

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

May 21, 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, May 14, 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; Mr. Tom Pollan, Director, Emergency Medical Services (EMS); Mr. Don Brace, County Clerk; Mr. Joe Norton, Bond Counsel, Gilmore and Bell; Mr. Brad Snapp, Director, Housing Department; Mr. Mark Sroufe, Superintendent of Parks, Division of Culture, Entertainment and Recreation; Ms. Jacque Wedel, Sales/ Marketing Director, Kansas Coliseum; Ms. Annette Graham, Director, Department on Aging; Mr. Larry Ternes, Youth Services Administrator, Department of Corrections; Ms. Sandi Reichenberger, WIC Program Manager, Health Department; Ms. Pamela Martin, Director, Clinical Services, Health Department; Ms. Carmillia Adams, RN, BSN, Free to Know program, Health Department; Ms. Peggy Baker, TB Control Clinic Supervisor, Health Department; Ms. Kathy Sexton, Assistant County Manager; Mr. Steve Claassen, Facility Manager, Building Maintenance; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Greg Sullivan, local artist.

Mr. Andrew Bias, Member, Sedgwick County Advisory Council on Aging.

Ms. Mary Corrigan, PhD, Member, Sedgwick County Advisory Council on Aging.

Mr. Robert Noller, Member, Sedgwick County Advisory Council on Aging.

Mr. Paul F. Rhodes, Member, Sedgwick County Solid Waste Management Committee.

Ms. Jo Sanders, Member, Sedgwick County Solid Waste Management Committee.

INVOCATION

The Invocation was led by Sherdeill Breathett, Sr., Pastor of Quayle United Methodist Church, Salina.

FLAG SALUTE

Regular Meeting, May 21, 2003

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, May 7, 2003

The Clerk reported that Chairman Norton was absent at the Regular Meeting of May 7, 2003.

Chairman Norton said, “You have the Minutes before you. What is the will of the Board?”

MOTION

Commissioner Winters moved to approve the Minutes of the Regular Meeting of May 7, 2003.

Commissioner Sciortino 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	Abstain

Chairman Norton said, “Next item.”

PROCLAMATION

A. PROCLAMATION DECLARING MAY 18 – 24, 2003 AS “EMERGENCY MEDICAL SERVICES WEEK.”

Chairman Norton said, “Commissioners, I’d like to read the following proclamation into the record, proclamation of Sedgwick County, Kansas:

Regular Meeting, May 21, 2003

PROCLAMATION

WHEREAS, emergency medical service is a vital public service for any community; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, Sedgwick County EMS has served the citizens in our community for more than 28 years, responding to calls for help for vehicle crashes, heart attacks and other emergencies, providing excellent care and quick response; and

WHEREAS, Sedgwick County EMS employs full-time paramedics, the highest level of pre-hospital care providers, dedicated to the sole mission of providing medical care; and

WHEREAS, the Sedgwick County community benefits from a comprehensive '24/7 Sedgwick County Response Team', which includes Sedgwick County EMS, with the primary focus on the health and safety of ALL Sedgwick County citizens.

NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 18-24, 2003 as

“EMERGENCY MEDICAL SERVICES WEEK”

and encourage the community to recognize the excellent emergency medical care provided by Sedgwick County EMS to ALL citizens of Sedgwick County.

Dated May 21st, 2003. And what is the will of the Board?”

MOTION

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

Commissioner Winters seconded the Motion.

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

Regular Meeting, May 21, 2003

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 Tom Pollan, director of our EMS services is here to accept. Tom.”

Mr. Tom Pollan, Director, Emergency Medical Services, greeted the Commissioners and said, “I accept this on behalf of the 133 full-time and 15 part-time and 40 volunteers that make up your Sedgwick County EMS.

And I also would like to thank you as well, because it’s your support that enables us to provide this most desperate service for folks who are needing it that are in desperate times. We’ve been doing this for 28 years, as stated. We’ve been doing an excellent job. We look forward to the future and where we will be headed and how we will do that. But the EMS system that we have in this community starts with the citizen. When they recognize they need help, they need to call. We talk about this all the time, but it starts with them because if we don’t get the 9-1-1 call, it’s tough for us to know where they’re at and where their needs are. But we do have a 9-1-1 system, we do have fire first responder, Sedgwick County Fire being a part of that for the County, and our EMS system that makes up that pre-hospital response. It is a strong chain in this community and it’s a strong system and it is working for the citizens of Sedgwick County.”

Chairman Norton said, “Thanks, Tom. I have to tell you, I’ve been a commissioner for two and a half years, and I continue to get praises, either e-mails or phone calls, and have yet to get a complaint on EMS. Which, you know, in the public sector, you know that’s usually what spurs you on to moving in and learning more about something and I haven’t had to deal with EMS issues at all, because I continue to get praises and letters of great service and lifesaving skills, but no complaints and I admire your organization for that. Thank you very much.”

Mr. Pollan said, “Thank you.”

Chairman Norton said, “Clerk, call the next item.”

Regular Meeting, May 21, 2003

PRESENTATION

B. PRESENTATION REGARDING THE WICHITA AVIATION FESTIVAL'S "PLANE CRAZY" EXHIBIT.

Chairman Norton said, "Well, it says I'm going to present this, but I think Greg Sullivan is here and I'm going to ask Greg to come forward and visit with us about 'Plane Crazy'. He's trying to move upstream here. I guess he'll get here eventually."

POWERPOINT PRESENTATION

Mr. Greg Sullivan, local artist, greeted the Commissioners and said, "I've got the whole crew, the Sullivan gang."

Chairman Norton said, "Well, please introduce your crew."

Mr. Sullivan said, "Okay, first of all we've got Sandi Munroe and her husband, Mark Munroe and my wife, Janet Sullivan. And the four of us spent six weekends, the entire weekend from early Saturday morning on to late Sunday night for about six weekends working on this project. In hindsight, it was a labor of love. During the middle, we weren't quite so sure but I truly was, I think honored when Kristi called and said that the first name that Carolyn thought of when they were talking Plane Crazy was Greg and I didn't know what the connection there was."

Chairman Norton said, "It could be plane crazy or just plain crazy."

Mr. Sullivan said, "We've got a little quick slideshow here. We had a little technical issue getting to go between Mack and PC but we'll see how this works."

So, this is the story about how an entire industry got off the ground right here in Sedgwick County. It's about the contribution an agrarian community made to help the local aviation pioneering spirit to take off through ingenuity, adventure, entrepreneurship and a strong work ethic. It's about bovine Betty Bovine. This daredevil barnyard aviator is no cow-ard, so why does this caped aerobat crash through the Sedgwick County barn? Just for grins.

And Pigtail Porky hangs onto the cow's tail for dear life, but you won't hear an oink from him because swine don't whine. Neighbors come together on the farm and pitch in for some old-fashion barn-raising.

Regular Meeting, May 21, 2003

And ducking inside the barn is Dive-bombing Duck and Old Horsefeathers, who thought he could fly but ended up a stalled stallion. And also caught up in the joyride is Farmer Brown and his unique view of the ups and downs of farming.

The pink refueling boom perpetuated even more 'udder' nonsense. Look close and you'll find the Milky Way. Afraid to go wing-walking? Well, this chicken is no chicken. Mark, Sandi, Janet and I moo-ved our storybook characters to greener pastures here at the Sedgwick County Courthouse, where they lived happily ever after."

Chairman Norton said, "Don't run off. You thought you were going to get out that easily. So, give us a little history of what makes you and your team so qualified to be able to do this kind of artwork."

Mr. Sullivan said, "Nothing. Actually, we do graphics and design and printing stuff, but we work in a two-dimensional world. So this truly was a little out there for us and doing that first chop on that foam form took some guts, but Mark, he had that saw in hand and he just started wacking and from there, it was no going back and it was just a lot of fun and we got a little wild and crazy, a little whimsical. And our main goal, on our sculpture here, was to make people smile and I think we accomplished that. At least we still get a smile out of it. So that's what our goal was."

Chairman Norton said, "Well, from my perspective, I'm very proud of what you've done. I'm so tickled that Sedgwick County has participated in this and we were one of the first ones in and I think you have really honored us with what you say is a very whimsical and fun way to project about Wichita. And I would hope that citizens would come by and see, you know, your sculpture here in the courthouse lawn. Commissioner McGinn."

Commissioner McGinn said, "Thank you. I think I'm going to change my mind about that Plane Crazy and go back to the other way. Excellent piece of work and I was going to ask, and I think you kind of explained it when you started cutting and doing the sculpting on it, who was the major . . . or did you all participate?"

Mr. Sullivan said, "Oh, it was pretty much collaborative all the way. Everybody kind of had their own little section of the plane they worked on, but we all kind of worked together on . . . but truly, Mark . . . Jan and I would walk around the plane several times and mark and then stand back, but Mark would just . . ."

Commissioner McGinn said, "Mark was ready to go."

Regular Meeting, May 21, 2003

Mr. Sullivan said, "He wasn't afraid, so he got the ball rolling."

Commissioner McGinn said, "Knowing how I do some of my woodworking projects, I'm curious. You know, you start with one design. Did any of that alter when the cut was too deep or anything like that?"

Mr. Sullivan said, "Not really."

Ms. Sandi Munroe said, "You really make the other mistake. You don't cut enough, so then you cut a little, and then you cut a little more."

Commissioner McGinn said, "Okay."

Mr. Sullivan said, "Really, on this sculpture, everything was part of that original form. There's a couple of things we added on, like the udders, the chicken, the barn. But other than that . . . the cow ears. Other than that, all of that is part of that block shell that they gave us to start with. So, it was just a matter of cutting away from that."

Commissioner McGinn said, "Well, this is a great piece of work and represents Kansas and our Wichita community and I knew you'd be the one that was clever enough to come up with the idea. And so we're very proud to have this. So, thank you for all your six weekends, Friday through Sunday."

Mr. Sullivan said, "We did think about calling you a few times."

Commissioner McGinn said, "I'd have brought the cat."

Well, and then I guess I just . . . it's nice to see the end of this, because I'll never forget the day I was sitting in the tourism meeting and Tim was across the room and volunteered that we were going to buy the first plane and I was like, 'I didn't know we'd decided that'. So this is the end result of the beginning that Tim started."

Mr. Sullivan said, "Thank you, Tim."

Chairman Norton said, "Am I forgiven, Carolyn?"

Commissioner McGinn said, "It really . . . it looks great and we appreciate all the time that you gave. Thank you."

Regular Meeting, May 21, 2003

Chairman Norton said, "I think it's awesome and just one final note, I think at the end of Plane Crazy they're going to auction off the pieces of artwork. So we'll start marketing that around the community for the Aviation Festival and City Arts and some other organizations. So, hopefully there will be somebody that will step up and pay some big money for your sculpture."

Commissioner Sciortino said, "I think it would look good right on Commissioner McGinn's front lawn."

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

APPOINTMENTS

C. APPOINTING RESOLUTIONS.

1. RESOLUTION APPOINTING GRANT TIDEMAN (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Commissioners, this is a reappointment of Mr. Tideman to this board. It's a three-year term and I recommend you adopt the resolution."

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Sciortino 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."

Regular Meeting, May 21, 2003

2. RESOLUTIONS APPOINTING MEMBERS TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.

- **ANDREW BIAS (COMMISSIONER MCGINN'S APPOINTMENT)**
- **MARY CORRIGAN, PH.D. (COMMISSIONER NORTON'S APPOINTMENT)**
- **ROBERT NOLLER (COMMISSIONER SCIORTINO'S APPOINTMENT)**

Mr. Euson said, "Commissioners, these are four-year appointments to this board, but the appointments run according to the commissioner's term. So in this case, Ms. Corrigan's term will expire in February of 2005, but the other two terms will expire in 2007. We've prepared resolutions for each one of these appointments and I recommend you adopt them."

MOTION

Commissioner McGinn 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 I believe our three appointees are here to be sworn in. I did not see Grant. Grant was not here, was he? Okay. If Andy and Mary and Robert would like to come forward, we would love to swear them in."

Mr. Don Brace, County Clerk, said, "Raise your right hand."

Regular Meeting, May 21, 2003

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Advisory Council on Aging, so help me God."

Mr. Andrew Bias, Ms. Mary Corrigan PhD, Mr. Robert Noller, Members, Sedgwick County Advisory Council on Aging, said, "I do."

Mr. Brace said, "Congratulations."

Chairman Norton said, "Don't run off. We'll offer you a chance to speak. Andy, welcome back. I mean, you kind of know these halls, so we'll welcome you back if you'd like to say anything today."

Mr. Bias said, "Just looking forward to the opportunity. I've had the blessing of serving with Mennonite Housing and we had the opportunity to work in the Aging arena, in housing and services. So I look forward to having this opportunity to serve. So, thanks for that. Thanks, Commissioner McGinn."

Chairman Norton said, "Thank you. Dr. Corrigan."

Dr. Corrigan said, "I'm quite honored by the appointment. Lifelong Sedgwick County resident, so it's an honor to be a part of this, and I hopefully bring to it some support from Wichita State University, where I am on the faculty. Thank you."

Chairman Norton said, "And tell us a little bit about your education, because you have, of course, a study in aging and gerontology."

Dr. Corrigan said, "Yes. At Wichita State, we do have a Masters program to receive a degree in gerontology and we also have undergraduate education, where a student can specialize in gerontology and proud that many of the employees at the Department on Aging here, in fact, have been graduated from our program. So, it's a lot of fun."

Chairman Norton said, "Thank you. Mr. Noller."

Mr. Noller said, "This is entirely new for me. I've not been on anything like this before, but I'm looking forward to it and I'm excited about it and I'll do the best that I can to see that the council goes in the right direction."

Regular Meeting, May 21, 2003

Chairman Norton said, "Thank you. Appreciate you serving. Next item."

3. RESOLUTIONS APPOINTING MEMBERS TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.

- **PAUL F. RHODES (COMMISSIONER MCGINN'S APPOINTMENT)**
- **MARGARET MILLER (AT LARGE APPOINTMENT)**
- **JO SANDERS (AT LARGE APPOINTMENT)**

Mr. Euson said, "Commissioners, we've prepared resolutions for these next three appointments to this board. All of these appointments will expire in December, 2004 and I recommend that you adopt the resolutions."

Chairman Norton said, "What is the will of the Board?"

MOTION

Commissioner Unruh moved to receive and file.

Commissioner McGinn 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 I do see Paul and Jo here. I do not see Margaret, but if Paul and Jo would come forward, we'll . . . Mr. Brace will do your oath of office."

Mr. Brace said, "Please raise your right hand."

Regular Meeting, May 21, 2003

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Solid Waste Management Committee so help me God.”

Mr. Paul F. Rhodes, Ms. Jo Sanders, Members, Sedgwick County Solid Waste Management Committee, said, “I do.”

Mr. Brace said, “Congratulations.”

Mr. Rhodes said, “I’d like to just tell you why I’m here and I’m thankful that we’re not going to be having a meeting next week, I mean next month, so I can catch up on things. I just wanted to say the reason I’m here, and I was a little unsure as to whether to come and accept the appointment. I did call my commissioner, Carolyn McGinn, to talk to her about a grant I was working for the KDHE and, even though I thought it would fall within the guidelines for the committee and there wouldn’t be a problem, I was encouraged to get support.

Carolyn is my commissioner. I did want to tell you a little bit about that grant. That’s why I’m here, because I wasn’t really pursuing the committee. I have attended, faithfully, the last eight months and have done some other things, which I won’t go into. But I did want to tell you that the grant that I was working on and am going to go ahead and pursue this year, just so you know what my agenda is, was going to be called ‘demystifying pyrolytic processes’ and that would be non-incineration type things, where you get a product out. There is heat involved, but it’s not a combustion process. It’s just a conversion process. And I dubbed the process ‘Seeing is Believing’ and it would be a statewide program.

So my bent is on alternate technologies. I am not opposed to landfills. I do not lay in bed at night and worry about anything except my poor sense of humor. I said at the previous meeting that landfills liners are like condoms. They’re good if they don’t leak and that’s a rather crude analysis and I think, for the most part they work. But presently, 72% of what goes into Kansas landfills are products that are possible candidates for pyrolytic conversions. I realize that it’s going to be difficult to move into that arena and I was kind of disappointed by some of my fellow citizens at the meeting when they were looking back at some poor decisions, whether they be of ignorance or ill motivations, but we do need to look to the future and I would encourage you to do every thing that you can.

I have, typically, been an independent and I wanted to say that politic partisans is not a thing for

Regular Meeting, May 21, 2003

me. If you have anything I can do, any questions I can answer, I'll work with the committee and I know that's my primary route but if anybody would like to call me on any issue, if I don't have the answer, I'll try to get it for you. Thank you."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you. I just want to thank Paul for taking the opportunity to serve. Paul has been, as he shared, following the Solid Waste Committee for several months and so I think he has the background of the things that are going on. I, as one commissioner, do receive a lot of calls about looking at new technology and he does seem to have a great deal of background in that area. So, I just wanted that voice to be represented as well, because something good comes along, I don't think we ought to miss that opportunity. So, thank you, Paul for being here today and thank you for serving."

Chairman Norton said, "Thank you. At this point, Commissioners, we have two Off Agenda items and I would like to add those to our agenda. One of them is the statement of costs to the assessment roll and establishing a public hearing and the other one is appointment of a Director of Metropolitan Planning. If we could add those two to the agenda."

MOTION

Commissioner Winters moved to consider two Off Agenda items.

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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "The first one will be the item on the statement of costs and assessment roll, establishing a public hearing regarding proposed special assessments for certain internal improvement projects in the county. Cousin Joe Norton is here."

STATEMENT OF COSTS AND ASSESSMENT ROLL; ESTABLISHMENT OF A PUBLIC

Regular Meeting, May 21, 2003

HEARING REGARDING PROPOSED SPECIAL ASSESSMENTS FOR CERTAIN INTERNAL IMPROVEMENT PROJECTS IN THE COUNTY; AND PROVISION OF NOTICE THEREOF.

POWERPOINT PRESENTATION

Mr. Joe Norton, Bond Counsel, Gilmore and Bell, greeted the Commissioners and said, “Thank you. Appreciate you taking this Off Agenda, so we can keep to our schedule on the bond issue. As many of you may recall, this is the first step in assessing properties which have requested public improvements to be made by the County to benefit their particular properties.

This one is for Savanna at Castle Rock Ranch 9th Addition, Phase II Streets. The recommend action is to approve a statement of costs, assessment roll and notice of hearing and establish June 4th at 9 a.m. as the date and time for a public hearing on the proposed assessments and providing notice of that hearing.

The area related here is shown on the map. It’s basically north of 13th Street and east of 143rd Street East. The plat map that you have before you, in the area in blue are the Phase II lots to be proposed to be assessed. Each lot shall be equally assessed, except for the four lots at the bottom right of the blue. Those also have assessments for that street immediately below those. The petitioners requested that those properties receive one-half of the normal assessment for the other lots.

The petition was signed by 100% of owners of property proposed to be assessed. The final statement of costs, prepared by Public Works, shows the original estimated project was \$370,000, but the final costs came in at \$181,428.25. When divided for the assessment purposes, each lot has a little over \$5,336, except for those four lots on the bottom, which have a half-assessment of \$2,686.06.

Here is a proposed timetable of events on how this would fit in to the County’s bond sale this summer. We’d have the hearing on June 4th. A period for protest or pay-in during a 30-day period. We’ll be back to you on July 16th, authorizing a bond for this project, as well as other county at large projects you previously approved in the Capital Improvement Program, that issue closing in August, after you’ve adopted the budget.

Jim Weber of Public Works is here to answer any questions you may have about the project and again, here’s the recommended action. I’ll try to answer any questions you may have at this time.”

Chairman Norton said, “Okay. Commissioner McGinn.”

Regular Meeting, May 21, 2003

Commissioner McGinn said, "Thank you, Mr. Chairman. Joe, this is just for streets basically."

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

Commissioner McGinn said, "And sewer districts, since we don't have control over the . . ."

Mr. Norton said, "That sewer district has been sold to the City of Wichita."

Commissioner McGinn said, "And so it's . . .the same process though is going through them for a sewer district in this community."

Mr. Norton said, "Right. You may recall, we used to have dozens of these every spring and now we're down to one street project, finishing off some of those things that were started, prior to the sale of the Sewer District."

Commissioner McGinn said, "Okay. Thank you."

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

MOTION

Commissioner Unruh moved to approve the statement of costs and assessment roll; establish June 4, 2003 at 9:00 a.m. as the date and time for a public hearing; and authorize a notice of such public hearing to be published and mailed as required by law.

Commissioner McGinn 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, "Thanks, Joe. Next item is the appointment of John Schlegel as director of

Regular Meeting, May 21, 2003

the Wichita/ Sedgwick County Metropolitan Area Planning Department and County Manager Buchanan.”

APPOINTMENT OF JOHN L. SCHLEGEL AS DIRECTOR OF THE WICHITA/ SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT.

Mr. William Buchanan, County Manager, greeted the Commissioners and said, “It’s my pleasure to request that you appoint John Schlegel the Director of the Metropolitan Area Planning Department. This is a little unusual process. The director of the Metropolitan Area Planning Department is a joint appointment between . . . with the City Manager and the Board of County Commissioners. The process has concluded by preliminary discussions between the City Manager and Mr. Schlegel about the work and when work would begin. Tentatively, Mr. Schlegel has accepted, with the condition that the appointment has to be approved by the Board of County Commissioners.

This process began several months ago and we retained a national firm that . . . recruitment firm to help us in this process. One hundred and nine candidates were contacted by the firm, 45 applications from 22 states and three countries, three different foreign countries were received and analyzed. Out of those 45, we received a packet of ten or so that were reduced to six candidates whom were interviewed.

The interview process were . . . these people really wanted this job, because the interview process included not only interviews with you individually, but with the City Manager, with a community group representing various constituencies affected by Planning and a technical group, which Irene Hart and Andy Schlapp both sat on from the County.

Those results from those interviews were analyzed and three individuals were invited back for follow-up interviews and Mr. Schlegel was chosen out of those three. Mr. Schlegel currently is the director of planning for Clark County, Nevada. Clark County is where Las Vegas is. It is a 1.6 million population county. Previous to that, Mr. Schlegel was the deputy director of planning for the City of Las Vegas. So, he’s had both experience in city and county.

And finally, most importantly is he spent quite a few years, eight years as a private developer company. And so he’s had not only the public end of planning, but in the private sector, working for a development company.

Mr. Schlegel clearly brings some skills to this and some understanding about Sedgwick County needs. He has articulated the needs for small communities to be involved in ways in which have

Regular Meeting, May 21, 2003

not been involved in and understood that right from the get-go. He understood that the MAPD needed to reach out to all constituents and make sure that that could happen. And finally, he is already developing, in conversations with me, on how to engage you in helping direct that department. He understands that he works for two entities and understands that part of the process in the past was some disengagement from the County in that process and clearly is working on strategies to make sure that that does not happen as the director. I would recommend that you approve his appointment.”

Chairman Norton said, “Okay. Is there any discussion from the Bench? Commissioner McGinn.”

Commissioner McGinn said, “Thank you. I’m probably not going to vote for this and I want to make it very clear that it’s not a vote against the candidate because I think that the process that we had was a very good process. We had commissioner interviews, we had manager interviews, we had community interviews and I don’t know if they did that with our previous candidate, but I don’t know what other interviews you could have had. We had a second round of interviews, and so I think that we really had an opportunity to try to find the individual that was best for our community. And so my no vote has nothing to do with this individual and I will support him in every way.

My concern, and the issue that I have today is that I think it’s inappropriate that we are making . . . signing a contract with this individual when we have not signed the contract between the city and county on the Metropolitan Planning Department Director agreement. In the past, we’ve had numerous . . . I should say a few contracts that, until Commissioner Norton made an effort to try to consolidate them, we were going off of three different contracts to try to even find information and I appreciate the work that Commissioner Norton has done to try to at least get a draft out there.

This process started, I believe, not too long after Marvin Krout left and I think he left like last September. I believe the Commission had asked for a new contract and was hoping to have that done. When you look at the length of the process that we went through to find this new director, to me it was ample time to come to a conclusion on an agreement/ contract between the City and County.

I think it’s important that we have this contract, because we pay 50% of that department and we’re responsible for those dollars and how they’re spent and the individual that’s most responsible is the planning director. And so, I think that it’s important that we have the opportunity to have personnel

Regular Meeting, May 21, 2003

evaluations with that individual. The way the contract is stated right now, the draft one, we can review the individual and make recommendations before they get a raise. Well, if our recommendation that goes back says, you know, we don't think the person should get a raise, we still have no authority. It's just pretty much whatever the . . . I can't think of the term, the managing partner decides to do. And I think that this is . . . it's very important, because we are very unique in this state and also across the United States. You look at other states and they do not have joint planning departments, they are separate. And it always makes me wonder how efficient they can really be, because they don't have that communication.

Perhaps in some areas, I guess Johnson County, it works to have a separate planning department. This community has chosen to have a joint one. I think it's good. I think that our communication between our 20 cities and our rural area needs to be improved. I don't think we're where we ought to be and that was also my hope that, with this change in our contract, that we could have this personnel evaluation with the director, because that is an excellent tool to use to communicate goals for our community and goals for the individual that works for us. And so, it's my hope that we can still get this contract settled, but you know, we've gone over 20 years without a new contract.

We have a new director coming to our community and, to me, we have an opportunity to make some very positive change in our community. We represent, it used to be . . . well, it still is the largest city in Kansas and I guess we could still debate whether we're the largest county. We'll have to work on that, but we have 19 other cities and a lot of times there's a disconnect between the goals of the 19 communities and our largest city and our rural area and we represent the other 19 communities and the rural area, and so when there are problems out there and issues, as cities grow together, other issues that may come before us, I think we need to be an equal partner in this arena and I don't believe, with the contract, the draft that we have before us we're there yet. It is my hope that we can get there and I think that we have an excellent organization put together by being joint. It's just that we could make it better and we have the opportunity to do that. I don't know why we haven't been able to get the final contract worked out and signed.

So again, I'm just going to go back and say I certainly support the candidate. I think it's not prudent to be signing this contract with him, without having a contract between the city and the county. Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I agree with what Commissioner McGinn has said. We have an opportunity to make a contract better, if indeed we need to make it better. Just going back to my business days, if you have a negotiating point, and it's a strong negotiating point, you shouldn't throw that leverage away. Psychologically, if an individual reports

Regular Meeting, May 21, 2003

to one individual and that individual is solely responsible for his raises or his not getting a raise, it's human nature that you're going to maybe have a little tendency to agree with what that person wants to do, as opposed to what another person wants to do.

We've had numerous discussions individually about this contract and the timing in which that we should go for a department head. I had also hoped that we could have a contract prior to picking the person. I don't think any of us felt that if we didn't get a contract, we were real strongly believing that we wanted to separate everything. I am confident that we can work with the City, there's new people over there, and get a contract that will treat all of the communities within Sedgwick County equally, because there's decisions that may not be in the best interest of Wichita but it's in the best interest of Valley Center or the best interest of Haysville or what have you.

This new fellow, I'm confident, understands that we've had in the past some conflict and I think I'm heartened by the fact that the way I understand his employment contract is it's kind of based on performance and how he acts and I'm going to support his appointment, even though I had another member. I mean, I was really strongly wanting to have another individual that's already worked in that department and we've had experience, only because, personally, I feel that if you have a known quantity, you know a little bit more about that individual than an unknown and you're basing it on a few hours face to face and what's written on a resume. But this individual, I'll give him credit for this, knowing that there was a big conflict, he was still very interested in the job and I hope that we'll be able to work with this individual and I want to welcome him to our community and we can get started maybe going in the direction that we all, I think, feel that MAPC needs to be.

But Commissioner McGinn's comments were very valid and I think it was necessary to get that out to the public. Thank you."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Thank you. I'll just be very brief. I also appreciate Commissioner McGinn's concerns. I think she has a number of valid points and I do agree that there can be a much better working relationship between the smaller communities and the largest community. I'm going to go ahead and support this appointment today. I believe we need to get on with the process of getting a new person in place and ready to go. And I'm confident that we'll be able to work out a

Regular Meeting, May 21, 2003

contract that's agreeable. Maybe a few years ago I wouldn't have been so confident, but I really do believe the City of Wichita, their administration has heard a number of these concerns and I'm confident, it may not be easy to work out, but I'm confident in this really new age of cooperation and working. Tim has spent a great deal of time at city hall, even talking some about this. So, I've just got confidence we can get a contract worked out we're going to be happy with."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I would just second, I guess, all the comments that have been made, that we have a problem with the contract and it needs to be worked out. I'm confident that good things are going to happen in the new attitude between city and county relations, so I think that issue is going to be worked out.

The issue at hand on the individual candidate here, we had several good, high-quality candidates. Mr. Schlegel, I think, was an obvious best choice, in my opinion. His background in business and city and county governments uniquely qualify him with a perspective on our issues that I think will take us forward in a positive way and so I'm very support of his position . . . of his accepting this position."

Chairman Norton said, "I see no other comments. Just one quick comment from myself. I have visited with across the street. We did have a new administration and we needed to move forward. We were already moving forward on the interview process, in fact as early as . . . as recently as this week County Manager Buchanan and I happened to be with the mayor and I mentioned it one more time that we needed to work on the contract and it's just something we're going to have to get to.

I have every great confidence that we will have, you know, a good relationship with the City on this issue, that we need to move forward. And I hear the message loud and clear, Commissioner McGinn, and I will continue to work on trying to draft a contract for the city and county on planning. If there's no other comments, what is the will of the Board?"

MOTION

Commissioner Winters moved to approve the appointment.

Commissioner Unruh seconded the Motion.

Regular Meeting, May 21, 2003

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	No
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thank you. Next item."

NEW BUSINESS

D. HOUSING DEPARTMENT.

- 1. RESOLUTION AUTHORIZING CONTINUATION OF SINGLE FAMILY MORTGAGE LOAN PROGRAM OF SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS, AND AUTHORIZING JOINT ISSUANCE OF SINGLE FAMILY MORTGAGE REFUNDING BONDS, DRAW DOWN SERIES 2003A, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000,000.**

Mr. Brad Snapp, Director, Housing Department, greeted the Commissioners and said, "This resolution before you today is for the draw down program that enables us to recycle money that has been paid on the mortgage revenue bond financed homebuyers. People get a loan through that program, make their payments or pay off their loan by selling it or refinancing, that money goes to the bond trustee. The draw down program enables us to recycle that money, put it into a deposit account and then use it for the next bond issues, the next regular single-family mortgage revenue bond issue.

So if you don't have any questions . . . or if you have any questions, I'll try to answer those. I do have some experts in the audiences, Joe Norton and Chuck Bouilly."

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

MOTION

Commissioner McGinn moved to adopt the Resolution.

Regular Meeting, May 21, 2003

Commissioner Sciortino 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."

2. AGREEMENT WITH COMMUNITY HOUSING SERVICES TO PROVIDE COMMUNITY DEVELOPMENT ACTIVITIES IN OAKLAWN/SUNVIEW.

Mr. Snapp said, "This is the 2003 operating agreement with Community Housing Services to provide community development in Oaklawn. This item has been budgeted through the Housing Department's budget and we've waited until now to just see how the budget cuts went. The amount for this year is less than we contracted with them last year, not because of performance, but because of our budgeting situation.

Community Housing Services operates this neighborhood outreach center at 3118 Jonquil in Oaklawn and we contract with them to provide home mortgage and home improvement loans, provide housing information and assistance to people in Oaklawn and surrounding communities, credit counseling, homebuyer education, they have the capacity to present in Vietnamese and Spanish, as well as English, host purchase counseling, home maintenance workshops, tool lending library that they plan on lending to 200 residents this year, leadership skills for the Oakview Neighborhood Association and other leaders in Oaklawn. They're leading the implementation team for the neighborhood revitalization plan and their major project for the year is Neighbor Works Week in June.

Last year, they did a lot of work to the Cooper Elementary School, landscaping project, and then homes adjacent to that. They partner with homeowners, working along side rather than doing the work for them and this year they're going to work along Oaklawn Drive from the Oaklawn Community Center to Tierra Street. Trimming trees is a large part of that this year.

Regular Meeting, May 21, 2003

The outcomes that we see from this contract is a better community life, they draw human and financial resources to the area through these major projects, enhance leadership skills, better home maintenance, pride of ownership and increased home ownership in the community. Again, if you have any questions, I'll try to answer those now."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Yeah. Brad, I think it's important that the public know this is the beginning of financial reality that we're being faced with and this is just the beginning. I have no doubt in mind that there's going to be other services that we're going to have to make adjustments downward and the people that are being effected aren't going to like it. We're having to really curtail expenses in all areas of the county, but the first couple of adjustments we made we were able to do so without adversely affecting the services. But after having some real long and sometimes feisty conversations with the manager, the chief financial officer, we're at the point where we're into muscle and bone now. So, let's just tell them how much of a reduction was this from last year."

Mr. Snapp said, "It's \$2,400 reduction."

Commissioner Sciortino said, "Yeah, okay. Now, that may not seem like a lot, but when you're talking about a community that really needs help, \$2,400 means there's going to be some things that we're not going to do this year that we did last year. We had to try to figure out what of the core reasons were we having this and I am heartened to know that we're still going to maintain the homeowner education courses, the home maintenance training, that we're still going to build and hopefully sell two new homes in Oaklawn. As a matter of fact, our groundbreaking on that is tomorrow, if I'm not mis . . . is that five o'clock?"

Mr. Snapp said, "Yes."

Commissioner Sciortino said, "Five o'clock we're going to complete five mortgage loans to first time homebuyers. Our goal is to make three home improvement loans. We're going to continue with the tool loaning program and we are going to still have at least one neighborhood works project in June. So, it's not going to be as dramatic, but the core issue that we were trying to

Regular Meeting, May 21, 2003

accomplish with this is getting people to take ownership of a home, because our idea was that if you buy a home and you own it, you're going to maintain it better and we're trying to get that ratio between home ownership and rental a little bit more proportioned so that that entire neighborhood may be elevated. And I was there when that first fellow, just a few months ago, took ownership of a home and this guy, he'd never owned a home in his life and now . . . the pride that you could just see out of that fellow. So, please understand what we're doing. We're not doing it because we just think it's great to reduce services, but we're at a reality here where we're going to have to reduce some services. So, thank you."

Chairman Norton said, "I see no others comments. 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.

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, "Thanks, Brad. Next item."

E. DIVISION OF CULTURE, ENTERTAINMENT AND RECREATION.

Regular Meeting, May 21, 2003

1. AGREEMENT WITH KANSAS HUMANE SOCIETY FOR USE OF SEDGWICK COUNTY PARK OCTOBER 4, 2003 TO HOLD A "WOOFSTOCK" RUN/RACE EVENT.

Mr. Mark Sroufe, Superintendent of Parks, greeted the Commissioners and said, "Before you today to ask your approve of an agreement between Sedgwick County and Kansas Humane Society for use of a portion of Sedgwick County Park for the Woofstock event October 4th, 2003. This event will be held in the Plum shelter area that will require the use of part of the path and they're also going to close a portion of the main road for their stage. If you have any questions, I'd be happy to try to answer them for you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Well, tell me what is Woofstock. What do they do, run their dogs around in a circle?"

Mr. Sroufe said, "Basically, that's part of it, yes. There will be some information booths, where people will display dog food samples and that sort of thing, basically with dogs instead of people."

Commissioner Unruh said, "Okay, thank you."

Chairman Norton said, "How many years have we done this event at Sedgwick County Park?"

Mr. Sroufe said, "This will be the first year. This event was traditionally held at one of the City parks, which is now closed for construction."

Chairman Norton said, "Okay. And it draws a pretty good crowd. Do you have an estimate of what they're looking at this year?"

Mr. Sroufe said, "No, sir I do not."

Chairman Norton said, "Okay. Commissioner Sciortino."

Commissioner Sciortino said, "Mark, this is not germane to the topic, but since I have you at the podium, I was called yesterday. Could you give us the hours? I didn't remember the hours of the Sedgwick County Park being open."

Mr. Sroufe said, "Sure thing. The park opens at 6 a.m. in the morning and closes at 10 p.m. at night."

Regular Meeting, May 21, 2003

Commissioner Sciortino said, "Okay."

Mr. Sroufe said, "I might mentioned, also mention that the north gate opens at 6, the south gate opens at 7:30 when one of my staff arrives."

Commissioner Sciortino said, "Okay. Well, somebody had asked me that and I was embarrassed and now I'm not going to be as embarrassed. Okay, thanks."

Chairman Norton said, "Okay. I see no other questions. Action of the Board?"

MOTION

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

Commissioner McGinn 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."

- 2. AGREEMENT WITH WICHITA BAR ASSOCIATION FOR USE OF LAKE AFTON PARK MAY 31, 2003 TO HOLD A DUATHLON AND A 5K RUN.**

Regular Meeting, May 21, 2003

Mr. Sroufe said, “We request approval of an agreement between the Wichita Bar Association and Sedgwick County for the use of a portion of Lake Afton Park for the purpose of a duathlon and 5K run to be held Saturday, May 31st, 2003. This is an annual event that Wichita Bar Association has at Lake Afton and they will use the western portion of the park, which is the same area that is used for the go-cart races for their event and also they leave the park and then they come back. And the starting and the finish is right there by the pavilion on the west side of the lake. If you have any questions, I’ll be happy to answer them for you.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “Well, this is just for clarification. Duathlon is two events, plus a 5K run, so what are the two events?”

Mr. Sroufe said, “Well, it’s a bike race and a run, it’s a combination of the two.”

Commissioner Sciortino said, “Oh, okay. So, it’s not a duathlon plus a 5K run. The 5K run is one of the duos.”

Mr. Sroufe said, “That’s the way I understand it.”

Commissioner Sciortino said, “All right, thanks.”

Chairman Norton said, “Okay. What is the will of the Board?”

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

Regular Meeting, May 21, 2003

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

Chairman Norton said, “Before you get out of here, Mark, as we talked on the elevator coming up, you’re ramping up your season. Kind of any comments for this blush of how it’s going so far?”

Mr. Sroufe said, “Well, since the rain ended yesterday, pretty good. We’re expecting a pretty good crowd. A couple of things that the public might want to keep in mind is that if they do come out and camp for the weekend, if they bring their dogs, keep them inside their camper. Be respectful of others around them. We’ll have a lot of people and sometimes people don’t get along very well, so if they just use some patience and good common sense and be safe we’ll have a good weekend.”

Commissioner Sciortino said, “What were those little critters we were having trouble . . . was it the beavers or what were we having trouble with last year, the year before last, some kind of little animal that was causing some problems?”

Mr. Sroufe said, “At Sedgwick County Park? That was the beavers.”

Commissioner Sciortino said, “Have we got those little beavers taken care of?”

Mr. Sroufe said, “That is an ongoing process and yes, we do have them under control for now.”

Commissioner Sciortino said, “Okay.”

Chairman Norton said, “Well, it is Memorial Day weekend coming up. That’s kind of, traditionally, the kickoff for camping. I believe it will be an indication of maybe people not traveling outside the area as much and finding ways to have family time and celebrate locally and obviously Sedgwick County Park and Lake Afton Park are great venues for that. So, I’m thinking that this may be a huge recreation season locally for people to use the great parks that we have here locally. Thank you, Mark. Clerk, call the next item.”

3. MUTUAL RELEASE WITH JOURNAL BROADCAST GROUP FOR CANCELLATION OF TICKET BACK ADVERTISING.

Regular Meeting, May 21, 2003

Ms. Jacque Wedel, Sales/ Marketing Manager, Kansas Coliseum, greeted the Commissioners and said, “Journal Broadcast has requested the cancellation of their agreement for ticket-back advertising. That was due to expire December 31. We had just recently ordered some ticket stock in the amount of 700,000 tickets and had incurred some expense of \$10,000 to purchase that stock. They have reimbursed us for that expense and they have requested cancellation of their agreement effective May 31. So, we recommend approval, unless you have any questions.”

Chairman Norton said, “I see no questions. Do we have someone else to take the advertising on that?”

Ms. Wedel said, “Yes, we do. That’s the next item.”

Chairman Norton said, “That’s the next thing. Okay. What’s the will of the Board?”

MOTION

Commissioner Winters moved to approve the Mutual Release and authorize the Chairman to sign.

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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, “Clerk, call the next item.”

4. AGREEMENT WITH CLEAR CHANNEL WICHITA FOR ADVERTISING ON SELECT-A-SEAT TICKET BACKS.

Regular Meeting, May 21, 2003

Ms. Wedel said, “Clear Channel Wichita is the Wichita . . . used to be Wichita Radio Partners. It is now Clear Channel. They represent KZSN, KRZZ, KRD and B98. And they are partnering this agreement with Papa John’s in Wichita, which makes perfect sense. This is a \$25,000 agreement for three years and it will begin June 1. It includes the advertising on the back of the tickets, on our ticket envelopes that we place the ticket orders in, as well as the wristbands that we use to ID people who are purchasing alcohol and are also, for our larger on-sales, they’re number sequentially so that we can draw one of those numbers and line people up in line for large on-sales and it works out great because it keeps people from camping out at our Dillons locations.

So that’s something that we’re maximizing, that’s a \$5,000 per year increase, as a way to maximize new revenue streams and new financial realities. We’re always looking for high profile advertising. That’s very high profile in their eyes, because of their markets and they are very interested in this advertising opportunity. So, unless there are questions, we recommend approval.”

Commissioner Sciortino said, “That’s \$25,000 per year.”

Ms. Wedel said, “Per year, based on a three-year agreement.”

MOTION

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

Commissioner Sciortino 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, “Thank you. Next item.”

F. DIVISION OF HUMAN SERVICES.

Regular Meeting, May 21, 2003

1. AGREEMENT WITH CUSTOM CONCEPTS, LLC TO PROVIDE COORDINATION SERVICES FOR THE 2003 SENIOR EXPO.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, “This contract is for the coordination of the Senior Expo, which is an annual event sponsored by the Central Plains Area Agency on Aging and Sedgwick County Department on Aging. This is our annual event that we hold and this year it’s going to be on September 25th and we hold this every year to educate individuals in the community about services for aging and it’s a well attended event. We have an estimated 3,000 individuals that come through those doors every year, so it’s a great event that we sponsor.

This is for a contract with Custom Concepts. They have assisted the department for the last three years in providing some coordination of this event and helping us plan this and they have been a very effective provider and we’ve been very pleased with their services. This item is within the Sedgwick County Department on Aging’s budget and the Senior Expo is kind of a self-supporting event. The money that we bring in helps to promote this and do this every year. So, we would ask that you approve this agreement and authorize the Chair to sign.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “Where will the expo be held?”

Ms. Graham said, “It will be held in the four sites: the Wichita Botanica Gardens, Cow Town, the Wichita Indian Museum and Exploration Place.”

Commissioner Sciortino said, “Okay, thank you. That’s all I had.”

Chairman Norton said, “I see no other lights flashing. So, what is the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Agreement and authorize the Chairman to

Regular Meeting, May 21, 2003

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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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

2. CONTRACT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES PROVIDING FUNDING FOR OPERATION OF THE PERMANENCY PLANNING AND COORDINATING COUNCIL.

Mr. Larry Ternes, Youth Services Administrator, Department of Corrections, greeted the Commissioners and said, "This contract with the Kansas Department of Social and Rehabilitation Services provides funding for one staff position to support the operation of the Permanency Planning and Coordinating Council. The original contract was established in May of 2000, between SRS and Sedgwick County to provide a program designed to accelerate permanency for youth in foster care and to promote ongoing improvement in the child in need of care system, as it functions here in the 18th Judicial District.

The position funded by this contract serves as a Permanency Council coordinator. In this contract, SRS is responsible for the salary and benefits portion of the contract and the County is responsible for the provision of office supplies and any other business related expenses. The maximum amount, under this contract, payable to the County from SRS, is \$57,148. I would request that you approve the contract and authorize the Chair to sign and would be happy to answer any questions that you may have."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Larry, is there someone in this, I mean, we're doing this job now since early 2000, is that correct?"

Regular Meeting, May 21, 2003

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

Commissioner Winters said, "So there's a person that is functioning now?"

Mr. Ternes said, "Yes, and I supervise that position."

Commissioner Winters said, "Okay, very good. That's all I had."

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

MOTION

Commissioner Winters moved to approve the Contract 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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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

HEALTH DEPARTMENT

G. HEALTH DEPARTMENT.

Regular Meeting, May 21, 2003

1. REALLOCATED FEDERAL FUNDING FOR USE BY THE HEALTH DEPARTMENT'S WOMEN, INFANTS AND CHILDREN'S (WIC) PROGRAM.

Ms. Sandi Reichenberger, WIC Program Manager, Health Department, greeted the Commissioners and said, "The Sedgwick County WIC program has received an additional reallocation of federal funding from the state Women, Infants and Children program in the amount of \$98,390. These funds are being provided to Sedgwick County because we've had a continual growth in our caseload. We're serving more participants. We have seen a 8% increase in caseload over the last year. I ask that you approve the acceptance of these funds and I'll be glad to answer any questions."

MOTION

Commissioner Winters moved to approve acceptance of the reallocated federal funding.

Commissioner McGinn seconded the Motion.

Chairman Norton said, "I have a Motion and a Second. Commissioner Sciortino."

Commissioner Sciortino said, "Just a question now. I'm very pleased that we were able to get this increase. What will this increase allow us to do that if we hadn't gotten it, we couldn't do?"

Ms. Reichenberger said, "I'm going to be able to add some temporary staff positions and that will allow us to increase the availability of appointments. And so we would continue being able to see additional clients."

Commissioner Sciortino said, "And does that also mean that, if the infant needs formula or any of that other stuff, will you also be able to acquire additional material for the clients too?"

Ms. Reichenberger said, "That is separate funding, a different budget at the state level."

Commissioner Sciortino said, "Oh, okay, all right. Approximately how many more clients will you be able to see? Do you have a ballpark figure?"

Ms. Reichenberger said, "I'm estimating, between our four clinics, probably an additional 100 a month."

Regular Meeting, May 21, 2003

Commissioner Sciortino said, "Okay. Well, this is very pleasing news, given that we've just had a reduction in one service but at least there's one little glimmer of light that we're able to increase a little bit another service that we provide. Great news."

Chairman Norton said, "Sandi, before you get away, you've talked about this before. How many people do you serve now and you've talked about the potential people that we could still serve, talk about that, that still need to be served. So, talk about that just real quick."

Ms. Reichenberger said, "Okay. WIC is a nutrient education program that provides supplemental foods. So, currently we have a caseload of 11,500 clients and, based on what the state agency estimates, looking at statistics for low birth weight, infant mortality in Sedgwick County, there is a potential of 18,500 clients eligible for WIC in Sedgwick County. So we keep inching our way towards that 18.5 and of course if the population in Sedgwick County continues to grow, all those numbers also increase."

Chairman Norton said, "And WIC serves not only just the citizens of Wichita but . . ."

Ms. Reichenberger said, "Well basically in Sedgwick County, but if people live like in the Butler County or Reno County, the surrounding counties of Sedgwick and they work or shop in Wichita, or Sedgwick County then they can receive benefits in Sedgwick County for WIC."

Chairman Norton said, "Okay. Commissioner McGinn."

Commissioner McGinn said, "I forgot what I was going to ask. Of the 11,000, does that include the mother and the child?"

Ms. Reichenberger said, "Our clients in WIC are women who are pregnant, who have recently delivered or are breastfeeding, infants and children to the age of five."

Commissioner McGinn said, "Okay. So the number includes the children as well as the mother."

Ms. Reichenberger said, "The whole client group, yes."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, since we're going to let you expand just a little bit, so roughly 100 extra people for the 98, so roughly about \$980 for an entire year and that includes

Regular Meeting, May 21, 2003

nutritional supplements, formula. I remember participating a little at the Guadalupe Clinic in that some years ago, and we were handing out diapers. I know they are separate funds and some people actually get volunteer stuffed in there, but the end result is the mother, the child is pretty much taken care of just about whatever she really needs to be able to be healthy and informed and make sure that child has a fighting chance.”

Ms. Reichenberger said, “Right. The program provides supplemental foods. Unfortunately, the program is like everybody else, Mead Johnson’s is the formula contract that the state has and, of course Mead Johnson shrinks their can sizes, so we are, right now, probably not providing all the formula that an infant would need every month, but we sure provide the majority of that formula, so that the clients do not have to go buy maybe but two or three extra cans a month. So that saves them a lot of dollars.”

Commissioner Sciortino said, “Well, that’s great. You do a heck of a job for us. Thank you.”

Ms. Reichenberger said, “I have a very dedicated and hard-working staff.”

Chairman Norton said, “And part of this whole program is that when they come in to get the supplies and the commodities, someone is there to counsel them, talk to them, weigh the babies, go through the whole process of helping them do a lot of it on their own at some point.”

Ms. Reichenberger said, “We are . . . we definitely do nutrition education, so that’s part. They not only have the food benefit, but they also get nutrition education.”

Chairman Norton said, “Great. What is the will of the Board? Did we already have a Motion? Okay, 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, “Thanks, Sandi. Next item.”

2. GRANT APPLICATION TO SUSAN G. KOMEN BREAST CANCER FOUNDATION, INC. FOR FUNDING OF SCREENING SERVICES FOR

Regular Meeting, May 21, 2003

INCOME-ELIGIBLE WOMEN.

Ms. Pamela Martin, Director, Clinical Services, Health Department, greeted the Commissioners and said, “The Sedgwick County’s Health Department’s Free to Know program has been selected as a recipient of a 2003 Susan G. Komen Breast Cancer Foundation grant. This is the 13th year that the Sedgwick County Health Department has teamed with the Komen Foundation to provide free breast cancer screenings for qualifying women in our community.

The Susan G. Komen grant enables the Sedgwick County Health Department to screen women who are not covered under our Free to Know program guidelines. These women are usually between the ages of 40 and 49, underserved and uninsured and the majority of the clients that we see on a daily basis. The Komen grant is used exclusively for mammograms and breast sonograms and provides educational materials for the promotion of breast cancer screenings.

The Free to Know program guidelines mandates a 10% increase in the number of women that we screen each year. Last year we screened 699 women and this year we are expected to screen between 769 to 800 women. Without this Komen grant, it would be very difficult for us to reach this goal. Our recommended action is that we’re asking for the Board to approve this grant application and authorize the Chairman to sign the application and any other related documents.”

Chairman Norton said, “We do have some questions. Commissioner McGinn.”

Commissioner McGinn said, “Of the women that you’ve screened, do you guys have a percent of how many you’ve caught something on?”

Ms. Martin said, “Sure, and I have Carmillia Adams. She is the program coordinator who can give you the specifics on the program.”

Ms. Carmillia Adams, RN, BSN, Program Coordinator, Free to Know program, Health Department, greeted the Commissioners and said, “So far this year, beginning in January, I have screened . . . there were four women that were diagnosed with breast cancer.”

Commissioner McGinn said, “But I guess, of the six or eight hundred that you’re screening, do you have a percentage of how many people?”

Ms. Adams said, “About an estimate of about 20%.”

Commissioner McGinn said, “Okay. All right. We had an opportunity to go out to the Health Department about a year ago and Representative Tiahrt was out there as well and kind of explained

Regular Meeting, May 21, 2003

the program to us and all that's going on and the reasons why this project is so worthwhile and just a lot of the donated money, donated time and other things that are also a part of this. So thank you for being here today to provide this information and certainly going to support this. Thank you."

Chairman Norton said, "Is there any sense that, with some of the crisis we have and people out of work, that some of the services will move towards the Health Department, where people have done them with their primary care physicians, that changes a little bit and they'll come to the Health Department to get that kind of service?"

Ms. Adams said, "Right now, we're seeing an increase of women that are coming in because of the economy, their husbands lost their jobs or they have lost their jobs, so I have seen an increase in women."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, like Commissioner McGinn mentioned, about a year ago we had the privilege of coming down there and listening to a presentation about this whole concept and one thing that may be shocking to those of you in the audience or to any of you men that might be watching us, men can contract breast cancer too and when I heard it I said, 'duh' and then it turned out that Representative Tiaht's father had had breast cancer and that's something we thought that . . . I never knew that a man would be susceptible to that."

But we also got to listen to a lady that was a survivor of breast cancer because of having had a mammogram that you all had provided and she gave a very success story, so you know it must be gratifying to know you are able to discover cancer and because of discovering it early, you've saved one life. I would think that has to be a pretty gratifying part of your job."

Ms. Adams said, "Yes, it is. I had the opportunity of following one of my clients after she had received her masectomy and she was really thrilled . . . I mean, glad that we were there and she really thanked us."

Commissioner Sciortino said, "Well let me ask you, I mean now that I know there's another way I can get cancer, is there anything men should be doing? I mean, should they be examining themselves on a regular basis? I know it pretty rare."

Ms. Adams said, "Right. Right now the recommendation is no, not unless you have a family history of it, because in actuality, men only contract breast cancer maybe one to three percent, it's

Regular Meeting, May 21, 2003

pretty low. So, right now there's no funding for men."

Commissioner Sciortino said, "No, I don't mean . . . I mean, is there a procedure, is there anything? Should men be . . . whatever you ladies do, should men be doing something?"

Ms. Adams said, "I'm not familiar with men."

Ms. Martin said, "It is important for men to also have their yearly examine with their primary care physician, not only as far as like what we, in teaching women, with the breast self-examine, men should be also checking the breast area."

Commissioner Sciortino said, "Just for lumps or bumps or something that isn't normal."

Ms. Martin said, "You also have breast tissue in the exact same areas and also, not only that, but in their doing testicular examines as well, those are also important to be routinely checked on a monthly basis."

Commissioner Sciortino said, "All right, well thank you very much and great work that you guys are doing."

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

Commissioner Unruh said, "Thank you. I just want to make a comment that I'm very supportive of this program and I'm grateful that we're able to provide this service to the members of our community who really have a need and no other way to avail themselves of those services.

My wife had an episode of breast cancer just last summer and we were able to use insurance resources so that she got very good care and we're extremely thankful for that. And so I'm sure that your clients are grateful for the service that you have to offer and I know, even after the episode, that follow up is important and the question I had, do we a program for follow up, when you find a cancer?"

Ms. Adams said, "Yes we do. If a lady is diagnosed through the Free to Know program, there is the treatment act. It's in place for the Free to Know patients and the treatment act, they will issue

Regular Meeting, May 21, 2003

this lady a Medicaid card for a whole year until she is finished with her treatment. We do bring them back for a six-month follow up with mammograms or coposcopy, with biopsies. So we do follow them and on each client I do do case management on them. I need to follow them and I'm required to follow them, according to the CDC and the program guidelines."

Commissioner Unruh said, "Well, very good. It's got to be wonderful comfort to know that that's available to those who need it."

Chairman Norton said, "I see no other lights, so what's the will of the Board?"

MOTION

Chairman Norton 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.

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, "Thanks, Pam. Clerk, call the next item."

- 3. ADJUSTMENT TO THE HEALTH DEPARTMENT STAFFING TABLE TO INCLUDE A COMMUNITY HEALTH NURSE II POSITION, BAND 322, FOR THE TUBERCULOSIS CONTROL PROGRAM, TO BE FUNDED**

Regular Meeting, May 21, 2003

THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT BIO-TERRORISM PREPAREDNESS GRANT.

Ms. Peggy Baker, TB Control Clinic Supervisor, Health Department, greeted the Commissioners and said, “We’re asking the Board to modify the staffing table at the Health Department to include a full-time nursing position. We do real well in managing the cases of active Tuberculosis and their contacts, which each case has about 15 contacts, but due to staffing limitations, we do not do well on prevention.

Multi-drug resistant TB was named a national threat in the year 2000. Multi-drug resistant are those patients that have Tuberculosis that cannot be treated with first-line drugs, and that’s what we’re preparing for in the future, but we need more staff to do that. The rate of TB in Kansas is going up, as the national level is going down and Sedgwick County carries about a third of all the state’s cases each year. Right now, we have 14 new cases since the first of this year and we had a total of 29 last year. So, we’re seeing an influx in what we need to do and this position would really allow us to be proactive, instead of reactive.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “These are really some interesting items that we’re having on here. You’d mentioned something about prevention of Tuberculosis. Could you just maybe briefly explain to the public that may be watching, how does one go about protecting themselves or preventing themselves from contacting Tuberculosis.”

Ms. Baker said, “Tuberculosis is primarily an airborne disease. We breathe in air droplets that contain the TB germ, but we can have TB in any place in our body. We’ve had cases of in the brain, in the spine, in the knee, but most often it’s in the lung.”

Commissioner Sciortino said, “So it doesn’t have to be just the lungs.”

Ms. Baker said, “And it can lay dormant for many years and that’s why people have TB skin tests and when you have the skin test and you react to that, that means you have infection, not disease. We do a chest x-ray, because that’s the predominant location. If it’s negative, then we recommend

Regular Meeting, May 21, 2003

a year . . . nine months of preventive therapy, which is one anti-Tubercular drug a day for nine months and this gives you almost 100% chance of never developing active disease. You have a 10% chance during your lifetime, if you're healthy, to develop disease but if you fall into a high-risk category, such as HIV or maybe some chronic illnesses, like Diabetes or other systems, chronic disease systems, then your rate goes up. So we really need to focus on high-risk groups and getting the word out there.

We receive referrals from private physicians to follow patients for infection and to evaluate them for disease and 29 doesn't seem like a lot but that's only a portion of what we do every day, because we evaluate for the whole community."

Chairman Norton said, "What is the data telling us? With this increase, are we starting to see a trend of where the cases are coming from, how they're getting to this area, why Sedgwick County, with the state going down, why we're going up?"

Ms. Baker said, "Well, the State of Kansas is going up and Sedgwick County is part of that, but nationally they're going down. I think we see a lot of foreign-born people coming into our area. We have a lot of foreign-born students coming into our universities and a lot of immigration to the area. And most of it is foreign-born, a lot of it. The 2010 Healthy People would like to eradicate U.S. born TB and just have to deal with foreign-born in the future, but we're a ways from that."

Chairman Norton said, "Okay. Any other questions from the Commission? At this point, I would entertain a Motion."

MOTION

Commissioner Sciortino moved to approve the adjustment to the Health Department Staffing Table.

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

Regular Meeting, May 21, 2003

Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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

H. AMENDMENT TO THE 2003 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCLUDE UPGRADE OF HEATING, AIR-CONDITIONING AND CONTROL SYSTEMS FOR THE MAIN COURTHOUSE.

POWERPOINT PRESENTATION

Mr. Pete Giroux, Senior Management Analyst, Budget Department, greeted the Commissioners and said, "Today I have one project for your consideration. This project is a comprehensive upgrade of the heating, air conditioning and control system here in the main courthouse. As you're aware, the main courthouse was completed in 1957, and we're still operating with the original boiler system. And the air conditioning systems, which were replaced in 1986, have exceeded their useful life.

Recognizing these aging systems and the potential for energy savings, you or your predecessors funded an engineering study in 2001. As the planning for these various projects proceeded, a better approach surfaced. Staff became aware of energy service providers that take a whole building approach to system upgrades and as a result, a Request For Proposal was issued.

We received three proposals, each with a variety of options and, after an extensive evaluation, our team selected the best proposal and that team consisted of Kathy Sexton, Steve Claassen, who is our facility manager, Paul Drouhard, our building service manager and Paul had experience working with the City of Wichita when they successfully implemented a similar contract. So, we were very pleased to have him with us and they were also advised by Troy Bruun our deputy chief financial officer and Iris Baker and Aaron Blase from the County Counselor's Office.

Here's what the project would replace. The first is the control system and the control system is a state of the art enhancement that will monitor conditions, as well as the equipment throughout the building, and adjust those conditions on a continuous basis.

We'll also replace the steam boilers, which are . . . with hot-water boilers, they're a lot safer of course, more efficient and will also be used to supply our domestic hot water, which is not the case at the present time. And finally, we'll replace 33 air conditioning units throughout the building with two large central chillers. And you might also note, we'll replace a lot of older and less efficient lighting fixtures.

Regular Meeting, May 21, 2003

This project would replace the projects that are listed here on the slide. The total cost of the project is actually \$1,069 less than that total. I was advised this morning we had a late adjustment during the bid board and would be included in the courthouse bond that we intend to issue this summer. The savings, the energy savings, and this is notable, would be used to pay the debt service and in the event that we don't reach the guaranteed energy savings, the vendor would in fact write a check to cover the difference, and that's a very positive feature of this contract of course.

The CIP Committee has looked at this extensively and they recommend approval. If you have any questions, we've got our experts present."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Yeah, I thought that idea was very unique in how you negotiated with the vendor, where they gave you projections on what your energy save . . . and they were willing to back up their comments by guaranteeing it. But how long are they guaranteeing these savings, for the length of time of the bond or . . .?"

Mr. Giroux said, "My understanding is it's a 20-year guarantee, so yes."

Commissioner Sciortino said, "Okay, so in essence, it isn't going to cost the taxpayers anything, above and beyond what they're presently paying. I mean, if I'm understanding that right."

Mr. Giroux said, "Yes, sir and . . ."

Commissioner Sciortino said, "You get to negotiate a lot of our contracts? I'd like to get you more directly involved in all of our contracts."

Mr. Giroux said, "I didn't get . . . we had a pretty . . . we had our best people on this."

Commissioner Sciortino said, "I understand that, but I think that is terrific. That's all I had."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Just a clarification on what Commissioner Sciortino asked. It's a twenty-year bond, but the savings payback, is it a 20 year payback on the savings, does it take 20 year to affect that? Or does it pay off sooner, is the question?"

Mr. Giroux said, "I'll defer to the senior member of the team."

Regular Meeting, May 21, 2003

Ms. Kathy Sexton, Assistant County Manager, greeted the Commissioners and said, "Thank you, Pete. If you just look at the cost of what the equipment is today and what we're paying the contractor, it's an about 11 year payoff. But when you factor in that we're bonding and we don't have \$2,000,000 to hand them today, we're bonding for that, with the interest it's 20 years."

Commissioner Unruh said, "Okay, thank you."

Chairman Norton said, "I don't see any other questions, but I'd like to have Steve come up and kind of just give us a blush. He's the guy on the firing line, dealing with this old equipment and everything every day and I think citizens need to know from him, the expert, that this . . . you know, we're spending some money, but boy we're not in great shape with some old equipment. So, Steve."

Mr. Steve Claassen, Facility Manager, Building Maintenance, greeted the Commissioners and said, "That is correct. Particularly the heating system is 40 years old, nearly 40 years old. The control system is another thing that we deal with daily that we don't have a good look, in our offices, to see what's going on in our systems. These improvements will permit us to, rather than get up into the ceilings and dig out and see what valves are doing, what position actuators and dampers are in, it will permit us to look at that in our offices, so that when we get a complaint from a user of the county buildings, we'll be able to see and get a very, very good clue as to what the problems are."

Commissioner Sciortino said, "We can have a sale on all our old space heaters that we have to have in our offices when it starts to get freezing."

Mr. Claassen said, "And believe that that will take a lot of the need for those kind of things away. We don't want to elevate expectations too high, because there are elements within this system that will still remain. Our duct system will still be the same duct system that we have today. However, the devices that control the volumes of air will essentially be all new. And another really significant part of this is the air conditioning system, the 33 very loud, most of the people that are near those mechanical rooms know they hammer nearly 24 hours a day, they're noisy. We replace three or four of them a year. That will go away and be replaced with a central system that will be much more reliable. It's a more appropriate system for this kind of a building. So, we're very excited about it, feel like we can deliver better services to our users and think it's a very super program."

Chairman Norton said, "Well, it doesn't seem right to me to put the kind of money into infrastructure like the Jury Room, the 5th floor and then have people still be uncomfortable. They're sitting in a new environment and they're sweating or they're freezing. So it's nice to know that we're going to finally upgrade this and, you know, I wanted to be sure that we heard from you because you're the guy that's dealing with the problems, your folks are up in the ceilings and

Regular Meeting, May 21, 2003

coming into our offices with ladders and looking around and trying to figure out what to do to make everything work. So, I appreciate what you do and hopefully this will be a remedy for those kind of actions. Thanks, Steve. What is the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the CIP amendment.

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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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

I. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE GYPSUM TOWNSHIP SYSTEM.

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "It is standard procedure that after a road is constructed within a platted residential subdivision, in accordance with county standards, that road is then assigned to the township road system. In this particular case, Hidden Estates Circle, Hidden Estates and 154th Street East, all located in the Hidden Estates Addition, will become the responsibility of Gypsum Township. The Gypsum Township Board was informed that this resolution would be on the County Commission agenda by letter, dated April 25. I recommend that you adopt the resolution."

Chairman Norton said, "I see no lights for discussion. What's the will of the Board?"

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Regular Meeting, May 21, 2003

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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Next item."

J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF MAY 15, 2003.

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

**1) ENERGY EFFICIENCY IMPROVEMENTS FOR MAIN COURTHOUSE-FACILITIES MAINTENANCE
FUNDING: CAPITAL IMPROVEMENT PROJECT**

The first item is energy efficiency improvements for the main courthouse for Facilities Maintenance. Recommend the negotiated proposal from Johnson Controls to execute a contract for \$2,257,290, with a contingency of \$125,000, for a total cost not to exceed \$2,382,290.

**2) ADULT DETENTION POPULATION CONSULTANT- FACILITY PROJECTS
FUNDING: FINANCE OPERATING RESERVE**

Second item, adult detention population consultant for Facility Projects. Recommend the proposal from Institute for Law and Policy Planning to execute a contract not to exceed \$98,500.

**3) IP PHONES- CORRECTIONS
FUNDING: JUVENILE CASE MANAGEMENT**

Third item, IP phones for Corrections. Recommend the low bid from Insight Direct for \$37,220.30.

Regular Meeting, May 21, 2003

**4) RAILROAD GRADE SEPARATION- PUBLIC WORKS
FUNDING: PUBLIC WORKS (FEDERAL, STATE, RAILROAD & BOND
FUNDING)**

And item four, railroad grade separation for Public Works. Recommend the low bid from Donlinger and Sons in the amount of \$5,039,251.12.

Be happy to answer questions and recommend approval of these items.”

Chairman Norton said, “I see no questions but I might have Dave Spears come up and let’s visit just a little about the bid process on the Haysville grade separation. Dave, I guess you could do it from the table there. That came in pretty well, much better than we expected and the bid has held up. So, we’re pretty excited about that, I assume.”

Mr. Spears said, “Yes, sir. We’re real excited about it, especially from the standpoint of the savings of money from what was in the budget and what the actual bid was. And you’ll note, there is quite a difference in the bids there from their bid up to the next two bidders, which were 7.3 million.

But we have every confidence in Donlinger and Sons. They’re a reputable company. They have not indicated that they made any mistake or anything of that sort and all of the plans and specifications were clear as to what we wanted. They should be, we worked on them for four years.

All the documents were turned in appropriately and the bid bond was there and, like I say, we have every confidence that the job will be done in a first-class manner, as Donlinger does most of their work.”

Commissioner Winters said, “How soon will it start?”

Mr. Spears said, “The project will begin in approximately July. It will last probably clear through till December of 2004 and the actual Grand will be closed down, probably for 13 months of that time. And like we talked a little bit last week, we’re coordinating with EMS and the fire department to be sure . . . actually, see, the railroad splits Haysville just about right in half and so they’re going to have to be served from both sides by two . . . you just can’t have one fire station serving both now, so we’re working on that and working with Haysville, of course, on the project and there’s been a lot of thought and planning put into it and now we just have to put it in place.”

Chairman Norton said, “Well, I’m encouraged. The original engineering estimate for the total project was around what?”

Mr. Spears said, “It was at least \$10,000,000, yes.”

Regular Meeting, May 21, 2003

Chairman Norton said, “So, pretty encouraging. Any other discussion? If not, what is the will of the Board?”

MOTION

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

Commissioner Sciortino 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, “Thanks, Iris. Next item.”

CONSENT AGENDA

K. CONSENT AGENDA.

1. Right-of-Way Easements.

- a. Temporary Construction Easement for Sedgwick County Project 618-36; Central between 143rd and 159th Streets East. CIP #R-252. District #1.
- b. Four Easements for Drainage and Utilities for Meyer’s Lake Second Addition Project. District #2.

2. Agreements (two) with LTS Title and Hillcrest Bank providing on-line access to Sedgwick County’s electronic data.

Regular Meeting, May 21, 2003

3. **Agreement with Senior Services, Inc. providing terms and conditions for Department on Aging's use of space at 2121 East 21st Street.**
4. **Amendment to Agreement with Sedgwick County Zoological Society, Inc. providing reduced funding levels.**
5. **Submission of line item adjustment to State Juvenile Justice Authority for the Parent Training Program.**
6. **Order dated May 14, 2003 to correct tax roll for change of assessment.**
7. **Plats.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2002 and prior years have been paid for the following plats:

Martin Addition
Opportunity Center Addition

8. **Payroll Check Register of May 9, 2003.**
9. **General Bills Check Register(s) for the week of May 14 – 20, 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 Winters seconded the Motion.

Chairman Norton said, "I've got a Motion and a Second. We've got one item on there, which is the amendment number four, amendment to the agreement with the Sedgwick County Zoological Society providing reduced funding levels. I would think that is of significance in these tough times.

And County Manager Buchanan, would you give us just a quick quip on that."

Mr. Buchanan said, "We have an excellent working relationship with the Zoological Society. We have seats on the board. We fund at least, as we heard last night at the annual meeting, we fund about 40% of the entire operation of the zoo."

Regular Meeting, May 21, 2003

Several years ago, when we had difficulty with the budget, we approached them and asked them to reconsider some allocations that we had promised them and they did that. Out of those conversations, we developed a contract which provides them a funding stream and a formula by which they receive the funding over five years, so we both can plan, using that funding stream, plan for the future.

We went back to them, because of the realities and requested not only a reduction this year, but the reduction for the remainder of the contract. It's in excess of \$250,000 over the life of the contract and it was about a 10% reduction. So we're pleased that they understood our plight and still invite us to the annual meeting."

Chairman Norton said, "Well, I think it's wonderful that they understand the realities and that they want to be good partners and truthfully, they're still moving forward with a great new exhibit and, you know, they're still flourishing but are doing some things to kind of tighten their budget too."

Mr. Buchanan said, "It's helpful when the board officers and treasurer are from the business community and understand and crunch the numbers together with our staff and it's helpful to have that happen."

Chairman Norton said, "Okay, thanks. We have a Motion and a Second. 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, "Is there anything else to come before us today? I know we have an Executive Session. Anything else that we can talk about? I have Commissioner Unruh first."

L. OTHER

Commissioner Unruh said, "Well, I'll just make a couple of comments. One, as the Manager

Regular Meeting, May 21, 2003

mentioned, we were at the annual meeting of the Zoo last night. It was an excellent function and one of the things that we got to do was tour the new exhibit. I got to walk through it a week ago and there was a major change from a week ago to last night. It is up and running and ready to go. It's an outstanding exhibit and the citizens of Sedgwick County and the entire state should make plans to come by, because once you get inside the Australia and South American exhibit, it's a huge, enclosed area but there's a lot of animals that are roaming free and then they have exhibits in there that are behind cages for everybody's safety, but it's beautiful and it's entertaining and it's a fun way to spend an hour just walking around that one exhibit. So, I'd encourage everybody to make plans to visit. And this Friday, at 10:00, is the grand opening and ribbon cutting of that exhibit and Chairman Norton will be there representing the County with some remarks. So that's the official opening, so everybody plan to go.

A second comment I'd want to make is I think everyone in the community and we all are aware, we had a major meeting last Monday night on solid waste and it was well attended. There were 240 people, I think, there. By my count, we had 47 people who spoke and my impression was that it was . . . I was impressed by the fact, I just might say, is how polite everyone was. You know, it's a volatile and passionate issue, but everyone presented their case in a polite and professional manner which I appreciated and although strong opinions were voiced, no one got angry or out of hand, even though that this is a difficult decision. But just wanted to make the comment that I appreciated the participation and that's all I have."

Chairman Norton said, "Okay. Commissioner McGinn."

Commissioner McGinn said, "Thank you. Sunday I had the opportunity to do the ribbon cutting out at Park City's raceway and I am not a Nascar, racecar kind of person and that was just a really neat event. I was really impressed. I asked the age group and they said it was from diapers to adulthood and the cars that they have, the ones that came out, the little ones, the four and five-year-olds that came out, of course the cars . . . they're all tiny cars, but this was really tiny and what was interesting, they use a weedeater motor and you couldn't believe how fast it could go around. And then the next class they use a lawnmower motor and of course I was joking. I'm like, 'I suppose that's a lawnmower motor' and they said, 'Yes, it is'. My lawnmower doesn't go that fast.

But this track, what I heard was of course Park City was a major sponsor. They supplied the dollars to help us build this track and it's one-sixth of a mile and then they have a stand that you need and then, you know, they've got the whole . . . all the different flags. You see, I learned a great deal that day. The fences, the way the track has to be sculpted out I guess and, anyway, all the facilities that

Regular Meeting, May 21, 2003

they have and then I guess it was our Coliseum staff who did the building. So this was really a low budget item that produced a very big thing and, from what I also understood, the people that went and participated this weekend and will be in the future, are from all over the country and all over the state. You look at the tags and many of them have said this is the best they've seen.

But anyway, it was very impressive and then, just the fact that here it was with limited dollars we built a first-class operation and I would guess that maybe we'll get to hold some regional and national events some time. So, anyway it was very interesting, I learned a great deal and I was glad to have the opportunity to be there and I want to thank Park City for being so good to the Coliseum. Thank you."

Chairman Norton said, "Great partnerships it sounds like. Commissioner Sciortino."

Commissioner Sciortino said, "Well, I've had a lot of questions from Derby here the last couple of weeks about my famous tomato plants and they're all in the ground and this rain is helping them to develop and every year I anticipate a bountiful harvest and every year I'm disappointed, but once again, being the optimist, this year is going to be a bountiful harvest and we'll be able to make that spaghetti sauce and salsa again and if you guys are real nice to me, I'll bring you a little bit of our special salsa this year. So, that's all I have."

Chairman Norton said, "I only have a couple of things. Dr. Dudley pulled me aside, Ben."

Commissioner Sciortino said, "I'm going to put the . . ."

Chairman Norton said, "We didn't make it out there for her spring cleaning. You need to plant your tomato plants and I need to go out and do at least some work because she embarrassed me in front of several people at River Festival.

The last thing I've got is I was at South High last night. I was able to give one of my Commissioner's scholarships to Tristin Dewees, who is a South High senior and will be going, I think, to KU and working on a degree in radiology. And Sunday night, Natalie Balthazar from Campus High School was a winner and I'm going to West High School Thursday morning to give the third scholarship. So, at some point, would like to introduce those three young people that are receiving my commissioner's scholarship to the commissioners because they're great kids and are going to do great things in their lives and their education. Commissioner Sciortino."

Commissioner Sciortino said, "Speaking of embarrassment, we had one of our own win an Excellence in Public Service award this year and Jennifer Magana from our Legal Department and it's a very prestigious award given by the DeVore brothers and I just wanted to recognize her publicly. She was very well deserved."

Regular Meeting, May 21, 2003

Chairman Norton said, “Excellent. Anything else to come before us today?”

Commissioner Winters said, “Commissioners, we do need an Executive Session.”

MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney/ client relationship relating to potential litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 11:00 a.m.

Commissioner Sciortino 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

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:50 a.m. and returned at 11:11 a.m.

Chairman Norton said, “We’re back in session. According to state statute, there was no binding action taken. Is there anything else to come before us today? Rich?”

Mr. Euson said, “Commissioners, while in Executive Session, we discussed a case involving a former firefighter by the name of Walter Langford and he had suffered a low back injury and filed a workers compensation claim. For the reasons that we discussed, I would recommend that you settle that claim in the amount of \$90,000, which is a full and final settlement of all issues relating to that claim and that you approve that and give us authority to close that claim out.”

MOTION

Commissioner Sciortino moved to take the recommended action as stated by the County

Regular Meeting, May 21, 2003

Counselor.

Commissioner Winters seconded the Motion.

Chairman Norton said, "I have a Motion and a Second and Commissioner Winters, comment?"

Commissioner Winters said, "And again, Rich, this comes with a recommendation from our legal counsel and from the doctors that have examined this individual?"

Mr. Euson said, "Yes, sir it does."

Commissioner Winters said, "Thank you."

Chairman Norton said, "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, "Anything else to come before us today?"

Mr. Euson said, "No sir."

Chairman Norton said, "County Manager Buchanan?"

Mr. Buchanan said, "No sir."

Chairman Norton said, "We are now adjourned."

M. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:13 a.m.

Regular Meeting, May 21, 2003

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

TIM NORTON, Chairman
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