euson said, "Yes, you can."

MOTION

Commissioner Sciortino moved to adopt the Resolutions.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "And Don is here. Can we do all three?"

Mr. Don Brace, County Clerk, said, "Judge is the only one here. The other two are not present right now."

Chairman Norton said, "Let's do the judge then."

Mr. Brace said, "Good morning, judge. Raise your right hand please."

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of the Sheriff's Civil Service Board, so help me God."

Judge Karen Langston said, "I do."

Mr. Brace said, "Congratulations, judge."

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Judge Langston said, "Thank you very much. I want you to know that I am privileged at this reappointment to what I consider a very important board for Sedgwick County, and I'm also very honored to be able to continue with the very dedicated members of the board and the support staff. Thank you again."

Chairman Norton said, "Don't run off. Commissioner Winters."

Commissioner Winters said, "Well, just one comment and I also wanted to share with you again how important this Commission thinks that board is. And we appreciate all the members that are on it. We have a lot of confidence in that board. We think that we've got a good staff that works with the board, and a lot of the ideas that come from that board are taken very seriously by this Commission and it's important work. I don't know if we're able to see any lights at the end of this tunnel that we're on with juvenile justice issues, but I feel better about it than I have for a long time, and so thanks to you, Karen, for your work on the board and all the other members. We do appreciate it a great deal."

Judge Langston said, "Well, I appreciate it and I do appreciate the Commission's support, because without it we couldn't do what we do. And I'm sure you're all aware of the fact that Sedgwick County just had an audit, and we were the best in the state, which we knew already, but for the record."

Commissioner Winters said, "Well, no I didn't. I think that's very noteworthy, because counties and judicial districts all over the state were reviewed by the State Juvenile Justice Authority and post-audit committee, and Sedgwick County is the only one that's getting it, the only one that is really putting their state resources and our local resources to work in the manner that the Juvenile Justice Reform envisioned. And a lot of it has to do with this Juvenile Justice Corrections Advisory Board and our staff."

Judge Langston said, "And Commissioner Winters, as I recall, you were one of the driving forces that started all of this in Sedgwick County. So, on behalf of all the families and children, I thank you."

Commissioner Winters said, "All right. Well, thank you very much. I appreciate that."

Chairman Norton said, "Well, it's interesting that with the audit, I mean, it was more than just we did pretty good. It was like we were held up as the benchmark for everybody else to try to find out what we're doing and to investigate the good things that Sedgwick County was doing. It wasn't just, 'Well, they're pretty good and they're the only ones that complied'. It's like, 'Go look and see

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what they're doing'."

Judge Langston said, "That's correct. We work very hard at what we do and we try to be very fiscally responsible and we were. And this time, I hope that that will . . . If somebody gets to get some money, I hope it goes to Sedgwick County first."

Chairman Norton said, "Yes."

Commissioner McGinn said, "Chairman Norton, I'd just like to add that Ron Ealey is in great appreciation and honored to be able to serve on the Sheriff's Civil Service Board and was not able to be here because of a death in the family. But he's certainly glad to serve."

Chairman Norton said, "Well, hopefully we can catch maybe Bobby and Ron at some later time, but they're both reappointments, are they not?"

Commissioner McGinn said, "Yes."

Chairman Norton said, "Okay, good. Clerk, call the next item."

AWARDS

C. PRESENTATION OF CERTIFICATES OF COMPLETION FOR THE MINIMPA EXECUTIVE DEVELOPMENT IN PUBLIC ADMINISTRATION PROGRAM FOR 2002-2003.

- 1. RODNEY HORTON, NETWORK AND TELECOMMUNICATIONS MANAGER, DIVISION OF INFORMATION AND OPERATIONS**
- 2. RON MARSH, EXECUTIVE OFFICER, PUBLIC WORKS**
- 3. MARK MASTERSON, DIRECTOR, DEPARTMENT OF CORRECTIONS**
- 4. ANNE SMARSH, DEPUTY TREASURER**
- 5. DWAYNE WRIGHT, LIEUTENANT, SHERIFF'S DEPARTMENT**

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Mr. Chairman, we'd like to defer this item for one week."

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MOTION

Commissioner McGinn moved to defer Item C for one week.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Next item."

PLANNING DEPARTMENT

- D. CASE NUMBER DR2003-00009 – RESOLUTION AMENDING THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE TO INCLUDE THE REVISED DELANO NEIGHBORHOOD OVERLAY DISTRICT FOR PORTIONS OF THE DELANO NEIGHBORHOOD, GENERALLY LOCATED EAST OF MERIDIAN STREET, WEST OF THE ARKANSAS RIVER, NORTH OF KELLOGG AND SOUTH OF CENTRAL AVENUE.**

Mr. Dale Miller, Acting Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "I'll be brief, since much of the work that went into the Delano Neighborhood Overlay District and the Delano Neighborhood Plan and the design guidelines all occurred before I took over the position that I'm in and I see that there are a number of folks from Delano and planning commissioner that worked on the Delano plan are here and they may want to speak and you may want to here from them more than you want to hear from me.

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But to give you some overview, the Delano Neighborhood Plan was adopted about two years ago and contained in that plan were three key recommendations for actions to implement that plan. Those were the adoption of the Delano Neighborhood Overlay District, which you're considering today. The other was the adoption of the design guidelines, which are contained in the packet but we're not asking you to approve those, because if you approved the neighborhood overlay district, then they are approved by reference. And then the third leg of the implementation package was down-zoning of certain properties in the Delano neighborhood area and that part has already been done by the Wichita City Council.

So, what you're being asked today to do is review the Delano Neighborhood Overlay District plan and recommend, if you so desire, to adopt it as part of the Unified Zoning Code. The overlay district is designed to protect and enhance the unique character of the Delano neighborhood district and to provide an additional level of land use controls and design review for new construction and for exterior remodels or renovations that might occur in the district.

There were a number of neighborhood meetings. We've had hearings before the Planning Commission. The City Council has had two hearings and there was a special committee that was appointed as part of all those discussions to try and iron out concerns that were initially voiced at the Planning Commission and some of the neighborhood meetings. In fact, a number of folks that are here today sat on that special committee and, at the end of the committee's review, the version that you have before you today was recommended by a majority of the members. There was one person on the committee who was opposed on a philosophical basis but, other than that, it was a unanimous consensus on the guidelines. And so, staff is recommending approval of these and would be happy to answer any questions."

Chairman Norton said, "I see no questions at present, Dale, but I will open it up for brief comments from anybody that sat on the committee or is in the Delano neighborhood group that would like to come forward, just so we get a flair for that committee. I think that's important. You know, I do see Ray here and I see the hat man here. So, we'll . . . sans hat, by the way. You know, what's the deal?"

Mr. Jack Kellogg, 601 W. Douglas, Delano Business Association, greeted the Commissioners and said, "It's in the car."

Chairman Norton said, "You're not going to sing 'I'm an Old Cowboy' today, are you?"

Mr. Kellogg said, "I plan not."

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Chairman Norton said, "You plan not."

Mr. Kellogg said, "I'd bore you greatly I'm sure. We've been working on this project for probably over two years. What we've tried to do is put together a series of guidelines for the area, to help ensure that we keep the cohesive look of the area. We've had some instances where hodge podge type architecture has moved in, which we don't feel is appropriate to the area and it would also make our job very difficult, in terms of selling the area. We have a lot of history there, which regards not only the early western history of Delano, but also the later aircraft history, the Travel Air Company was begun in Delano in the 1920s.

We have a lot of history. We feel like we can sell, as long as we have an area that looks cohesive, that represents the area and puts our best foot forward. With the investment from the City of the millions along the Seneca Street boulevard, as well as the Douglas Avenue streetscape, we feel like we have an investment there that we need to protect.

The committee that we put together brought to our committee some of our strongest critics. We have representatives from WABA, WIBA, who were of great assistance to help us put together a plan that we feel like addresses concerns of not only developers, independent businesses, such as ourselves, and we came across a majority opinion as far as what we all feel.

As part of this plan, we also have a wonderful system of checks and balances, which we feel is effective to help protect the area. For instance, there is a six month review built into this program, which will allow us to review, every six months, the progress of this design overlay and guidelines, which is good protection, as well as a design review committee, which is made up of individuals who were on the original committee that we can review case-by-case basis, to see that all justice is served.

We, of course as a business owner, I've seen critics in the past that have said this plan was restrictive. That's why we went back to the table and we developed a plan that was less restrictive. In fact, our plan is very much less restrictive than even Old Town guidelines. We used those as a basis for our study, and felt like those were too restrictive. We don't want that much restriction, we just want protection and I'm just speaking from a business owner's standpoint.

Additionally, I feel like the people represented on the committee have no axes to grind. They have, certainly some of us own property in the neighborhood and we want protection for our property, but we are not . . . we have no personal axes to grind, to use a cliché, which I feel is kind of important to say. It's basically for the love of the area. It's to promote the area and to keep what it is that we have, without further denigration.

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Just a few other comments. I think, just to stress, this has been a grassroots approach. We approached the City. We said we want protection. They were kind enough to work with us. The Planning staff has been incredible and I urge you to vote for the overlay. Thank you.”

Chairman Norton said, “Thanks, Jack. And I see Ray here. Ray, did you . . .? And happy birthday, by the way.”

Mr. Ray Rancuret, 232 S. Millwood, Delano Neighborhood Planning Committee, said, “Thank you very much, Commissioner. Commissioners, this is actually a crossroads.”

Chairman Norton said, “State your name and address, Ray, real quick for people that don’t know.”

Mr. Rancuret said, “I’m sorry. My name is Ray Rancuret. I’m the president of the Delano Neighborhood Association, live in Delano at 232 South Millwood and I’ve been there for about 30 years.

We have arrived at the crossroads. When we embarked on this plan, many years ago, I think it was about four or five years ago, we could not envision at that time exactly what we were headed into. Now that we are at the end of the plan, I’m not only happy that we embarked on that five years ago, but that we are now at the end, because we can now start working the plan and that’s really our objective. We want to make sure that all the things that we envisioned in the past years to develop the plan are going to be put to fruition. I urge you and thank you for passing the overlay guidelines. Thank you.”

Mr. Wayne M. Wells, 432 S. Osage, Delano Neighborhood Association, said, “I live at 432 South Osage. I’ve been there almost 35 years. Next month I’ll be there 35 years. I’ve spent half of my life in that house, so I’m kind of telling my age here. But when we purchased that property, back in 1968, the west side was in quite a turmoil at that time. Some of you old timers will remember perhaps, whenever they was talking about what is now 135 was going to go up Walnut, Seneca area. That fell by the wayside. Then there was the rumor, the talk about what is now out at Tyler Road and 21st, the agriculture center going in that area somewhere. And there’s been other rumors going around and from this, many of the homeowners were very reluctant to invest in their property, I being one of them, because not knowing exactly what was going to take place.

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So, this is . . . When I moved in, it was . . . the area was pretty nice, but it has deteriorated. But since the Delano Neighborhood Business Association, clergy association, began working on this plan, I see people taking more interest in their property, the homeowners and even some of the landlords. I deliver the Delano Dispatch, our neighborhood newsletter, through a good portion of the neighborhood. And each month, as I make those deliveries, I can see people improving their property and I think we're going to see much, much more of this when this is totally approved. And so, I would encourage you to vote to adopt this plan. Thank you."

Chairman Norton said, "Thanks, Wayne."

Ms. Mary Lou Rivers, 728 W. Douglas, Delano Business Association, greeted the Commissioners and said, "I own property at 728 West Douglas, which is Rivco. I purchased that property in 1991, knew several people in the neighborhood. My husband grew up on that side of town. I grew up near Valley Center. Somebody kept saying to me, 'Somebody in the neighborhood needs to do something about collectively getting people together'. And I'd listened to that for about a year, and my daughter and I put together a data base around the 300 businesses in the area and started Delano Business Association.

You can't imagine . . . I could show you copies, in fact, of all of the newsletters that were sent out, where we were trying to encourage business people to improve their property, to bring things back up to level. Some of the people that have been the biggest critics of this overlay product I talked to, and they would tell me, 'Mary Lou, there isn't any point in me cleaning up my property, I can't get anybody to rent it for more money'. I said, 'Yes, you can, if we all work together, you improve everything, you will get more for that property and it will become more valuable'. And we wrote newsletters until we were blue in the face.

And that took about five years, and we decided we weren't getting anywhere and we helped originate the Delano Neighborhood Association, and that we also started the 3 D, and together we want to protect part of downtown. We consider ourselves part of downtown, because Delano isn't very far from downtown, just that rough cowboy image on the other side.

So, we encourage you to pass this overlay district, because that helps to protect everybody over in the area and to not let this donut syndrome creep on out in Wichita. We don't want it to. So, thank you very much."

Chairman Norton said, "Thank you."

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Ms. Joan Dodds, 149 N. Athenian, Delano Business Association, said, "I'm kind of unique, because I'm a business owner and also a resident in Delano. I've been in business in the Delano area since 1979. I own the Sunflower Shop. It's at 607 West Douglas right now. It was at 2nd and Seneca for 18 years and the ten years prior to that, I had a business in Cowtown.

And I am also a resident, at 149 North Athenian. I moved . . . my folks moved on North Seneca, 220 North Seneca, when I was 13 and I lived there until I was married. And then my husband and I got a small apartment at 340 North Handley and lived there for a few years. And then we bought our home at 149 North Athenian and I've been there since then, since 1957, 44 years.

But anyway, I just want to tell people that I have a double interest in this, because it is a good plan. I've seen it at its best and then at its downfall a little bit, but it is coming back and I think the overlay would help do this for us. Thank you very much."

Chairman Norton said, "Okay. Well, I appreciate people coming and speaking for the resolution neighborhood. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I just had one question. Maybe Dale could speak to this. In this area, it seems like residential and commercial folks are all in favor of it. I had some reservation about it, personally, when I read some of the restrictions and I thought, 'Those folks surely aren't going to be happy with all the restrictions' but I understand there is an appeal process, if there's any conflict on what they're being restricted.

But my remaining question is, can you speak to the . . . in the backup material, it shows one large area that's been exempted. Can you speak to the logic of trying to protect the area and the character of the neighborhood and then exempting a large area?"

Mr. Miller said, "The basis for the exemption, that area was, at the time and may still be going on, that the plan was kind of reaching the boiling point and ready to do something with, there were sensitive negotiations about property sales in that area, and some of the potential owners had concerns about whether that was going to work well with their plans, and the current owners were concerned that if this was approved, it might spoil their sales, and so I think, in the interest of trying to get something through, they decided to just drop that area out and then we'll revisit that later, if it turns out that that needs to be something looked at and added back in. But basically, it was a compromise, a way to move ahead with the majority of the land area and protect those existing owners that felt like this was going to cause them a major problem."

Commissioner Unruh said, "Thank you."

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Chairman Norton said, "Okay. Anything else? What is the will of the Board? Are we ready for a Motion."

Commissioner Winters said, "Let me just ask a question of you, Mr. Chairman. I mean, it sounds workable to me. I know this is in your district and I didn't hear you say much about it, but I would assume that you think it's a workable plan."

Chairman Norton said, "Well, I do because all the principle players have been at the table and they've been talking about it for several years and I've tried to stay very connected with Jack and Ray and particularly the business owners and the neighbors there. And I think there's still some things that people will maybe argue about a little bit. But I think they've worked awfully hard to craft something that gets it off of dead center, that can move forward, that can help that neighborhood and I've got to tell you, it is an integral part of revitalization of downtown. It's the near west side and even though it's across the river, it is part of a very important area, when you look at the Museums Along the River, the corridor that's trying to be developed, when you look at what they've done with Seneca Street and the streetscape there, it's a very important part of the downtown revitalization. I think they've worked awfully hard with different interests and different kinds of ideas to craft something that everybody can work with. So, I'm going to be very supportive of it and I think it's a benchmark day, as we work on things like Oaklawn and McAdams neighborhood and so many of the other older neighborhoods that need help, they've really done yeoman's work to make sure their neighborhood doesn't fall away like others have. So, I'm going to be very supportive."

MOTION

Chairman Norton moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

Chairman Norton said, "I have a Motion and a Second. Any other discussion? Commissioner McGinn, did you want to say something?"

Commissioner McGinn said, "Ben, go ahead."

Commissioner Sciortino said, "Well, I saw all these . . . and I had the same, maybe, concerns that Commissioner Unruh had, but if the community is willing to accept it, then why should I have a problem with it. Is there a remedy built into this that if someone doesn't comply with it, what happens? Does he get thrown in jail or does he get fined or is there any remedy for non-compliance?"

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Mr. Miller said, “Well, again, the rules apply and when one goes to get a building permit and so the remedy, I guess, is the building permit would not be issued if they were not in compliance with the guidelines. There is an appeals mechanism, where there’s a design review committee that’s comprised of city staff and if the staff, our City and County staff, if the staff disagree with the owner, then they can appeal to a larger group that includes some of the folks that you’ve heard from. And so, that provides that avenue.”

Commissioner Sciortino said, “Okay. I guess I was more inclined to talk about items that doesn’t require a building permit or something on some of these that I saw that . . . I don’t know why I’m getting involved in it. The people want it.”

Chairman Norton said, “Commissioner McGinn.”

Commissioner McGinn said, “I just want to congratulate you on all your work and staying with your plan and working on it for so many years. And also because you’re kind of the pioneers, even though you’re also the historic part of Wichita, but you’re also the pioneers for these neighborhood plans. I know Historic Midtown is working on theirs, I know McAdams is working on theirs. I know . . . Oaklawn is finished, or are they still working on theirs, Ben?”

Commissioner Sciortino said, “Still tweeking it.”

Commissioner McGinn said, “Okay. But I mean, what’s great for all the other neighborhood groups is the fact that somebody went first and it gives them a guide and helps them work through some of their issues as well. So, thank you for staying the course.”

Chairman Norton said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you. I just had one more question, Dale. Is . . . This overlay doesn’t establish a precedent. Any other overlays that come up need to follow the same procedure for approval. Is that correct?”

Mr. Miller said, “Correct. This is unique to the area that is geographically defined, so it doesn’t apply to anybody else.”

Commissioner Unruh said, “All right. Well, I didn’t know if we were establishing a city/ county-wide precedent or something. Thank you. That’s all I had.”

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Chairman Norton said, “Okay. At this point, we have a Motion and a Second. Any other discussion? Clerk, call the roll.”

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, “Thank you for coming today and we’re very proud of you. Now, let’s see your fruits of your labor and I would urge developers and capital investors to just take a look and see what maybe we can do to make the plan come to life.

Clerk, call the next item.”

NEW BUSINESS

E. PRESENTATION OF MID-YEAR FINANCIAL ADJUSTMENTS AND REPORT.

Mr. Buchanan said, “Chris Chronis, the Chief Financial Officer, and I will do kind of a tag-team presentation. I just wanted to kind of give an overview. You recall, in January we did another presentation to you about our financial condition and some actions, corrective actions we took. I would remind you that the revenues for Sedgwick County have been reduced. Governor Sebilus has proposed and it appears that the legislation will approve additional cuts of funding to local governments. We believe that will happen and happen in July. It will be adopted soon, but it will affect us after July. The local economy continues to struggle. The aircraft industry is at a low ebb. This morning’s New York Times has an article detailing Wichita and the struggles that we are going through in this community because of the downturn of the national economy and particularly how that affects the aircraft industry.

We did not, if you recall, part of the solutions that we attempted, we did not join the lawsuit with some other municipalities. We thought that was a futile effort and in fact, a conflict . . . a way in which to engage in a conflict that there was little or no hope of winning. That was proved to be the case. That case has been thrown out and we were not part of that. We think it’s important to work with the legislature, not fight with them.

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Also, we've anticipated reduced revenues since the fall of 2001 and began reducing revenues early in 2002. You recall, in January we reduced our costs, expenses by about 5.3 million dollars and now we need some further adjustments. And at this point I'd like to turn it over to Chris to talk about why that's necessary, so that you can understand our reasoning."

POWERPOINT PRESENTATION

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "In August of last year, you adopted the 2003 budget. It was a little over \$313,000,000 and as is typically the case, the largest shares of that budget went to public safety, which is the green wedge on this pie chart, and to human services, which is the light blue wedge at the bottom of the chart. Since that budget was adopted in August, we have seen a need to make changes in it.

The County Manager alluded to actions that the state has taken and those have affected us pretty dramatically. The loss of demand transfers has reduced the funding for that 2003 budget by seven and a half million dollars. Additional reductions that the state has made in specific services that they fund have amounted to another \$3,000,000 of reduction for the first six months of this year, and we anticipate further reduction when the legislature adopts its 2004 budget, that will take affect July 1st of this year.

Another way that the state has acted in a manner that is adverse to our budget pertains to community college tuition, where several years ago, the legislature adopted a bill that would phase out our funding obligation for the tuition of Sedgwick County residents who attend community colleges in other counties. This year, in an effort to resolve the state's budget problems, the legislature suspended that phase out program and so, we are having to spend about \$600,000 more on community college tuition than we had budgeted. Next year, we will have to spend another million and a half dollars more than we had planned for that program.

The local economy also is very adverse to our budget position. Unemployment currently stands at about 6%. That's actually down from January, but since that 6% number in February, Cessna has announced another 1,200 layoffs so we expect the unemployment rate to rise again in the next month that we receive. Foreclosures, as a result of that unemployment, foreclosures are at a historic high. That, in turn, is causing pressure on the rise of property values in the community, and so looking to the future, we don't expect to see the growth in property value that we've had in the past and that will affect our ability to generate tax revenue with a fixed property tax rate.

Additionally, because of the layoffs, we're seeing increased delinquencies in property tax payments.

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In the payment cycle that we have just completed, the taxes that were due in December and that we received in January, the delinquency rate on a countywide basis was up a percentage point. That doesn't sound like much, but it amounts to \$12,000,000 countywide, of which \$3,000,000 is revenue that Sedgwick County was counting on but didn't receive.

And finally, the sales tax has plummeted because of the adverse local economy and I'll speak to that in just a minute.

Turning to the aircraft sector in a little bit more detail, what you see here is what was forecasted as losses in the aircraft sector in late 2001. Now, we often say that our problems were caused by 9/11 and in fact that was not the case. Layoffs had begun in the aircraft sector before 9/11, but that event certainly exacerbated the problem. It caused the need for layoffs in aviation to be faster and deeper than those companies had planned on, but never the less, after September 11th, this is the forecast that was done by Wichita State University. They projected that by the end of 2002, we would have lost nearly 7,200 jobs in aviation, we would have hit bottom and we would have started climbing back up, in terms of employment.

This is what has actually happened. It has been somewhat worse than that forecast. By the end of 2002, instead of 7,200 jobs, we had lost about 9,500 jobs and, in addition to that, this year we've lost another 3,200 jobs. And in addition to those, we have a number of people in the local community who will be furloughed this summer for several months. Those furloughs are equivalent to another 1,000 full-time jobs lost for this year.

And so, the impact of the layoffs in aviation has been much more severe than we had projected. The good news, to the extent there is good news in all of this, is that this is not something that is unprecedented in this community. We have gone through downturns in aviation and the local economy about once every ten years and for people who are watching this on TV, I realize that the print on the slide is a little bit small, a little bit hard to read but what we're showing is for each of the past three down cycles, and for the current down cycle, what the experience of this community has been, in terms of manufacturing employment, total employment, personal income, and the tax base, property values and for the more recent periods, 1992 to '93, and the current one, we are showing what has happened to sales tax.

In each of those periods, what we have seen is that manufacturing employments, primarily aviation-related employment, has dropped very dramatically, ranging from on the low end about 6%, up to as

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high as 25% and that's about what we have lost on this cycle. Total employment, however, has never gone down nearly as bad. We have always been able to offset some of those lost aircraft jobs with additional jobs in other sectors. And as a result, personal income has remained essentially flat through the past three downturns. The tax base, the property values on which the county collects property taxes, has actually increased in each of those cycles. And in the 1990 period, when we had the local option sales tax adopted, it was not adopted in the prior two down cycles, sales tax actually increased nearly 15%, even though the economy was in the doldrums.

Well, so that brings us forward to the current down cycle that began in 2001, and when this chart was prepared, was expected to end in 2002. Well, we don't know what the final outcome is going to be to personal income, or for the tax base, or for sales tax. What we do know is that this downturn is different from the past ones in that it is more unpredictable. It is lasting longer, it is deeper in many ways than those prior downturns have been. However, we will come out of it at some point. We will recover and we're confident of that. But for the time being, it has caused us to change the forecast of County revenues and expenditures.

For 2003 . . . and incidentally, on this chart the red line indicates the annual change of revenues for the County. The blue bars indicate the total amount of revenue that the County expects to collect. For 2003, we are projecting that the total revenue that the County collects will be less than it was in 2002. Remember, we adopted a budget that was \$313,000,000. We are not going to collect nearly that much revenue. Looking forward, to 2004 and beyond, we're projecting increases in revenue on the order of three and a half to four and a half percent each year for the remainder of our planning horizon. That forecast is down from our original forecast for the future. Our financial plan had been for revenue growth on the order of 5 to 6% a year. We've reduced that to something on the order of 3 and a half to four and a half percent per year.

Most of the revenue that the County gets is from property taxes and sales taxes, and those are reflected by the green bar here, taxes. We also receive a significant amount of revenue in the form of fees that we charge for various services that the County provides. When you need service from EMS and you're transported to the hospital, there is a fee charged for that. When you receive services from our mental health operation, there is a fee charged for that and, in many cases, that fee is paid by Medicaid. And what you see on the light blue bar is the total fee income that the County expects to receive. The dark blue bar is intergovernmental revenue, which amounts currently to about 14% of the total. The rest of the revenue that we receive from all other sources is the darker gray bar, and you see that it's not very much. So, when we talk about County revenues and adjusting those County revenues, we're really talking about adjusting taxes and fees.

The ad valorem tax is forecasted to grow very moderately over the next several years. We're projecting a 5% increase in 2004 and 4% increases in the years beyond that. Now that's a lower rate of growth than we historically have projected for property tax. And we're assuming here that

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the property tax rate, which is indicated by the red line, will remain constant throughout this planning period. We will not be changing the property tax rate, and so the only growth of property tax revenue, the blue bar that the county receives is that that is provided by additions of value in the community. Growth of the tax base, in other words.

And in this forecast, we're projecting the tax base to grow 5% in 2004, and 4% in the future years. Previously, we had been projecting property tax growth on the order of 5 to 6% a year, because of higher growth of the tax base, but because of those layoffs and the higher foreclosures that we're experiencing, we don't think that that's a realistic forecast any longer and so we've adjusted it.

Sales tax, again, the revenue as indicated by the blue bars, the rate of growth from year to year, as indicated by the red line. Sales tax has been down for three of the past four years. In 2002, the revenue was down a little over 1% from the prior year. In 2003, our current projection is for it to be down about a half a percent over 2002. We're going to have to improve some to get to that forecast of a half a percent reduction.

Through the first quarter of this year, sales tax was down nearly 7% over the same period last year. Looking to the future, we're projecting very moderate growth in sales tax, 1% in 2004 and 2% in the out years, 2005 through 2008. In historic terms, this is extremely low sales tax growth. In the early to mid-90s and you saw the chart earlier, the downturn in '91 and '92, through that period, rates of growth on the order of 15% a year were pretty typical. In the late '90s, rates of growth of anywhere from 7 to 10% were the norm. Now we're projecting growth of 1 or 2% and based on the last three years, we'll consider ourselves lucky to get that.

Turning to expenditures, again we have adjusted the financial plan based on the new reality, but we're showing higher growth of revenue than of expenditure. In the current year, we're projecting total County expenditures will increase nearly 2%. Remember, total County revenues are projected to be down nearly a percentage point. Looking to the future, we're projecting growth rates on the order of four and a half to six and a half percent. And the reason that red line bounces around has to do with debt service and when the County plans to sell bonds and when the County plans to pay off old bond issues. It has nothing to do with ongoing operating expenses.

When we talk about County expenditures, personnel and contractual services are what we're talking about. It's a surprise to many people to find that the County really doesn't buy very many things. Commodities, capital outlay, office furniture, things like that don't represent very much County expenditure. Nearly all of the money that we spend is either on County employees or on contractors

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that we hire to provide services on behalf of the County. And we deliver, as you know, we deliver a considerable amount of service through contract partners. The green bar here represents personnel. The dark blue bar represents contractual services.

When you combine the revenues and expenditures, you get this chart. This shows the growth, the forecasted growth in total revenues, the red line, and in total expenditures, the blue line. And the gap between those two is something you don't want to see.

This is that gap. What we're looking at is an operating deficit in each and every year of our planning period. We broke even, essentially, in 2002. We had about a \$700,000 operating loss on total activity of about \$300,000,000. In 2003, we are projecting an operating deficit of something slightly over \$8,000,000 and we're projecting that that operating deficit will grow each and every year in the future until, by 2008, we're projecting an operating deficit of nearly \$38,000,000. And that's attributable to that faster rate of growth of expenditures than the rate of growth of revenues."

Commissioner Sciortino said, "Hey, could I just interrupt for a second? Like take 2003, we've already reduced our budget by 5.3 million. If I'm looking at this correctly, you're recommending another 5.5 million. If that's already reflected there, does that mean that in order for us to have a balanced budget . . .?"

Mr. Chronis said, "That is not reflected there. It's reflected there."

Commissioner Sciortino said, "Okay, I'm sorry. All right, so then the question is, we would have to reduce it by another 4.5 million to be even?"

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

Commissioner Sciortino said, "Why haven't we done that?"

Mr. Chronis said, "Well, we haven't done that yet, but I expect that we will be doing some more of this activity, as the year proceeds.

What you see here is the adjustment in that operating deficit that we are projecting as a result of the adjustments that were made in early January, before we actually even started the year, and that we are proposing to make today. In total, those adjustments amount to a little over \$10,000,000. They don't have \$10,000,000 of impact on the operating deficit because we're not getting a full year of

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savings from them. We're reducing personnel now. We're already spent a quarters worth of salaries for those people. Some of the actions that we've proposed are deferred expenditures rather than eliminated expenditures, so we don't get the full \$10,000,000 of reduction in the operating deficit. Nevertheless, with the actions that we've taken, you see on the light blue bars, how the operating deficit looks compared to how we originally thought it was going to look before we made those adjustments.

Now, as you know, the operating deficits are funded with the County's fund balance. In effect, we are drawing down fund balance whenever we have an operating deficit. And on this chart, the dark blue bars or the red bars, moving out to the future, are the original forecasted fund balance of the County. And we're looking here at the total, all funds. The light blue bars, or the pink on the far right side, are the adjusted fund balances after those changes that we made in January and that we're proposing to make today. We began this year with \$113,000,000 of total fund balance. That's a huge number. It sounds like an awful lot. In fact, most of that fund balance is legally restricted to particular purposes and we can't use it for general operations. We receive an awful lot of grant revenue during the last half of any calendar year for grant programs that we will operate through June 30th, on the state's fiscal year. That grant revenue is in the bank on December 31st and so it's a part of this fund balance, but it can only be used for those grant programs in the first half of the following year.

We sold bonds in August of last year to pay for a variety of County construction projects. Some of those bond proceeds are still unspent, because those projects are still uncompleted. But those bond proceeds can only be used on those projects. They can't be used for general operations. When you extract all of those restricted fund balances from this total \$113,000,000, what you get on a County wide basis is about \$23,000,000 of discretionary fund balance, fund balance that can actually be used to fund ongoing operations. And that, of course, is a non-recurring revenue source, so we don't want to use it to fund ongoing operations.

Looking to the future, because of that projection of operating deficits, each and every year we are drawing down the fund balance each and every year and so the forecast is that by 2007 the total fund balance of the County will have been exhausted. We will be in an absolute deficit mode if we don't continue to make adjustments in either the rates of growth of revenue or the rates of growth of expenditures.

And so, finally, here are the policy options that you have to consider. First, you can prioritize the major projects that we have on our plans. You can defer or eliminate some of those projects. In the first round of budget reductions, you deferred an EMS station that was planned to be constructed in northwest Wichita because we simply didn't have the means to pay for that project this year. You made a couple of other adjustments in projects. You can cut services to reduce the dependence on

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state funds, and you have done some of that as well. And you'll see more of that in the presentation that Bill is about to make. But thus far, the state has made about \$3,000,000 of reductions in specifically funded state services or state funded programs that we deliver, things like aging services, Meals on Wheels, things like corrections, various supervision programs, things like mental health services, crisis services, all have been reduced because of the shortfall of state funding. You can alter the normal growth trend of personnel costs, and you saw of the earlier chart that personnel is the largest expenditure that we have. To the extent that we can change that number, the amount that we spend on personnel, we can help solve our problem. In the first round of budget reductions, eighteen and a half positions were eliminated. That resulted in a reduction of County personnel costs of about \$900,000. You will see more personnel reduction in the proposal that Bill is just about to present to you.

An additional thing that you can do is to reduce the services that are provided by our contract partners. Now our contract partners include all of those agencies that we hire to deliver services for the County. Some of those partners deliver mental health services. Some of them deliver services to the developmentally disabled. Some of them deliver recreation services to our community. There is a wide array of kinds of services that are provided by contract partners and to the degree that we can reduce those services, we can solve our financial problem. But of course, that has an impact on the community and on our constituents.

And finally, you can increase revenues, and here again the primary means that you have to use this bullet point to solve the problem is the property tax, because that is the sole revenue that produces any serious money that you have discretion over. The sales tax is fixed at the rate that is imposed. You cannot adjust that sales tax rate. Other revenues, in many cases, are fixed by various regulations or laws that govern our authority to impose those revenues. So as a practical matter, the property tax is the place to look to, if you choose to use revenues to solve this problem.

With that overview, I'll be happy to answer any questions that you might have, and if you don't have any, then I'll turn it back to Bill, who will talk about this round of adjustments."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Yeah, Chris, let me understand it. You had said that for 2003 we were anticipating a little more than \$8,000,000 loss of revenue or deficit."

Mr. Chronis said, "Yes."

Commissioner Sciortino said, "Did that include what you anticipate the state might do to us in the next round in July?"

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Mr. Chronis said, "No, it does not, because we don't know what that is going to be yet. The legislature has not yet adopted a 2004 budget."

Commissioner Sciortino said, "All right. So that, pragmatically speaking, is going to be greater, because I anticipate they're going to do something."

Mr. Chronis said, "It could be, yes."

Commissioner Sciortino said, "And then you indicated that the adjustments that are going to be shown to us here, I think it's 5.5 million. These are annualized, and then we're only going to receive eight tenths of it or what have you?"

Mr. Chronis said, "Yes."

Commissioner Sciortino said, "Okay, that answers my question."

Mr. Buchanan said, "Commissioners, you have before you, and I don't have an overhead . . . slide that indicates about 5.5 million dollars of reduction, and that is annualized. There is . . . why don't we use Elmo? Good idea."

OVERHEAD PRESENTATION

We have five and a half million dollars, and this is a moving target, because last evening, we did renegotiate and settle an agreement with the Zoological Society. You know, we're partners with them and we have a five-year contract. Three years remain of that contract and we just renegotiated a settle . . . a deal with them to reduce that contract by \$200,000 annually over the next three . . . \$200,000 a year for the next three year. . . remaining years of the contract. So, it's an excess of \$600,000 reduction."

Commissioner Sciortino said, "When does their year start? Will it have an impact on 2003?"

Mr. Buchanan said, "Yes. It will have a real impact this year. So that number continues to change. The first number is reducing of staffing. This you will see some reductions in service to some of the agencies. It will take longer to get reports, Forensic Science Center report done. It will take longer to process some information from COMCARE, from the mental health facilities. This is some real service reductions. Out of the 28 positions that we're eliminating, we talked to about 21

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employees yesterday who were notified that they were laid off. We have a redeployment process for them. The first round of layoffs, 40% of those people reapplied for positions with Sedgwick County. Of that, half of them got jobs, half of the people that applied. We're talking small numbers last time, if you remember, so it was really four people who reapplied, two of whom were reemployed. We think that's probably going to happen. Half the people will reapply and the other half will go do other things and we have a system in place. We froze positions. We did not allow people to fill positions for the last week that have reopened and only internal candidates and the people that have been laid off can apply in this two week period and will be considered. And so, for those good, loyal employees who have worked for us, we're trying to give them an opportunity to be reemployed with us in a different location than they were previously.

We've reduced other labor costs, and that might seem like a funny deal but we've frozen some positions. We've reduced a recruiting class, hiring some new people. We also shifted some of the personnel costs from one fund to another. We've shifted it from some tax-supported funds to some grant supported funds in a very legitimate and thoughtful way we think that will help us.

We've deferred Capital Improvement Programs, mostly those programs are in storm water management and we are just going to defer those and reduce those. We've deferred technology, especially in the courts and COMCARE. A small number, \$40,000, but that will have an effect of reducing our cost this year. We've reduced fleet costs in two significant ways. One is that we've eliminated . . . last week or so, you eliminated 21 low use vehicles and that was about \$124,000, \$125,000 worth of savings and there's about another \$300,000 of lengthening the time in which we purchase some of the trucks, some of the service vehicles and some of the equipment in Public Works. By extending those purchases, we have some real savings.

Reduced operating costs, in a number of ways, a million and a half dollars, some minor things to eliminate tax support of technology projects. A little \$4,000 deal to some other major, major shift in how we do business. We're reducing security at some of our mental health programs. We're providing restricted choices about how people get educated. Many of our education requirements for our social workers require in-service training, a certain amount of hours. We're going to restrict that and make that happen in-house and have real savings, rather than send people out.

And then we have reduced the funding partners. Chris talked about that a little bit. We have not begun to renegotiate contracts with the major hospitals, but we will, who provide service for us for mental health. We've reduced counseling services at Family Consultation. Again, we will be renegotiating rates with them and there's not a number for that. We'll eliminate some Small Cities programs. We've reduced the Conservation Action grant. We've reduced the contracts with the Extension Service. We'll decrease, eliminate some, or reduce funding for City Arts and the African

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American Museum and the Wichita Historical Museum. And finally, we have some enhanced revenues that we have . . . some of which we've already instituted.

We've taken some action on Animal Control and Code Enforcement. We think there are two exciting programs. One certainly is increase fee structure for EMS that will not affect people on Medicare or Medicaid, but it will affect the people who are insured in a way that we think we can regain some revenues from the insurance companies. And this was recommended to us through a process of the consultant that we hired jointly with the City of Wichita.

The other way is the Health Department. The Health Department has a way in which we can, we think, expand our inoculation program and kill two or three birds with one shot, if you will. We are behind in inoculations. Students need to be inoculated when they go to school. They need to have physical examines for sports. There needs to be a booster TB shot. This requires parents to take children to the doctors. This requires parents either to take children to the Health Department. We're working with the school and we have a tentative working agreement with the school district to do those shots with our people on certain days in the school. You bring your ten or fifteen dollars, you bring us a permission slip and we will have nurses and physicians there to line you up and get done what you need to get done. And we think that's an exciting way to a) deliver service faster, better. It's a way in which our revenues can be increased and it's a way in which people can get inoculated at a higher rate.

So, this process has helped us rethink some of the things that we're doing. We continue to look at ways to reduce. You are reminded that in fact we're restricting travel and examining each of those travel requests. Every request is examined very carefully, through the division directors and through me. We've held some positions open. We've forgone technology and software upgrades. We're reducing employee training. We're examining some of those routine expenditures that we're doing.

It's been suggested to us that why don't you stop some of the projects you're in the middle of. Why are we doing the Coliseum? Why are we doing Heartland Defense? Why are we doing 9-1-1 or Juvenile Detention Facility? Some of those projects have specific funding sources. 9-1-1 facility has a specific funding source that cannot be used for anything else but that purpose. Many of those projects are still in the planning stages and by the time we would be ready to begin construction or bid those, bonds would be let and payments would be made in the future. And it is examination of those projects against our current needs, but it is also examination of what we need to have done in

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the next 30 years in this community about public safety and about building the infrastructure to make communities work. So I think it's essential that we keep our eye on those costs, everyday costs today, but also not stop building for the future, because it really is an investment in the future.

Commissioners, that's what we have implemented and we will continue to work on this so that when Chris Chronis comes back to you in some future presentation, that there will be nothing below the line. That it will all be above the line. The 2004 budget, department heads have their targets. The 2004 budget will help us get to where we want to be. People who have begun looking at that know that that's an awful document. That they're going to struggle mightily. There will be fewer people, if that budget is implemented, there will be fewer people working here for us now than are currently working and we will be doing things differently than we have before. We're asking a budget be based on our 2002 expenditures, minus some things. So it will be a difficult financial road we're going to take for the next five or six months."

Chairman Norton said, "Well, any comments? Commissioner Sciortino."

Commissioner Sciortino said, "Yeah, I think it's probably for Chris or somebody. I'm still a little confused, so I want to go slow. Reading this document, it says 'Fast Facts', the heading says, 'an additional 5.5 million of adjustments to the 2003 Sedgwick County budget' and I've just been told that's not the case, but then also, on the second page of that document, it shows the total impact today. It shows our 2003 budget, less the adjustments in January, less the adjustments in April would indicate to a layman that those should be subtracted from the 313 and that's not the case. Is that right?"

Mr. Chronis said, "Well, some of those adjustments are revenues and some are expenditures. You don't subtract revenues from the budget, you add them to it."

Commissioner Sciortino said, "No, but the net effect is 5.3 reduction and I was told that's not the case here. And on this page . . . I mean, I would rather have seen, since we're talking 2003, what would the reduction in staffing have been for 2003, but if I heard it right, this million five is for an entire 12 months, not 2003. What is it for 2003."

Mr. Chronis said, "We'll have to calculate that for you."

Commissioner Sciortino said, "Okay, because that's what we're trying to deal with is 2003. Okay. And the other thing that you had shown a slide and I don't know that you can get it back up, but I'm really frightened about what you're projecting over the next four or five years, about 2006 or 7 we start being bankrupt, and I hope we're going to start looking at that problem seriously, and if there's some tough decisions that we have to make now, which would prevent 2006 or 7 becoming

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a reality, I think we need to at least be exposed to that, even though it may not be popular, instead of just waiting, hoping that something magical happens so that we don't have to make those decisions."

Mr. Chronis said, "The reason we do the long-term financial plan is to identify just those sorts of problems far enough in advance that we can do something to avoid them, without having to resort to crisis mentality. We are identifying problems now that we expect to happen five to six years, four or five or six years out into the future so that we can start taking actions now in a moderate way to eliminate those problems. And that's exactly what we will do. We're doing some of that with this round of adjustments. We're doing more of that with the 2004 budget preparation that Bill described to you. I've already told you that I expect there will be another round of budget adjustments this year, after the state legislature finishes its work on the 2004 state budget. We will continue to monitor, as we are monitoring this, as you know, on a daily basis and we'll continue to bring proposals to you at the times and in the amounts that we think are appropriate without disrupting the services that we provide to citizens anymore than we absolutely have to."

Commissioner Sciortino said, "I understand. So if I understand it right, you're going to be making contingency plans that will make 2007 not become a reality, because we can't spend money that we don't have."

Mr. Chronis said, "2007 will not become a reality, not what we showed there."

Commissioner Sciortino said, "Okay, thank you. That's all I have."

Chairman Norton said, "Any other discussion or questions from the Board? Well, it is not a rosy picture but it is certainly a picture that will challenge our leadership skills. Anything else?"

MOTION

Commissioner Winters moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thank you. Clerk, call the next item."

Commissioner McGinn left at 10:22 a.m.

F. DIVISION OF CULTURE, ENTERTAINMENT AND RECREATION.

1. AGREEMENT WITH RIVER COMMUNITY CHURCH FOR USE OF SEDGWICK COUNTY PARK APRIL 19, 2003 TO HOLD AN "EASTER SUN RUN."

Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation, greeted the Commissioners and said, "I apologize. Mark Sroufe was going to be here, the Superintendent of Parks, but unfortunately he had some unfinished business he had to attend to this morning, so I'm standing in for him."

This is an item for approval of an agreement between the Board of County Commissioners and the River Community Church for use of a portion of Sedgwick County Park Saturday, April 19th for the annual Easter Sun Run. It will require closing of the main road in the park for about 15 minutes to facilitate the safe completion of the run. This is about the seventh year that we've worked with this group for this run. So, we would ask that you approve the agreement and authorize the Chairman to sign. Be happy to answer any questions you might have."

Chairman Norton said, "I see no questions. What is the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the agreement and authorize the Chairman to sign.

Commissioner Unruh seconded the Motion.

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Chairman Norton said, "I have a Motion and a Second. Any discussion?"

Commissioner Sciortino said, "Are you going to run in it, Ron?"

Mr. Holt said, "No, sir."

Commissioner Sciortino said, "Okay."

Chairman Norton said, "It wouldn't be fun then, would it?"

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

Chairman Norton said, "Clerk, call the roll."

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Ron. Commissioner Winters."

Commissioner Winters said, "Mr. Chairman, I'm going to need to excuse myself from the meeting. I have a funeral to attend this morning, so John, I'm not walking out on you, no problems, but I'm going to need to be gone, so thank you."

Chairman Norton said, "Thanks, Tom."

Commissioner Winters left at 10:22 a.m.

Commissioner McGinn returned at 10:23 a.m.

2. **KANSAS COLISEUM MONTHLY REPORT.**
- 3.

POWERPOINT PRESENTATION

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Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "And if there's any theme to my report this morning, it might be titled 'There's an exception to every rule'. We just had a very powerful presentation by the County Manager."

Commissioner Sciortino said, "And you're going to make it up with revenue at the Coliseum."

Mr. Nath said, "Well, I'll certainly make every attempt, although I cannot guarantee it."

For the month of March, we had almost 96,000 people through our doors, 21 events, 40 individual performances. Our net revenues were nearly a half a million dollars. That put us about 38% ahead of where we were last year, and if you recall, we had a pretty, pretty strong year last year. Bookings at the Coliseum are fairly strong at this point. Of course, concerts come in and out, but we've got some pretty good events scheduled throughout the end of the year. So, I'm fairly optimistic at this point. We're in fairly good shape.

Highlights for the month, we had the Equifest again, which is the largest equestrian event in the State of Kansas, very well attended. Almost 10,000 people came through the doors. High school wrestling tournament, annual event, and I'm pleased to announce we will have it again for next year. We have secured the event.

Concerts, Styx and REO, very good, 5,000 people in attendance, with the dual headline show. Toby Keith, nearly 10,000 people in attendance for that one. And of course the second show with Cher, who was the number three touring act in the country last year. Excellent performance there, it was again sold out, 8,238 people in attendance for that show.

We again did Spring Madness with the go-carts and the Arenacross was back again at the arena. We had nearly 6,000 people in attendance over the three days of the Arenacross.

Bob the Builder, a new children's show that we co-promoted with the Hit Entertainment folks, same people that brought us Bear in the Big Blue House, excellent show for a mid-week, nearly 6,500 folks in attendance.

And in the sports zone we finished out the hockey season with four games, nearly 9,000 folks in attendance. And the Stealth opened their season with a victory, which is very good, 3,625 folks at that game.

Coming up, we've got the Freaknic Jam tonight. It's selling very well. We're expecting in excess of 8,000 people in the house. The Stealth will play Bakersfield again on the 19th. We have Disturbed in concert on the 24th. We have the Heartland National Barrel Association event for three

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days at the end of April. We're expecting about 1,400 entries for that from all over the country. Stealth plays Tulsa again on the 26th and then we have the annual Park City Bluegrass Festival May 1st through the 3rd. Commissioners, I'd be able to answer any questions, should you have them at this time."

Chairman Norton said, "I see none at this time. Any discussion? Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I kind of snuck up on you. John, I just don't have a question but a comment. I just want to tell you thanks from the wrestling community for your work and effort in securing that event again for another year. It's important to all the coaches and officials and participants and parents around here that we kept it at home, and I know you worked hard to do it and thank you."

Mr. Nath said, "We've formulated a lot of partnerships between us, the Convention and Visitors' Bureau, Park City came to the table, the Sports Commission did a lot of lobbying and changed some of our procedures, offered some other things that weren't included in the current agreement. Hopefully, we'll keep it for many more years, but we're real happy to have it back. It's an important event."

Commissioner Unruh said, "Well, there was a lot of concern, and so we're pleased you were able to . . ."

Mr. Nath said, "It's a good event. A lot of folks want the event, and they should."

Commissioner Sciortino said, "Well I think he's done a great job. In my calculation, you need to pick up another 4.1 million dollars for 2003 if you could."

Chairman Norton said, "Yeah, write that down, John, would you."

Mr. Nath said, "It's going to take a little more than 50 Cent."

Chairman Norton said, "What's the will of the Board?"

MOTION

Commissioner McGinn moved to receive and file.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, John. Clerk, call the next item."

G. AGREEMENT WITH CITY OF WICHITA TO PROVIDE TRANSPORTATION SERVICE TO OAKLAWN IMPROVEMENT DISTRICT.

Mr. Brad Snapp, Director, Housing Department, greeted the Commissioners and said, "Since 1998, Sedgwick County has been subsidizing the bus service to Oaklawn, bus service and para-transit service to Oaklawn. It goes down to K-15 to Clifton, south to 47th Street, then east to K-15 and back up to the bus terminal and they provide that 18 times a day.

This year, we have a not to exceed agreement of \$32,231. In 2001 and 2, the ridership remained pretty constant, and when the Opportunity Center opens in August, they expect quite a few people to be riding the bus. Our costs are going up and that's something that we need to address, as a County and so tonight I'm going to address the Oaklawn Improvement Board and ask them to partner with us in this and also maybe get the Opportunity Project or somebody else to participate as well, because we can't continue to take this on by ourselves.

If you have any questions, I'll try to answer them for you."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "In the backup, it said we've underwritten this service since 1990. Is that a typo?"

Mr. Snapp said, "I think it must be. My files indicate '98."

Commissioner McGinn said, "Okay, and then does . . . what part does the individual pay?"

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Mr. Snapp said, "They pay the normal rider fee and then we pay the difference between the transit cost and the rider fees. So we're at about \$6,000 a quarter, sometimes a little bit more. I think what we really need to do is do a study and see what routes or rides we could eliminate during the day, what are the peak use times and take out some of the other rides."

Commissioner McGinn said, "Okay, and you make 18 trips a day."

Mr. Snapp said, "That's what they . . . yeah."

Commissioner McGinn said, "Right. Okay, thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Brad, naturally I've been supportive of this because I know a lot of the people down there are trying to get to and from work and don't have transportation. But the entire public transit system is a subsidized system, even though they're paying . . . what's the fare now, close to a dollar to ride the bus?"

Mr. Snapp said, "I don't know."

Commissioner Sciortino said, "It's pretty high. What is the formula that the city uses to impose these fees on us? Apparently, increased ridership . . . The fixed cost is getting the bus and the driver down there. The number of riders should offset, partially, that cost."

Mr. Snapp said, "Well, it offsets partially. I did a little figuring this morning, just to look at that part of it. And say, last . . . the first quarter we got a billing for the first and second quarters last year and their actual expenses were \$19,155. The revenue from riders was only \$2,713, so that left us \$16,400 and then the third and fourth quarters were about \$8,500 for us and then the fourth was . . ."

Commissioner Sciortino said, "What would help me, could you find out for me and maybe my other Commissioners would like to know it, what percent . . . I'm probably not saying the right word. I want to say percentage of occupancy, but they run a bus down there. What percentage of the seats are actually being used?"

Mr. Snapp said, "Yeah, I'll find that out for you."

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Commissioner Sciortino said, "Because if it's really small, I don't know if there's different size buses that the Wichita Transit Association has, or is it so low that they could do a 16 passenger van, or . . . Because I think you're right, even though we're trying to help as much as we can. And without us, they wouldn't have a bus system. There has to be some control of this expense and that could either be by reducing the cost of doing it, or getting maybe, like you say, maybe like you say, the Improvement District or somebody else to partner with us on it, because this is getting to be a pretty large item."

Mr. Snapp said, "Yeah, I agree."

Commissioner Sciortino said, "Okay, thank you. That's all I have."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you. I guess, to tag onto that, that's kind of what I'm looking for too, is when you have 18 routes, does that mean . . .?"

Mr. Snapp said, "That's not 18 routes, that's 18 buses. It's only one route, isn't it?"

Commissioner McGinn said, "Well, okay. I meant 18 buses are going to this community a day."

Commissioner Sciortino said, "Nine, I mean going and coming. Isn't that right?"

Mr. Snapp said, "I think that's what it is."

Commissioner Sciortino said, "It's nine times a day they go down and back. So it's nine rides but 18 one-way trips."

Commissioner McGinn said, "And yeah, is the bus like a third full? I don't know and can . . . maybe I need to go catch the 7:30 but I'd rather take an 8:30. I'd like to know that. And then the other thing I'd like to know, why is this here? Is it based on some income level studies for zip codes and why isn't it out at Colwich, Kansas and, I mean what other information like that can you provide me? Is there a great deal of people that work in Wichita and that's why we're doing it or . . . You see what I'm saying? Why don't we take the bus to Colwich or Andale? I mean, what other factors are involved in this, is what I need to know?"

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Chairman Norton said, "What was the route again, the actual route?"

Mr. Snapp said, "South on K-15 to Clifton, south to Clifton to 47th Street, east to K-15 and back up to the terminal and Clifton comes out right where the railroad . . . Now I've heard, and this is all dependent on budget, etcetera too, but at some point, that exit on Clifton may be . . . Clifton may be stopped and won't be able to access K-15 from North Clifton, so the route would change then. But they told us that might be years from now. But anyway, that's where it goes right now."

Chairman Norton said, "I guess it would be interesting to me to find out if it were only serving Oaklawn, if there's a way to tie that in to either north Derby or over towards 47th Street and Broadway, where there is huge population centers that might ride the bus also, so that this is a stop not on just a loop of its own. Maybe some of those become . . . some of them are pure just to Oaklawn, but others are a loop that hits other population centers so that Oaklawn folks kind of get mixed and mingled, not on a bus by themselves, but a route that includes a much larger area."

Now, I know if you go into Derby, on a city bus route, then maybe there's some kind of rural transportation monies that would have to be used. But it seems to me that some of those routes could be very pure to Oaklawn, like you've described, and some of them could be along the way on other routes. So, you might want to look into that."

Commissioner Sciortino said, "Is this a pure route just to Derby? They make one stop in Derby and then they go all the way up to the terminal?"

Mr. Snapp said, "Oaklawn."

Commissioner Sciortino said, "That's what I meant, Oaklawn."

Mr. Snapp said, "I believe that's correct. Maybe . . . there may be two stops in Oaklawn. I know they have . . . Oaklawn Improvement District just purchased a bus stand, or shelter for the corner of Clifton and 47th Street."

Commissioner McGinn said, "I guess I'd like to see the route too. So you're saying it goes to the terminal downtown."

Chairman Norton said, "I think it's pretty pure."

Commissioner Sciortino said, "It has to go to the terminal in order to transfer to get to where . . . so they may be wanting to get out to Raytheon, but in order to do that, they have to go to the

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terminal, transfer and get out there. So, that's the only way you can do it, the way it's set up, is everything goes to the terminal."

Commissioner McGinn said, "I would like to see all those numbers."

Mr. Snapp said, "Okay."

Chairman Norton said, "Thanks. I see no other questions or any other discussion. What is the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the agreement and authorize the Chairman to sign.

Chairman Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Brad. Clerk, call the next item."

Commissioner Sciortino left at 10:37 a.m.

H. DEPARTMENT OF CORRECTIONS.

- 1. GRANT APPLICATION TO U.S. DEPARTMENT OF JUSTICE FOR EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT GRANT TO FUND SURVEILLANCE OFFICERS.**

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said,

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“The grant application before you requests federal funding to restore surveillance team services to Community Corrections Adult Intensive Supervision program. This service had to be cut from the program last July, due to the reduction in state funding for this current year.

We’re asking for funds to hire four part-time officers to work in teams so we’ll have two teams that will be able to go out evenings and weekends to check on our most high-risk felony offenders that we have under supervision. The total cost of the project is \$56,756, with 25% coming from a cash match from the department, and that comes from client fee income. They pay for supervision fees. I’ll be happy to answer any questions.”

Chairman Norton said, “I see no questions at this time. What is the will of the Board?”

Commissioner McGinn said, “I don’t think we can take action, can we?”

Commissioner Unruh said, “Not yet.”

Commissioner McGinn said, “Ben’s gone.”

Chairman Norton said, “We may have to wait. I don’t see any questions, so I think . . .”

Commissioner Unruh said, “Well let me ask Mark. Excuse me Mr. Chairman. The people that are . . . these are felony people, but they are not being held in our detention facility. These are folks who are deemed reasonable to be in the community and we’re just checking up on them.”

Mr. Masterson said, “These are folks that have been sentenced and assigned to Community Corrections to supervise, while they’re living in the community. The only folks that come to us are higher level felony offenders that qualify for probation, versus going to prison. So, among that group, and we serve 1,700 a year, there’s a group that are at very high risk and we want to be able to go out and check on those folks evenings and weekends.”

Commissioner Unruh said, “Okay, thank you.”

Commissioner Sciortino returned at 10:38 a.m.

Chairman Norton said, “Now, what’s the will of the Board?”

MOTION

Commissioner McGinn moved to approve the grant application and authorize the Chairman

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to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Next item."

2. GRANT APPLICATION TO KANSAS DEPARTMENT OF CORRECTIONS FOR CONTINUED FUNDING OF ADULT COMMUNITY CORRECTIONS PROGRAMMING.

Mr. Masterson said, "Community Corrections is a state mandated program in the adult corrections system. Its purpose is to provide intensive community-based supervision programs to sanction offenders in the community instead of sending them to prison.

These programs are valuable to the offenders, as well as to the state. They provide offenders the chance to avoid prison under strict conditions set by the court, while they maintain employment, pay taxes, restitution to crime victims and continue to support their families.

Community Corrections is state-funded through an annual grant application process administered by the Kansas Department of Corrections. In order to continue to receive grant funds, an annual application must be submitted by May 1st. The application before you today for approval reflects continuation of the existing programs, with no new initiatives. These programs are the Adult Intensive Supervision program and the adult residential program.

Within each program, we provide supervision and services to assist offenders in gaining and maintaining employment, accessing treatment and training, and also we provide drug testing.

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Annually, we serve, as I said earlier, about 1,700 offenders on intensive supervision that live in their own homes out in the community and another 325 that come through out residential center.

This application is the first step in the process. It addresses only programs, not funding. Once the state legislature approves the budget and we're notified of our annual grant award, we'll come back and present the budget and the modified plan at that time, in early July.

The Community Corrections Advisory Board reviewed this application at the April 10th meeting and recommends that you approve it. I'll be happy to answer any questions."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Yeah, I think you were starting to get more to where I was going to go with it. We have submitted a grant request of 3.2 million."

Mr. Masterson said, "Correct."

Commissioner Sciortino said, "And I assume that, along with that, you've shown them what we're going to do with the 3.2 million, if we get it."

Mr. Masterson said, "Yes."

Commissioner Sciortino said, "Anytime that they deviate from that and, say they come up with 2 million, we have the right to go back and say, 'Okay, for 2 million this is what we could provide', that we're not stuck with doing exactly what we said we would do for 3.2 million, but only receive 2. Is that correct?"

Mr. Masterson said, "That is correct."

Commissioner Sciortino said, "Okay. So this is . . . we're willing to do for the state whatever we can do, based on the amount of revenue they give us."

Mr. Masterson said, "That's correct. However, I would just make one addition, that we do not control the number of people who get assigned to Community Corrections. The courts assign us people. We will scale our programs and our staffing to fit the budget that we're appropriated to do the job, but we don't . . . that has no impact on the number of clients that we have to serve."

Commissioner Sciortino said, "So what do we do if we have more people than we have funds or the ability to serve? Are they just on some kind of a waiting list until we can get to them?"

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Mr. Masterson said, "Our caseloads go higher."

Commissioner Sciortino said, "Pardon?"

Mr. Masterson said, "Our caseloads, our officer caseloads go higher to meet that demand."

Chairman Norton said, "Which means they may not check on them every weekend, or the number of nights they think they should."

Commissioner Sciortino said, "So, these people are not necessarily staying in a, for lack of a better word, halfway house or our own facility? They're out on the street waiting for us to provide the service."

Mr. Masterson said, "We have two programs, the residential center and the program where they're living in the community."

Commissioner Sciortino said, "Okay, all right, thank you."

Chairman Norton said, "Mark, what's your early indication, you're in Topeka a lot trying to understand the budget and what the money flow is going to look like and whether the program needs match up with the money that's going to be filtered to us. What's your first blush of that?"

Mr. Masterson said, "My crystal ball is pretty cloudy here. We won't know until a couple of things happen. One, Senate Bill 123 is on the governor's desk, treatment instead of prison for low-level drug offenders. Community Corrections will be a growth area for that population. We pick up those responsibilities for supervision and arranging the treatment services. So, how many dollars are associated with that and what's our prediction? We expect to have to increase, add two or three officers to meet that demand.

It will be a partial year implementation, because it only affects offenders sentenced on those . . . for those crimes after November 1st. So there's a growth area, and then in the usual budget it will be a reduction. And so, how does it all play out in the services mix? We'll have to go to the drawing board when we have those facts and look and put together a package, based on public safety first, offender accountability, and then what kind of services we can provide to try to change behavior."

Chairman Norton said, "Is there money attached to that senate bill or is it just programmatic of

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putting the people back into a different service?”

Mr. Masterson said, “There will be money attached to that bill. They haven’t run it yet, but there will be money attached to it.”

Chairman Norton said, “Whether it will be enough to really run the program is up in the air still. Is that correct?”

Mr. Masterson said, “Through every legislative hearing and every step in the process, that was the message. Don’t bother doing it, unless you’re going to appropriate the funds for treatment and supervision. And so, I believe that that will happen. Until we see what it is, we won’t be able to give a more definitive answer.”

Chairman Norton said, “Okay. You’ll have to add capacity if all this passes. What about the mental health community? Is there capacity with drug rehabilitation? Is there capacity for you to work with or is that going to have to expand too?”

Mr. Masterson said, “I think we’re in a pretty good situation in our community. There are a lot of drug treatment programs. There’s a certification requirement, as part of this bill, that will require programs to have additional training to work specifically with this population and that those trainings will occur between June and November. And so, it depends how many programs really step up and want to work with this population. I think we’re probably in better shape in that area than other areas of the state.”

Chairman Norton said, “Okay. Critical issue, as we move forward on trying to decide what we do with the jail, and I know Commissioner McGinn and Commissioner Unruh will struggle with that, but this is part of that whole stream of what we do with drug offenders, mental health and those kind of things that have been incarcerated in the past. So, what is the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the grant application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Mark. Next item."

HEALTH DEPARTMENT

I. AGREEMENT WITH DIVISION OF NURSING – NEWMAN UNIVERSITY FOR HEALTH DEPARTMENT TO PROVIDE CLINICAL EXPERIENCE TO STUDENTS.

Ms. Pamela Martin, Director, Clinical Services, Health Department, greeted the Commissioners and said, "The Sedgwick County Health Department has furnished a clinical rotation site for nursing students from the Kansas Newman College Department of Nursing for several years. This participation at the Health Department allows the students to observe patients and nurses and to learn procedures in a clinical setting.

We strive to furnish clinical facilities and adequate staffing to promote the optimum learning experience for each student. By continuing this partnership with Kansas Newman College Department of Nursing, we are encouraging an interest in public health nursing and providing a source of future degreed nurses for the Sedgwick County Health Department. Our recommended action is that we are asking the Board to approve the agreement and authorize the Chairman to sign the agreement and any other related documents."

Chairman Norton said, "I see no lights flashing, so is there any discussion? What is the will of the Board?"

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Pam. Next item."

J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF APRIL 10, 2003.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The referenced meeting resulted in four items for consideration today.

**1) A & E FOR 911 DISPATCH- FACILITY PROJECTS
FUNDING: CAPITAL IMPROVEMENT PROJECT**

First item, architectural and engineering services for 9-1-1 facility for Facility Projects. Recommend the proposal from Schaefer, Johnson, Cox and Frey for a not to exceed \$260,000.

**2) 4 x 4 SPORT UTILITY VEHICLE- FLEET MANAGEMENT
FUNDING: VEHICLE ACQUISITION**

Item two, four by four sport utility vehicles for Fleet Management. Recommend the low bid, including trade-in, from Lubbers Ford in the amount of \$29,453.

**3) TIMBER PLANKS- PUBLIC WORKS
FUNDING: PUBLIC WORKS**

Item three, timber planks for Public Works. Recommend the low bid meeting specifications from Kennedy Saw Mills in the amount of \$57,990.

**4) GAS CHROMATOGRAPH/ HEADSPACE ANALYZER W/ DATA SYSTEM
FUNDING: FORENSIC SCIENCE CENTER**

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And item four, gas chromatograph and headspace analyzer with Data System for the Forensic Science Center. Recommend the low bid from Shimadzu Scientific, their bid number one, in the amount of \$37,663.11.

Have staff available for questions, and would recommend approval of these items.”

Chairman Norton said, “Commissioner McGinn.”

Commissioner McGinn said, “Thank you, Mr. Chairman. I’m going to have some questions for Kathy Sexton. On item one, on the 9-1-1 Dispatch Facility, I noticed we didn’t take low bid. In tough economic times, I’m hoping that staff has very good reasons for not taking the low bid.”

Ms. Sexton said, “Absolutely, Commissioners. I first would like to point out this was not a bidding process. It was a Request For Proposal for professional architectural services. So one of the things we asked them for is how many days will it take you to do this? One of the things we asked them for is this certain list of experience and qualifications. And the third thing we asked them for is their proposed fee.

It is not a bid process. We often do not take the low proposal, and in this case there were a lot of, oh you might say differences in what we got for . . . what each proposal had included for their proposed fee. And in this case, yes there was one proposal that was less than the recommended firm, but in case that firm did not have the experience and skill sets that we had requested in the RFP.”

Commissioner McGinn said, “Okay. I notice, or recall when we were visiting, there was something about FEMA and anti-terrorism and certainly, that’s in the front of our minds today when we build facility, and something that is that important as 9-1-1. The bid that . . . or the individuals that got the RFP, I guess, closest to what we wanted was Schaefer, Johnson. Can you explain to me, give me a little bit about their experience in that area.”

Ms. Sexton said, “Yes, absolutely. The recommended proposal from Schaefer, Johnson, Cox, Frey Architecture did express what the committee felt was the best proposal from all six received, in terms of their experience with the Federal Emergency Management Agency, the FEMA requirements and the anti-terrorism regulations that we definitely need to have at the forefront of our thoughts in building this facility. They also clearly understood our needs, when it comes to 9-1-1 dispatch. Some of their recent experience that helped them understand this, I think, are with some of the military facilities in which they incorporated the anti-terrorism and FEMA regulations. Also,

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the multimedia security dispatch center where all the lines . . . if you have a security system in your home, all those lines go into a central area and so it's highly technological, lots of dispatch going on. It's very similar to a 9-1-1 dispatch operation, and also some other projects that were highly secured, highly technological. And like I say, it's not to say anything bad about the other proposals, but whether they cost more or cost less, believe me, this was the proposal we felt best represented the needs of the County and the highest skill level of the architectural firm."

Commissioner McGinn said, "Okay. And then, will they be . . . the company picked, will they be using local engineers and people they've worked with in the past along those FEMA lines and terrorism?"

Ms. Sexton said, "Yes. Commissioner, the team that this firm has put together includes several local engineering firms, including Stephen Voegeli and Associates, as well as Dudley Williams and Associates. Those are local engineers, very good quality. We've used them in the past and know their quality and Schaefer Johnson Architecture Firm has a longstanding relationship with them. They're all local firms."

Commissioner McGinn said, "Okay. Thank you, Kathy. I don't have any more questions at this time."

Chairman Norton said, "Okay. I see no other lights flashing. I think it's interesting that, as we move forward on the 9-1-1 center, that the collaboration and the intellectual capital on building those kind of facilities is going to be very, very important. This is a . . . we're really taking a leap forward, as we build this center. You know, we just looked at heavy budget restraints, and we certainly want to be sure that what we build is going to be good for many, many years and it's going to serve the needs of today's environment, because it does need to be safe, it needs to be structured, a structure that will withstand whatever kind of terrorism or events that might happen. And I think we've probably got that in this proposal.

So, any other discussion? What's the will of the Board?"

MOTION

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

Commissioner Unruh seconded the Motion.

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

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VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Iris. Please call the next item."

CONSENT AGENDA

K. CONSENT AGENDA.

1. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V03008	\$344.00	2	Village Green Apts.
V03009	\$350.00	5	Hearth Hollow Apts.
V03010	\$650.00	1	George Hoffman
V03011	\$438.00	1	Arc Housing
V03012	\$281.00	5	Springcreek Apts.
V03013	\$144.00	5	Springcreek Apts.
V03014	\$276.00	2	Chapel Ridge Apts.
V03015	\$137.00		Brookside Cottages
V03016	\$283.00		Brookside Cottages
V03017	\$325.00	4	Valleylodge Apts.
V03018	\$256.00	4	Valleylodge Apts.
V03019	\$265.00	4	Valleylodge Apts.
V03020	\$356.00	4	Valleylodge Apts.
V03021	\$311.00	4	Valleylodge Apts.
V03022	\$258.00	4	Valleylodge Apts.
V03024	\$248.00	4	Valleylodge Apts.
V03025	\$223.00	4	Valleylodge Apts.
V03026	\$81.00	4	Donna Dunn
V03027	\$245.00	4	Valleylodge Apts.
V03028	\$313.00	4	Valleylodge Apts.

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V03029	\$251.00	4	Valleylodge Apts.
V03030	\$201.00	4	Valleylodge Apts.

2. **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.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V94034	\$342.00	\$350.00
V01088	\$224.00	\$163.00
V99028	\$250.00	\$148.00
V020030	\$267.00	\$272.00
V01083	\$485.00	\$498.00
V01090	\$161.00	\$188.00
V01087	\$417.00	\$501.00
V98022	\$565.00	\$565.00
V01086	\$438.00	\$435.00
V99031	\$379.00	\$348.00
V01084	\$425.00	\$393.00
V871020	\$332.00	\$350.00
V01081	\$495.00	\$478.00
V01085	\$246.00	\$246.00
V020028	\$398.00	\$183.00
V99029	\$272.00	\$313.00
V020027	\$568.00	\$524.00
V020019	\$428.00	\$428.00
V020010	\$242.00	\$257.00
V020086	\$368.00	\$600.00
V020081	\$700.00	\$603.00
V020021	\$330.00	\$315.00
V01094	\$330.00	\$109.00
V95088	\$550.00	\$520.00
V02078	\$286.00	\$312.00
V01095	\$360.00	\$283.00

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- 3. Lease Amendment for space used by the Appraiser's Office at 434 North Market.**
- 4. Agreement with Fisher Bail Bonds providing on-line access to Sedgwick County's electronic data.**
- 5. Order dated April 9, 2003 to correct tax roll for change of assessment.**
- 6. General Bills Check Register(s) for the week of April 9 – 15, 2003.**

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

MOTION

Commissioner Sciortino moved to approve the Consent Agenda as presented.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Is there anything else to come before the Board of County Commissioners today? Commissioner Sciortino?"

L. OTHER

Commissioner Sciortino said, "Just to tell everybody, I had occasion to go down and be at the grand opening, ribbon cutting of the new Buddhist temple down on South Greenwich Road Saturday. Was very well received. These people are as loyal Americans as you can believe. I mean, they had American flags up there and they wanted to make it well known that . . . I think the majority of them are Laotians, that they really understood and appreciated the freedom that they

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received coming here, escaping from a Communist country.

They had about 12 of the cutest little girls doing folk dances or what have you and they actually got me up there doing it and I was trying to do it. And you have to do it barefoot, and it was an experience. The food was great. It's different. I guess, each country, even though you want to put it all together and say Asian food, but it was different, but it was very delicious. And it was kind of neat just to see, from a person that wasn't born and raised here, what they feel about this country, since they chose to come here and it was a really good feeling. These people really are working hard to maintain their culture, as they try real hard to grasp and assimilate into ours. And it was a neat experience, I was glad I came."

Chairman Norton said, "Was your dancing captured on film anywhere?"

Commissioner Sciortino said, "My dancing will probably not be a career I'll pursue, and at least that . . . I like the 1950's rock and roll stuff. But whatever they were doing, it sounded fun, and it was different, but I just went around and did whatever they were doing."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I just want to give a public commendation to some of the folks in our Emergency Management and Fire District #1 and the EMS folks and the way they responded to that tanker overturning at 254 and Greenwich Road. There was a tankard with 9,000 gallons of fuel that, it was really a remarkable thing that at least two people weren't killed and that, with the way the fire was burning and the fumes were blowing, that we didn't have a really serious incident.

But I got out there a couple of hours after the incident occurred and they were in the middle of their activities and it was really amazing to see the coordination of the different agencies that were involved and how some were on the ready and some were active and they all knew what they were doing and there was great communication among them and had a Salvation Army truck out there to provide them with food and drink during this time, because I think they were probably out there for nine hours for the whole length of time. But I was impressed that our people were ready to respond and did an excellent job and it gives you a real sense of pride and a sense of security that we've got that type of people who are on the job. Sedgwick County, working for you."

Chairman Norton said, "It's interesting. We've had, I noticed over at the Hyatt, they've had

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firefighters doing Haz-Mat trainings and bio-terrorism trainings and preparing themselves for whatever event may happen. I think they've had explosive testings, where they've looked at different explosives and they've talked about all the events that can happen. But when you get to see it actually unfolding and those folks working together, it's pretty amazing. So, I think you're absolutely right."

Commissioner Unruh said, "They were doing a great job."

Chairman Norton said, "Before I get to you, Commissioner McGinn, I'm going to let Commissioner Sciortino have one more comment. We're going to save the best till last. Is that okay?"

Commissioner McGinn said, "Okay, all right."

Commissioner Sciortino said, "Well, I just wanted to dovetail on that. I'm not going to tell the gentleman's name, but a very close friend of mine had a massive heart attack Sunday, and had it not been for our EMS crew and how quick they got there and they had to perform some pretty delicate procedures on him and he's in the hospital and it's still a little touch and go, but the doctor's at the hospital indicated that he would not be here today, had it not been for what our crews did, not only in how fast they responded and, I don't know, they gave me some technical term of something that had to be done in the field and actually on-route, while they were getting to the hospital. So, I just echo, I think our EMS team are second to none."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "All right, thank you. Well, I stepped out when you did the . . . or right after you did the Earth Day proclamation and failed to mention that Earth Day Kansas is at the Zoo, April 22nd, Sedgwick County Zoo and it's sponsored again by Wichita Boeing. And that started about four or five years ago and at one time they were at Century II and now they're out at the Zoo and I think it's because they just have outgrown it. And so, if anybody is interested in learning more about protecting the environment or what other organizations are doing in our community, I invite you all to come out to the Sedgwick County Zoo for Earth Day on April 22nd. And if you have more information, you can call 526-8756 and the . . . Andrea Wiltse, evidently, is in charge of that."

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Also, I guess a warm . . . I don't know if you want to say welcome, great thing in Kansas and in Valley Center. As we all know, the POW was found, Patrick Miller from Valley Center, Kansas. And Valley Center, I do know, is working on a welcome home and I believe that's going to be May 10th. And it's going to be a parade and then they're having something down at the football field afterwards. And so, I'll continue to keep all of you posted but certainly have great compassion and good feelings for the Patrick Miller family that he is home as well as others of our POWs. So, I think that's a great thing.

Real quickly, Spruce Up the Town, again I'm going to continue to repeat that until I see or hear that Commissioner Sciortino has committed to put a paint brush in his hand this year, is April 25th and 26th."

Commissioner Sciortino said, "Why don't we get her off that Cowtown board?"

Commissioner McGinn said, "And we have more people adopting buildings and it looks like it's going to be another great year on that.

The next day, on the 26th, is the Kansas African American Museum's Superfly '70s and I look forward to that being a very exciting evening as well. And I know some Commissioners and others are going to attend that. So, that's another great event that they put out. It's going to be out at the Marriot. And if you want ticket information, that's 262-7651.

And finally, if Caroline Bunch would like to work her way up to the podium. We just got done talking about Ready to Respond and so we need to bring out the official decorative that was on the table at the KANSEL Trivia Night, second annual, and Sedgwick County was asked to come out and defend their title. It started out slow, slowly took the lead. We slowly had the lead and then we bombed on the second to the last category, which was wine. And I was real surprised that we did, but we didn't have Commissioner Unruh there to tell us all the important things about wine. I mean, we knew the difference between screw top and cork, but that was about it.

And so, we bombed on that and I see Lori is out there, but The Wichita Eagle was our main competitor this year on this deal and they were ahead by three until we went into the last round. And thank goodness, the last round was sports and the first question was who was the Negro baseball player . . . "

Chairman Norton said, "In the American League that broke the color line and that was Larry Dobby."

Commissioner McGinn said, "And Commissioner Norton had that answer, and then we found out that our Chief Financial Officer is more than just a number cruncher. He's a motor head and he helped us on some of the Nascar situations or questions. But what was really funny was, we had all

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these native Kansans sitting at the table, and one question was who won the most Indianapolis 500s and it was a native of Kansas. Chris Chronis is from Georgia and he had the answer for us, because we didn't know the answer. So, we came from behind and won by one point and received the championship trophy once again. And it was certainly a team effort and it was enjoyable also to beat our competitors, The Wichita Eagle but hopefully they'll be back."

Commissioner Sciortino said, "This is the second year we've beat The Eagle, isn't it?"

Commissioner McGinn said, "I don't know that they were there the first year. Do you know, Carolyn?"

Ms. Caroline Bunch, Executive Director, KANSEL, said, "I don't think they were there."

Commissioner McGinn said, "This was their first year and they did great, but just not good enough and that's okay too."

Chairman Norton said, "It's good to know that the media doesn't know everything."

Commissioner McGinn said, "Caroline, did you have any comments? I know this is something . . . this is the second year that you have had this and I think that this is so important, because we're talking about tough economic times and there's so many organizations that depend on private and public funding and you guys have taken the lead to not just depend on public, and you've come up with some kind of fundraiser and it's grown from the year before and you're looking for other ways to raise money to do the mission that you're doing.

He's just telling Ben, everybody that participated got a trophy."

Commissioner Sciortino said, "No I meant, I thought . . . Oh, good. That's the trophy. I thought that goofy hat was the trophy. I wanted to give it to The Eagle."

Commissioner McGinn said, "Actually, that's for you to wear."

Commissioner Sciortino said, "Oh, that's a beautiful trophy. I didn't see that. I saw the stupid hat."

Commissioner McGinn said, "Go ahead, Caroline."

Ms. Bunch said, "We have some extra hats, just in case you want one."

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Commissioner Sciortino said, "That's okay. Hatman Jack takes care of me."

Ms. Bunch said, "I just want to thank the Commissioners for coming out yet again and helping us to support. The proceeds from our event go for scholarship funds, so it makes up that difference and that way we don't have to turn anyone away. We're currently serving over 120 people a day, and served over 1,075 people last year. And right now we're running 50/50. It used to be the majority of our students were at-risk youth. Now we're . . . at least 50% of our GED students are laid-off workers. So we're just proud to be there and to be able to assist individuals and thank you so much. It was such fun and we hope The Eagle will be back again next year to defend themselves."

Commissioner Sciortino said, "Let nothing but fear stop you from coming."

Ms. Bunch said, "It was really close with the teams this year and it seemed like everyone had a great time. We wanted to do something different and something more educationally related, and I think we've done that and in the audience with me today is Julie Carlson and Julie is the one that really should take all the credit for putting it all together. She's the one that coordinates everything and makes it all happen."

Chairman Norton said, "How much did you raise that evening? Have you got the numbers in yet?"

Ms. Bunch said, "The initial count was almost \$6,400 so far."

Commissioner McGinn said, "But you had more teams, so you're growing, so that's great."

Ms. Bunch said, "Right, we had more teams and we had more spectators this year. That was something new. So, I think we've . . . you know, we may have to look for a new location next year, because we've already had, the teams that were there said, 'We'll be back'. And probably some of the teams from last year too will come back."

Commissioner Sciortino said, "Well, we're going to three-peat next year, so they can try for second place, whoever comes."

Ms. Bunch said, "There you go and Commissioner Sciortino, we'd love to have you."

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Commissioner Sciortino said, "I'll be there. The wine . . . I would have done the wine. That's my background."

Chairman Norton said, "You don't drink the wine, you have to answer questions about wine."

Commissioner Sciortino said, "Well, I'm a wino, I know all about it. This was a good vintage."

Ms. Bunch said, "Like she said, you never know when you're going to be the one on the team that will have the answer that would just put you right over the top."

Commissioner McGinn said, "That's a great segway into my contribution is my son and putting the team together. But this year, I actually knew a couple of answers, and so I'm starting to feel a little more confident and so then I was very bold on a wine answer, and I was wrong. But you know the good thing about that whole deal was I at least did not blow a three-point question. Right, Bill?"

Chairman Norton said, "*Fair is fowl and fowl is fair* is from Macbeth, Bill, not from Hamlet."

Commissioner McGinn said, "But we have great teamwork and yes, we do aggressively try to get Irene Hart every year. But this year was very . . . it seems to be very well distributed this year. So, thank you."

Ms. Bunch said, "I think so. Thank you very much."

Chairman Norton said, "A great time was had by all. I would encourage people, even if they don't want to play trivia, to come because the food was great and actually it's pretty entertaining just to watch people start out trying to be smart and intellectual and becoming jocks with brains. I mean, it was pretty interesting to see the whole thing unfold."

Just a couple of things. I wanted to remind the public that on April 26th, all day out at the Coliseum we've invited elected officials to come to an elected officials and authorities in crisis management situations, we're trying to do some training from the state level for all of our electeds just on what their authority is during crisis, whether they're natural or manmade. And I think that's going to be really good to draw that group together to talk about the new environment and things we may have to deal with.

The other thing I have is that this week we were out at the Zoo and had a public hearing on the solid waste plan. We had some citizens that spoke and I thank them for coming out and being civil and

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giving us information so that we could move that process forward.

Is there anything else to come before the County Commission? If not, we're adjourned."

M. ADJOURNMENT

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

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

TIM NORTON, Chairman

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Second District

THOMAS G. WINTERS, Chair Pro Tem
Third District

DAVID M. UNRUH, Commissioner
First District

CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2003