

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

June 11, 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, June 11, 2003 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Jo Templin, Assistant Director, Division of Human Services; Mr. Bill Meek, Register of Deeds; Sheriff Gary Steed; Ms. Brenda Dietzman, Sergeant, Sheriff's Department; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Mr. Larry Ternes, Youth Services Administrator, Department of Corrections; Mr. David Spears, Director, Bureau of Public Works; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Dion Avello, Mayor, City of Derby.
Mr. Aaron Dixon, Boy Scout.

INVOCATION

The Invocation was led by Pastor Rusty Westerfield of Countryside Christian Church, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, May 28, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of May 28, 2003.

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

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MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of May 28, 2003.

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."

PRESENTATION

A. PRESENTATION REGARDING CITY OF DERBY, KANSAS.

POWERPOINT PRESENTATION

Mr. Dion Avello, Mayor, City of Derby, greeted the Commissioners and said, "I thank you very much for the opportunity to showcase Derby to the rest of Sedgwick County. I am Mayor Dion Avello and I have with me today, most of you know her, Allison Ohlman, who we borrowed from you guys."

Commissioner Winters said, "Stole."

Chairman Norton said, "And we let you come here anyway."

Mr. Avello said, "Well, it's your loss, our gain. That's the old adage. She's going to handle the clickers because electronics and I do not get along."

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Derby, as you know, was founded in 1869 and it's a town of, right now, we believe of 20,000 and maybe more. Official census says about 17,000 but I think that was taken two years ago. So we have grown quite a bit. Derby is governed by eight council members and a mayor, so it's quite a diverse board there and we have some pretty feisty meetings every once in a while, which keeps things lively.

We have a city staff which is run by a former Sedgwick County Commissioner, Mark Schroeder, who was a District 5 commissioner and he's been our city manager now for two years. He's not here today because he had some rotor chuff surgery like Commissioner Sciortino did. He wanted to be but he's still a little bit under the weather.

Derby, as you know, is a growing, growing community and it borders on the north by 55th Street. We can go a little further than that but because of McConnell Air Force Base, we will not venture further than that. And it goes all the way down on 95th Street and on the east side it is bordered by 127th Street and the river on the west side. We could go over the river, but we don't think we want to do that. That's too expensive.

The average . . . I told you the average population, according to the census is 17,000. Our average household is about 2.85. Median family income is \$66,000 and the median house value is \$104,000. We have about 4,800 acres, 19 city parks totaling 220 acres, over 85 miles of city maintained roadways and eight miles of pedestrian bike paths and we're adding to that every year. We have 525 registered businesses in Derby and an outstanding school system and public parks operation.

We have the usual, public works, police department, planning and zoning, parks and forestry, waste water treatment plants, fire department, which is a volunteer fire department and we realize we're starting to push the bubble where we might have to go full-time. We have an EMS, which Sedgwick County provides for us. We have building inspections, senior services, public library and storm water drainage departments. We have a major problem with drainage down there and we can get into that later.

But anyway, we have the full blown city services, same thing that you have up here: engineering, financial services, all of that, human resources. And what Derby is proud of is its partnerships with the different entities in the city. We have three entities. We have the DRC, the Derby Recreation Commission which was started, I believe, 18 years ago and it was just passed by the public vote by a whisker and today we have, I believe, 6,000 people enjoying the benefits of the Derby Recreation Commission and it's running out of room. And we are in the middle of, or we started a major remodeling of that facility.

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We also have sports facilities in all the parks that we have, softball, soccer, all of that going on for our youth. Derby is a very highly recreational community. You can come down to Derby at 11:00 at night and you'll see people running the streets, working out, doing those kinds of things.

We also have the Derby Community Foundation, which is a bunch of people who live in Derby who put this foundation together to serve the public to raise, first of all, starting with statutes around the community. I don't know for sure how many . . . 12, we have 12 bronze statutes around the community that the funds were raised by this community foundation to do this. Now it has expanded its role and they are doing different things for the city. They want to beautify the city, so you can see the quality of people that we have in Derby. They're very, very responsive to community needs and the public down there is behind this. If you ever get a chance to come on down, they're beautiful sculptures, beautiful. These are . . . They're all small children, things of that nature. Now we're getting into the bigger ones. We're going to get some of eight, six feet high so people . . . so you can see them clearer."

Commissioner McGinn said, "Are these located in all your parks, or just various ones or one particular?"

Mr. Avello said, "They're on the main thoroughfares mostly. As you come into Derby, if you're familiar with Derby, by McDonald's or Charlie's Chicken you'll see one there and Dillons has . . . the one by Dillons is not on the board there."

Chairman Norton said, "That's the bike riders, isn't it?"

Mr. Avello said, "They're beautiful. They're very well done also.

We also have a big volunteer group down there called green-scapers. They take care of areas of forestry that we have that our public works can't get to. They pick an area and they take care of that and that's their responsibility and you'll see them out trimming, cutting, fertilizing and doing things like that and that group is growing rapidly.

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Sedgwick County and what we do with Sedgwick County, I mentioned EMS. Also High Park, you were gracious enough to give us enough money to do the amphitheatre in High Park. This is a park that I think is a little bit too small. In the future years that we will expand on that park because it's going to become a regional park. It's not only for Derby. We get people now from Rose Hill, Haysville, Mulvane coming up and using it and on a Saturday morning, especially in the summer time, it is filled to capacity. You can't park your car. We have soccer games going on. We have softball going on. We have people using the outdoor facilities for picnics and we have two ponds that are filled with fish, so we have a lot of fishermen down there. And I think, eventually, we will be expanding that park to really cover the region.

Other partnerships that we have are civic organizations, Crimestoppers, Derby Days, which is very big which we just concluded."

Commissioner Sciortino said, "Mayor, could you go back just a couple . . . is there a way to go back a couple of slides? One more. Okay, on that crumb rubber surface, isn't that the way where they've recycled car tires and what have you and I think that's important to note to the public that there's a technology that can recycle car tires and make it into a very safe groundcover for a playground. Okay, I'm sorry."

Mr. Avello said, "That came about, unfortunately, by a tragic incident at that park, so we're very concerned about that and we looked into that and our parks department came up with this and we're investing that all over the city.

We have the Fraternal Order of Police, the Derby School USD 260 and then of course the Derby Chamber of Commerce, all involved in the city.

Upcoming projects that we have in Derby is a water system improvements. We are now on the Wichita water system or will be we believe in September. We had to do that because the growth in Derby, we could not prove to the state that we were recharging the aquifer. So we had to look for another source and it took five years, they gave us five years and we took five years to try and find other sources and the only thing we could come up with was the City of Wichita and we will go on that, like I said, in September.

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One of the biggest projects that we're going to do is the resurfacing of K-15. We're going to take it, from one end of town to the other end of town and bring it down to the dirt and start all over. We will be narrowing the street by five feet, but it's a project that needs to be done and the businesses down there have been very cooperative with us. We're concerned about loss of business for them but they realize that there's a light at the end of the tunnel that once we do this it's going to make K-15 safer and hopefully bring more businesses into our community. We are getting a Walgreens, which we're very proud of and that's going on K-15 and the Community Foundation is raising funds to beautify K-15 and we have seen some sketches and if it all comes true, you'll be seeing the pictures all over the county.

The other thing that we've got going and we just passed last night a five million dollar contract to put in an aquatic park. I've been involved in that from day one and it's going to be a site to behold. It's just going to be a fantastic park. That project will start, we hope, next month, ground breaking, and be ready by May 31st of next year. It is one of the biggest parks in this state and we expect that, hopefully that it will pull its weight in the community and the region also.

Commissioner Sciortino said, "Isn't this one, Mayor, where you actually passed a local sales tax or something and they voted to pay for it through a half cent sales tax?"

Mr. Avello said, "Yes. It went to a vote of the people and it was a very close vote. I think 75 votes, 100 votes difference to pass for a half cent sales tax. And the state came back, not too long ago, and said that we had underestimated, or they had underestimated the sales tax that we would be getting back. I take that as a good sign that the economy is starting to generate back. So we're hopeful of that.

And the other thing is that the bid came back 1.1 million dollars less than anticipated."

Commissioner Sciortino said, "Can we get the name of that contractor?"

Chairman Norton said, "Could we get the 1.1 million?"

Mr. Avello said, "No."

Chairman Norton said, "No. You're a good neighbor, but not that good."

Mr. Avello said, "We have variables we want to put in the park.

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An aquatic park and the future development is of course our first golf course and it's going to be called the Oaks. It's going to be on 63rd, between 63rd and 71st on Rock Road. It is being developed by a gentleman by the name of Lindsay. I'm sorry, I don't know his first name. He was 22 of these around the country. It's a different concept. It will be an 18 hole golf course and around the golf course he will put a total of 580 four-plexes. He's done this at every one of his 22 places and around that Bill Lusk, who owns that property, or did own the property, will build houses, an additional 580 houses also. So we're excited about that and the only thing we're waiting on, for breaking ground on that is the state. The state is looking at the water and things like the sewer and things like that, infrastructure.

The city has nothing to do with it. This is a private contractor. As you know, we've been looking at doing a golf course for many years and it's always been with city participation but this gentleman came in and thinks that that property is prime and Derby is ready and we are ready. Nobody has a negative on it, as long as the city is not doing it. We're all anxious for that to happen and we hope that will start next month and he says that if it starts next month, we will probably be hitting golf balls next September. He'll bring his own people in. They've done so many of these things that September, 2004, that they know how to do it and he'll use all the local help he can get, which is good. So, we're really anxious about that.

The future of Derby is unbelievable. I think, personally, I've lived down there for 23 years and have seen a lot of changes but I think in the next five years you will not recognize Derby, those of you who are familiar with it today. Allison is doing a wonderful job as our Economic Developer. We have a lot of companies looking at us, and I'm not going to share them with you, they're ours. So, I think in the next five years we will be pushing east rapidly. We will be redeveloping K-15 with businesses. We have a small industrial park now. We have commercial land on 63rd Street that Mr. Lusk has opened up for commercial building. So we think that Derby is on the rise and we love all of you to come on down. In the past year and a half we have built a new fire station, which you gentlemen helped share in that cost, or the Commission has. We have built a new city hall and we have built a new police department, police station, all in a matter of 18 months and that's how rapidly we're growing and we needed every bit of that room.

So, come down and see us. Everybody is invited to come on down. We're working on some things that I think will draw people from Sedgwick County down and come see us and enjoy what we have. Any questions? I'll be happy to answer them."

Chairman Norton said, "Commissioner Sciortino."

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Commissioner Sciortino said, “Well, Mayor you had mentioned about economic development and you were starting to look at some companies and what have you. Think a little out of the box, I mean, I don’t know what, but if the County could help in any way to maybe make it further attractive for a company to move into Derby, I think we have a responsibility in economic development for the whole state, so at least think of us. I don’t know exactly what but think of us as a resource in that area, if you need the help.”

Mr. Avello said, “We will do that. We won’t hesitate to do that at all.”

Commissioner Sciortino said, “I knew you wouldn’t. That’s why I just wanted to at least have the opportunity to offer it.”

Mr. Avello said, “I failed to mention two new entities that we have in the last three months. We have the Village Inn. We’re in bad need to some sit-down restaurants. We have a lot of fast food restaurants and there’s nothing wrong with that, but we have the Village Inn that came in and that’s on Rock Road and we have the Rib Crib on Rock Road. And we were told by the manager of the Rib Crib in Derby, they missed being the highest dollars amount by \$100 throughout the nation the day that facility opened up. It’s been there a month and a half and I’m ashamed to say I have not gotten in it yet. The day that it opened we were all scheduled to go but that was the day my daughter got married and we couldn’t do that. But it’s packed, you just can’t get in it. So we have a couple of other restaurants that are looking at us, so I think that’s going to bring more and more people into Derby, the golf course, the aquatic park. I think, in the next five years we’ll be pushing 25,000 people, and maybe in the next ten to twelve, 30,000 people. So we’re a growing entity.”

Commissioner Sciortino said, “Great. Well one other thing, Commissioners. I just wanted to point out, you had mentioned it briefly Mayor, about that new fire station that you put out and we did partner with them and it was a good partnership on both sides. We were needing to relocate an EMS facility and what have you and by being able to get some space in your fire station, it made it a lot less expensive for us, as opposed to establishing a stand alone, so it was an excellent partnership and it worked out well I think for both entities.”

Mr. Avello said, “We want to partner wherever we can. We realize the importance of that. I think that cities today can’t stand on their own. They have to look to other people and I think you gain more by working together. Doing it yourself becomes awfully costly and most of the time you can’t get it done.”

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Chairman Norton said, “Well, Mr. Mayor, we’re real proud of Derby and for me it’s about we continue to say ‘The City’, and most people think of that as the City of Wichita, but you know what, there’s some other fine cities in Sedgwick County and it is our hope that we can showcase them throughout the year to let people know that there are 19 cities out there that perform well and are good citizens in Sedgwick County and have some pretty good growth things going on that we can all be proud of. So I appreciate you coming today and sharing that with us. I see some other Derby-ites that you might want to introduce real quick. Frank is here.”

Mr. Avello said, “Frank Sites is the head of our Derby Recreation Commission. He’s here on another project.”

Commissioner Sciortino said, “Oh, and his right-hand man is right next to him.”

Mr. Avello said, “Mr. Hicks is here too also. I don’t see anybody else, just those two.”

Chairman Norton said, “Well, I recognized Frank, so I wanted to be sure they were acknowledged today also.”

Mr. Avello said, “And he’s done a wonderful job with that DRC. He’s took it from nothing to what it is today. It’s amazing.”

Chairman Norton said, “And certainly we’ve had some collaborative efforts with the DRC out in Oaklawn that have been very productive also that we’re proud of.”

Mr. Avello said, “I failed to mention about the DRC. When other recreation centers around the state want to know something, they call Mr. Sites and they’ve come down to view that because it is the state of the art in the state and we’re very, very proud of that. Our only problem is, it’s a little bit too small, Frank, but we’ll get there.”

Commissioner Sciortino said, “And the Mayor says he’s working really well with his northern suburb, so I thought that was good too. The City of Wichita, that’s your northern suburb.”

Mr. Avello said, “Yes, Mayor Mayans and I have started a relationship and hope to build on that, to not only benefit us, but Rose Hill and Mulvane and Haysville. So, the spirit of cooperation, I think, is there.”

Chairman Norton said, “That’s great. Thank you for coming today. Clerk, call the next item.”

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RETIREMENT

B. PRESENTATION OF RETIREMENT CLOCK TO JAMES D. MCKEEL, CAPTAIN, SHERIFF'S DEPARTMENT.

Ms. Jo Templin, Director, Division of Human Resources, greeted the Commissioners and said, "We're very happy today to celebrate the retirement of one of our long-term Sheriff employees. James D. McKeel, Sheriff Captain will retire July 1 after 25 years in the Sheriff's Department. It was not surprising to me, after knowing Jim for a number of years and having conversation, that he plans to devote a lot of his retirement to his hobby of railroad related organizations. Jim owns five railroad motor cars and sits on the board of directors for an international organization that supports the motor car hobby by providing common guidance, rules and insurance for the hobby.

And about eight years ago, he became a volunteer presenter of safety programs for Operation Lifesaver, a national highway and rail grade crossing safety program. He will remain on that board and Jim has, in the past, spent lots of time in New Mexico, Colorado and Canada with his railroad hobbies and I'm sure he plans to travel and come back every now and then and tell us about his adventures. So Jim, congratulations."

Commissioner Winters said, "Jim, step right up here. It's my pleasure, on behalf of the Board of County Commissioners and all the citizens of Sedgwick County to say thank you for your years of service.

Over time, I mean we have just so many great departments that are here in Sedgwick County and under our auspices and control, but I often think that there's none more important than law enforcement. One of the principle foundations is to provide a safe environment for citizens and you've got plenty of your fellow colleagues from the Sheriff's Department I see here. Sheriff Steed is here and it is just very, very important I think that there be a working relationship that is good and responsive between both Commission, Manager and the Sheriff. And we're certainly pleased with this relationship that we've got here in Sedgwick County, but it only works because of folks like you out there making it work.

So, on behalf of all the citizens of Sedgwick County, for the work you've done for us, we present you with this certificate and with this clock. Congratulations and best wishes on your retirement. Thanks."

Captain James D. McKeel, Sheriff's Department, greeted the Commissioners and said, "I just

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want to thank everybody very much. It's been a pleasure working for the Sheriff's Department here for Sedgwick County. It's been a good career and a pleasure to work in Sedgwick County government and I really appreciate it very much. I've worked with a lot of very good people over the years and it's been a pleasure. Thank you very much."

Chairman Norton said, "And you're still a young man. You're retiring at a very early age too. That's a pretty good deal."

Captain McKeel said, "I'm not as young as maybe you think. I wonder where the years have gone."

Commissioner Sciortino said, "But look at all the hair he's got."

Chairman Norton said, "Well, we appreciate the fine work you've done over the years, Jim. We're going to miss you but I'm sure you'll be back occasionally to rub our nose in it that you're out doing what you want to do and we're still slogging around in government."

Captain McKeel said, "I will be back."

Chairman Norton said, "We hope so. Thank you very much. Clerk, call the next item."

NEW BUSINESS

C. REGISTER OF DEEDS OFFICE.

1. NOTICE OF AVAILABILITY OF FUNDS IN THE REGISTER OF DEEDS TECHNOLOGY FUND FOR TRANSFER TO THE COUNTY FUND.

Mr. Bill Meek, Register of Deeds, greeted the Commissioners and said, "This is a great day for Sedgwick County, it's a great day for the Register of Deeds and it's a great day for the citizens of Sedgwick County. I have two items before you this morning. One is a notice of availability of funds from the Register of Deeds technology fund. Your action on that would be to receive and file.

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The second item would be a resolution from you transferring that fund. But I'd like to explain just for a little bit, if I might, how this all came about. About a year ago, the legislature saw a need for the entire register of deeds in every 105 counties to improve their technology. Our fees are statutorily directed. We have no control over raising them, lowering them, changing them whatsoever. The state law says we have to charge for these fees and they're a fee service charge.

The state legislature at that time also thought it was a good idea for the register of deeds to take a certain portion of that fund and put into the register of deeds to use for technology. But in their wisdom, and I mean that from the bottom of my heart, they also saw the need that if the register of deeds improved their technology, the infrastructure for the county and the infrastructure for DIO and information services throughout the State of Kansas would also need improvement. So they left a mechanism in there so that a portion of that money could be returned back to the county so that the county commissioners could improve their infrastructure and their technology in the land related items.

So the first item that you have before you today is a letter. I'm going to try to read it without my glasses, so bear with me."

Chairman Norton said, "You want me to hold it for you Bill?"

Mr. Meek said, "I was thinking, would you please, I'd appreciate it."

Commissioner Sciortino said, "Feel free to stand up by the microphone."

Mr. Meek said, "I am standing, thank you very much and this is as good as it gets."

As the Sedgwick County Register of Deeds, it is my pleasure to inform the Sedgwick County Commission that during the year of 2002 calendar year, my office received in technology funds totaling \$542,622. It kind of sounds like a telethon, doesn't it. This \$542,622 was generated under the authority of KSA 28115(b) and was deposited in the Register of Deeds technology fund.

In accordance with that same statute, I have determined that the balance of the technology fund at the end of the year 2002 is greater than \$50,000, and that's a minimum that we have to maintain in that fund. We were able to release \$424,184 that is not needed in my office at this time for technology.

That letter is for your receive and file and if you'd like, I could do the resolution now, or I can let you operate on that action, whichever you prefer."

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Chairman Norton said, “Why don’t we go ahead and make that Motion and then we’ll move on. Do I have a Motion?”

MOTION

Commissioner McGinn moved to receive and file.

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, “Okay, Bill, you’re up again.”

2. RESOLUTION AUTHORIZING THE TRANSFER AND USE OF MONEYS FROM THE REGISTER OF DEEDS TECHNOLOGY FUND.

Mr. Meek said, “The second item is a resolution for your action. This resolution authorizes the transfer of the use of the money from the Register of Deeds technology funds, in pursuant to KSA 28115.”

Chairman Norton said, “Okay. Commissioner Winters.”

Commissioner Winters said, “Thank you very much. Well, I’m ready to move that we adopt this resolution and then I have a comment.”

MOTION

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Commissioner Winters moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

Commissioner Winters said, "All right, thanks. Well I, Bill, certainly want to say that it's . . . I think the legislature did do a good thing in letting register of deeds have a mechanism to modernize their offices and their operations. And again, I think that they had a good plan in mind when they allowed both the register of deeds along with county commissioners to help direct that money to where it best be used in the whole connection of land use, the clerk, appraiser and other county officials and so I think it's extremely pleasing to hear that you recognize that there's operations outside your office that still come back and affect your office and all of the other county departments that are working on technology issues.

So, you know, Mr. Meek could have been probably a lot less forthcoming in assisting the rest of the departments but Bill, I certainly appreciate the work and the attitude that you've got in making sure that we do the best we can with these funds that you have collected over the past year.

And too, Mr. Meek was very instrumental in securing passage of this legislation in the legislature. He worked very hard with a number of other register of deeds but Bill was the chairman of the group at that time and again, I think in all of our sometimes frustration with what happens in Topeka, here was I think a good thing that happened and I certainly appreciate the work that you've done on this, Bill."

Mr. Meek said, "Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, kind of along that same line and Bill, I don't want to embarrass you, but I was here when you first got elected. As a matter of fact, I think that first year we were both elected at the same time and there was some horror stories coming out of the Register of Deeds and the delay in getting things processed and what have you. And the way you've turned that office around has been nothing but . . . well, it's just very commendable.

But the other thing that we see here as a Commission that comes out of your area is not only do you

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have a separate area, you're a separate elected official, but you really feel as part of the team and whether you're required by law or not to do a certain thing, I've never seen you take a, 'Well this is my department and the law says I can do this and you don't have anything to say about it'. You have really worked well with us and it makes the whole governmental entity called Sedgwick County work better when we have elected officials such as yourself. Gary Steed is another one that I can point out and I'm not singling out. For sure, if I don't remember everybody I'll get in trouble, but anyway my point is you've worked very well with us. It's never been a case that you've come to us and demanded things that weren't reasonable and you've been willing to compromise in areas and I just wanted to commend you publicly on it. It's really a pleasure working with you and with your staff."

Mr. Meek said, "Thank you."

Chairman Norton said, "Well, I'd like to add to that, but I don't want you to get too big a head, you know."

Mr. Meek said, "Go ahead."

Commissioner Sciortino said, "That was in lieu of giving him anything more on his budget. I want to compliment him instead of compensate him."

Chairman Norton said, "When does he come before us with his budget?"

Mr. Meek said, "1:00 today."

Chairman Norton said, "Timing is everything, isn't it Bill? Well, we do thank you for your ability to, as another elected official, work with us every day and make sure that government really is delivered to the people in the finest manner and this is another good example of that. So we appreciate that from you. We do have a Motion on the floor and a Second. Would you call the roll."

VOTE

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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."

D. SHERIFF'S DEPARTMENT.

1. RESOLUTION AUTHORIZING ASSESSMENT OF FEES TO SEDGWICK COUNTY DETENTION FACILITY INMATES FOR MEDICAL CARE AND TREATMENT, AND CERTAIN NON-ESSENTIAL SERVICES.

Sheriff Gary Steed greeted the Commissioners and said, "I'm here to visit with you about the resolution that you have before you. The resolution that you have really has two parts and I want to visit with you about those parts separately and the first part I'll visit with you about is the medical co-pay part.

Prior to 1996, we observed in the detention facility by detention deputies and medical staff that we had many, many inmates that were making unnecessary visits to our medical clinic inside the facility. We found that those inmates were making those visits because it was a break in their day. It was much like you or I going to the mall on the weekends for a little variety. And we determined that many of those inmates didn't really have serious medical problems. That if you or I had those problems and we're not in custody, we certainly wouldn't be going to see our doctors with those issues. So to address that . . . and by the way, why would you not do that if you have free services and can go see the doctor any time by just asking, certainly we would probably go to the doctor more often also.

We also discovered, in looking at some of the medical expenses, that in one week we went through more than 3,000 ibuprofen tablets in a pod. At the time, we had eight pods, so we were incurring some substantial medical costs just for over the counter aspirins and Tylenols and cold medicines.

In response to that, in 1996 we instituted our inmate medical co-pay program. The program allowed us to charge \$5.00 fees for inmates for self-initiated visits. Whenever they visited the doctors or the dentist that we have in the facility and it also allowed us to charge a \$5.00 co-pay fee for many of the prescriptions that the inmates got as a result of these visits.

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We thought the program was extremely successful. We experienced, in the first six months of the program, approximately a 28% drop in the number of inmates that visited our clinic. Today . . . not today, but in 2002, our clinic conducted more than 56,000 inmate visits for 1,212 inmates, so they do a lot of business over there.

Along with the inmate co-pay program, we also instituted a program where the inmates purchase their own Tylenols, their own ibuprofens, their own cold medicines and we collected, as a result of that, almost \$16,000. Now that's \$16,000 we've collected. It's also \$16,000 that we didn't have to pay for those ibuprofens to issue in the first place.

The resolution allows the medical co-payment . . . this particular resolution allows the medical co-payment fee to be raised from \$5.00 to a maximum of \$15.00. We have no intention and don't anticipate that we would start collecting that fee at the moment, but while we were working on this resolution, we felt it might be prudent to go ahead and raise that fee so that we wouldn't have to be back here to revisit that issue in the near future. In short, to provide us some wiggle-room.

We believe that the program has been very effective and it creates an environment for the inmates to be responsible users of the services that are available in the facility. It reduces the number of staff necessary to care for the inmates and allows us the focus scarce resources on those inmates that require more serious medical attention.

I'd also like to point out that no inmates are denied any medical care in the facility. The payment is waived for inmates that are indigent and don't have money on their commissary funds. And there is no co-payments that visit the clinic as a result of our staff calling for those visits. So, an inmate is in a fight, we see to that inmate, we see to his medical needs and there is no charge for that. If an inmate is in the gymnasium playing basketball or something like that, we would see the inmate for that injury at no charge and that's the co-pay part.

The resolution also allows for reimbursement for some clerical functions that we perform inside the detention facility as well. Clerical function includes fees for check issuance. Inmates currently carry money on their commissary accounts and they can have checks issued to various people out into the community if they have enough money and of course we have to have staff that print those checks out of that fund and send that money out and distribute it. We have to talk to the inmate, so it can be pretty staff intensive to do that.

We current do it at no cost to the inmate. Under this resolution, our proposed policy would be to issue the first check free, should there be a need for them to issue that check. But if they had a need to issue additional checks, there would be a \$5.00 service charge for that check issuance.

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Clerical functions also include reimbursement for notary services. Inmates often want documents notarized and in many cases it's not necessary to have the documents notarized in the first place. In many cases, the notarizations could wait until the inmate is released from custody. It's not necessary that they do it while they're in our facility. Under this resolution, our proposed policy would be to charge \$5.00 for each of these notarizations and it should be noted that inmates would pay similar fees if they weren't in our custody and had these services done.

The program also allows for charges for making photocopies. We anticipate that, under this program, our policy would allow for charging inmates 25 cents per page for photocopies and \$1.25 per pages for reports and records. I hate for the inmates to find out, but one of the concerns that we have is under the new HIPAA rules and regulations is that inmates could request that their medical files be photocopied and given to them. And so with 36,000 inmates per year, 1,200 of them being seen by the medical staff, that could be a substantial expense and time consuming program for us to do those photocopies and often times we have many inmates that want things photocopied that really aren't necessary to be copied, correspondence and things such as that.

The value of the program to the facility is not to enhance revenues, but like the medical co-payment program, it's intended to entice inmates into being responsible users of the resources and services available to them inside the detention facility. The program would also allow us to handle an increasing legitimate need for services by an increasing number of inmates without adding additional staff for those purposes.

Currently, we have two inmate coordinators. They are deputies that are assigned to duties, photocopies, do the notaries and such and they spend more than 15 hours per week providing these services. I anticipate that this program will reduce the request for these services by approximately one half. Should also note that the indigent inmates will not be charged for those services, if they don't have any money and there is a legitimate need for the service, we'll go ahead and perform the service.

And I would reiterate that this is not a fee or a revenue, but simply a reimbursement for our staff time and an opportunity to make the inmates responsible users of the service. I brought plenty of backup today."

Chairman Norton said, "Sheriffs have a tendency to do that, don't they."

Sheriff Steed said, "Yes, we do. I would be happy to entertain any questions that you might have and I would ask you, if there are no questions, that you would pass the resolution."

Chairman Norton said, "I have one. If someone is . . . You mentioned hurt playing basketball and

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they had a job before they got incarcerated, they had insurance, is that filed somehow by people who have an insurance carrier?"

Sheriff Steed said, "When we have the opportunity to charge insurances with the inmates in our facility, we do that. And most often, the insurance companies pay, but you must remember that many of our inmates, many of our clientele come to us without insurance and many of them have some serious medical problems. And that's really the beauty of this program is that we can focus our attentions on those inmates that do have serious medical conditions and not use those resource on people that are more frivolous."

Chairman Norton said, "Good. We do have a couple of other questions. Commissioner Unruh."

Commissioner Unruh said, "Thank you. Sheriff, do most of the other larger detention facilities in the state assess fees like this?"

Sheriff Steed said, "Well, we are the larger facility in the state. I think many facilities throughout the country have medical co-pay fees. Our fees are based on what the penitentiary does. They had the program ahead, the Kansas Penitentiary, Department of Corrections has this also and our original fees were all based . . . and our program was based on how they do business. So, I know that several departments in Kansas, I'm pretty sure, have similar type programs."

Commissioner Unruh said, "Are the fees, is this fee schedule similar to what the penitentiary has?"

Sheriff Steed said, "Yeah, I'm not sure what their fees are now. It was \$5.00 when we instituted our program. I don't know if theirs has gone up and ours was based on Department of Corrections."

Commissioner Unruh said, "Thank you. That's all I had."

Chairman Norton said, "Well, \$15.00 is just the ceiling. That's not necessarily what you're going to go to immediately. Isn't that what you said?"

Sheriff Steed said, "Exactly. We have no intensions of charging that right now. We see it as a tool when we get more and more inmates and it becomes larger and larger and we just didn't want to revisit it in the future if we could take care of it now."

Chairman Norton said, "Okay. Commissioner Winters."

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Commissioner Winters said, "Thank you. I guess that was kind of my question was going to be, and I'm going to be supportive of this, but I didn't understand with the \$15.00 being the max, what your plan was to . . . I mean, do you think it will be five years before you get there, two years or is it just going to kind of depend on how the way it works by increasing to \$10.00 the first time?"

Sheriff Steed said, "I don't know that I can predict that but to some extent the next thing that I'm going to present to you, the work release fees at the state level, where they've been set since 1986 and now we've had to go back and get legislation and all of that to change that. So, I guess to some extent the co-pay fee for the medical is just a little bit of wiggle-room so that we don't have to come back and keep revisiting the issue."

Commissioner Winters said, "All right. Well, I'm going to be supportive, Sheriff. But one of the things that I did think was important in your comments is if there is a legitimate request and yet the individual does not have a way to make that payment, I would hope that we could be as accommodating as possible, but just the frivolous requests, I think, need to go away. And if this will help you manage that better, then that's fine, but I do think it's important that you and your staff try to discern if there's someone there that really has a legitimate need and has zero money that they could be accommodated."

Sheriff Steed said, "I concur."

Commissioner Winters said, "Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, I just wanted the Commissioners, while Gary was there, to basically say the same thing that I discussed about Bill Meek. I mean, it's been my experience, Gary that again, a separate elected department, a separate elected entity in the way you've interfaced with us, it's never been 'This is mine, stay the heck out of it', etcetera. You've worked with us, regardless of what state law says or doesn't say and I just wanted to commend you on it. It's been a tremendous partnership. I know that you've interfaced with the Legal Department very well and I'm just really pleased that you're our sheriff and, together, we're going to make this county a much better and much safer place to live."

Sheriff Steed said, "Well, thank you. I concur. I think partnerships are the way to do business and I've often found that in most of the issues, we all have the common goals to get to. Usually the disagreements are usually about how to get there and I think we all have similar goals about what the future should be."

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Commissioner Sciortino said, “Well, I mean my feeling has always been the Sheriff has wanted to be part of the solution if there’s a particular problem that’s germane to the County, you’re always there saying ‘What can we do to solve the problem?’ and I just really commend you on that.”

Sheriff Steed said, “Sure, thank you.”

Chairman Norton said, “I see no other questions. What’s the will of the Board?”

MOTION

Commissioner McGinn 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.”

2. RESOLUTION PROVIDING FOR ASSESSMENT OF HOUSING AND MAINTENANCE FEES TO INMATES PLACED IN THE SEDGWICK COUNTY WORK RELEASE PROGRAM.

Sheriff Steed said, “I’ll stick around, you can say all those good things a second time.

Commissioners, this is another resolution, it’s actually an update to a previous resolution that we have. You probably know that the state law allows Sedgwick County to collect a daily fee for inmates placed on our work release program. The state statute has been in place since approximately 1986. With your support and the aid of Mike Pepoon, we were successful in obtaining legislation on the state level to update the statute. Previously, we were limited to charging a maximum of \$10.00 per day for the fee and our legislation changed the maximum fee to \$20.00 per day.

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Resolution allows us to start collecting that fee of \$20.00 in appropriate cases and we need the resolution in addition to the state statute. The resolution also, I'd like to point out, has a variable schedule. Currently, not all inmates are charged the maximum \$10.00 fee and under this resolution not all would be charged the maximum fee at this time either and the variable schedule is included in the resolution. You'll see that it is a fee based on what the inmate makes.

In 2002, inmates paid daily fees that reduced the cost of their confinement by \$130,170. In response to the many inmates at the detention facility, we will increase the number of inmates that we have in work release to 139 from, previously it was 99. We anticipate collecting about \$273,000 in 2004 as a result of this increase in the fees.

I would point out also that there's a system for inmates in hardship and various circumstances that there's a waiver that the inmate can do and be released from having to pay the work release fees. We think the work release program is valuable in that it provides a sentencing alternative for judges, it reduces the need for higher security, more expensive beds in the detention facility and it allows inmates to retain jobs that they might otherwise lose as a result of their incarceration.

Again, it's not intended as a revenue generator and is a reimbursement to the general fund to defray the cost of staff and the cost that we devote to administering the program. So, again, I would stand for questions, would welcome questions. In lieu of that, I would ask that you pass the resolution."

Chairman Norton said, "Well, at this point I see no questions. So, what is the will of the Board?"

MOTION

Commissioner McGinn moved to adopt the Resolution.

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, "Thank you, Sheriff."

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Sheriff Steed said, "Thank you very much, Commissioners."

Chairman Norton said, "Appreciate it. Next item."

3. GRANT APPLICATION RENEWAL TO KANSAS JUVENILE JUSTICE AUTHORITY FOR THE SHERIFF'S DEPARTMENT SCORE PROGRAM.

Sergeant Brenda Dietzman, Sheriff's Department, greeted the Commissioners and said, "Before you, you have an application for a renewal of the Kansas Juvenile Justice Authority grant that we received last year. This is a three-year renewal grant. This is the second year in the grant.

This grant is for \$20,625. We have a match of 50% required. You've been kind enough to provide \$12,500 of that. The DRC has given \$56,500 to match that, which is incredible. Basically, what is it's our SCORE program. We've partnered with Communities in Schools, Big Brothers/ Big Sisters. And the Sheriff's Department, what we're active in is that we have actually matched deputies, along with the Sheriff, the Undersheriff, reserves with matches from Big Brothers/ Big Sisters. We've had about 20 matches on and off. Some kids have left and we've gotten new kids involved in the program. What we do is we go out once a month to different activities and have one on one time with the kids and go to places that they normally wouldn't be able to go to.

We've went to the Indian Center, ice skating, baseball game, Stealth game. We're going to be going to Joyland, Exploration Place, things of that nature, just opportunities around the county. This is a great program because it offers the chance for these kids to actually go out and do things that, due to transportation issues, financial issues they wouldn't be able to go to otherwise.

The thing that I'm most excited about is that out of the 20 matches, five have become full-time matches with the Sheriff's deputies. So we have five deputies matched that go out once a week with these kids. Big Brothers/ Big Sisters told me that due to their age, living conditions, whatever, these kids probably wouldn't have been matched. So, that's very exciting because these kids are getting mentoring that otherwise they wouldn't get.

That's only about 10% of what this grant does. The other 90% is what Frank and the DRC does, kind of a partnership and I'm also going to do some cheerleading for DRC here too. The Derby

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Recreation Commission is one of the most dedicated, genuine organizations that I've come in contact with in Oaklawn. Like I said, they're providing \$56,000 to match on this grant, which is just incredible and that's in cash and in services. Frank has always been there for me. He's never told me no when I've asked for something, which is great. And we are definitely, as a department and as the county getting the better end of the deal on the partnership. So, they've done some incredible things.

In fact, one of the things that they've done for us is we're going to do partnership and open up a joint office in Oaklawn, which is saving the County about \$400 to \$500 a month, which is just great, because they're basically giving it to us for free.

The programs that they're involved in, they have community nights, expanded gym and swim opportunities, which allow kids to get bused from the Oaklawn area down to Derby to go swimming in their nice pool down there, teen nights. We've bought a lot of equipment with this money. There's also admissions to different activities. We're also going to have a camp this summer for the kids and it's also paid some of Tim's salary, Tim Hicks' salary, who is the Oaklawn Outreach coordinator. So, with that . . ."

Chairman Norton said, "Well, I have a couple of questions or comments. Commissioner McGinn."

Commissioner McGinn said, "Thank you. I guess my question is for Bill. Is this part of our JJA pot of funding and it's coming out of that."

Mr. William Buchanan, County Manager, said, "Yes."

Commissioner McGinn said, "Okay, thank you."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Just kind of a side comment really. I'm going to be supportive of this. I think it's a great program but while we have both Sergeant Dietzman and the Sheriff in the

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room, I just wanted to express to Sheriff Gary Steed my appreciation for Sergeant Dietzman and the work that she does. You know, I've called on her many times to help with constituent problem issues that are maybe not high up on the real ranking but they're individual neighborhood problems and Sergeant Dietzman, I appreciate very much the work that you do in Sedgwick County. You've helped me a great deal and I'm going to continue to rely on you. So, Sheriff, just wanted to tell you, appreciate you've got someone like her doing the work she does."

Chairman Norton said, "Before I pass it on to Commissioner Sciortino, I want to dovetail on that, because Sergeant Dietzman is also a Shining Star for the Character Coalition. She has volunteered and put together the website for the whole initiative of the county and did that because she kind of runs a web business on the side and has proficiency in that and has put together a wonderful website and been a very good volunteer for that organization, which just layers on exactly to what you said, Commissioner Winters, that she does advocate well for Sedgwick County and for the community and is a shining star for our Sedgwick County. Commissioner Sciortino."

Commissioner Sciortino said, "Well, this is embarrass Sergeant Dietzman day I guess, but you know the community policing department that she runs has done an admirable job of getting people willing to work with law enforcement. In other words, a proactive approach to solving a problem, instead of reactive.

But the biggest memory that I have of Brenda is I'm driving back from Derby on a hot summer day, I think it was last year if I'm not mistaken, and I'm going up K-15 and I happen to look to the left and I look again and I pull over to the side of the road. There is a deputy squad car on the shoulder and there is Dietzman out there along the side picking up trash. I mean, I don't know, that's a small thing but just on her own she decided that that wasn't looking very nice on a county . . . on a road that's in our County and she just took it upon herself. I think a fellow's wallet or some . . . I don't know what it was but she was just picking up trash and I stood there and supervised for five minutes and complimented her and then got back in my car and left.

But I mean that just says a little bit more about the individual and what her dedication is to this entity we call Sedgwick County. You do good work, kiddo."

Chairman Norton said, "I see no other comments but I do understand that Frank is here and Tim is here, if they would like to comment, because they are great partners in this."

Commissioner Sciortino said, "Yeah, say something nice about Brenda, Frank."

Sergeant Dietzman said, "I would just like to say though that as a supervisor, a lot of the work that gets done, I don't do it. My people do it and I've got four incredible people that work for me and

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people that have worked for me in the past and I've got some incredible supervisors too that I don't think they know what I'm doing half the time, but they trust me and they let me do my job and they don't get in my way and things get done that way and it's a great environment to work in. So, it kind of leads to going the extra step."

Chairman Norton said, "Welcome, Frank."

Mr. Frank Sites, Chairman, Derby Recreation Committee, said, "Appreciate, Chairman Norton, Commissioners, the opportunity to speak to you. I'll be very brief. One of the things that I've been asked the last couple of times when being here is the outcomes of the programs and I've got some very exciting information from Missy Bruckner, who assists us also in the program, on crime statistics and school violence and I'm not going to read them to you but I'll like to give them to your staff to share with you. And it's not great information, but things are improving. We would like to think that we have a small part to play in that.

We have a lot of partners working in the area, but we would appreciate your support in the receipt of this grant and I'll answer any questions if you have any. And I did bring Tim along. As Brenda said, there's a lot of people doing things. Tim is the one who is our outreach coordinator and he's running things and making things happen in the area and I wanted to acknowledge him."

Chairman Norton said, "Mr. Manager, did you have a statement?"

Mr. Buchanan said, "Yes, thank you Mr. Chairman. Commissioner McGinn asked a question of whether these were our JJA funds. They are not. This application goes to JJ . . . Juvenile Justice Authority in Topeka. Sedgwick County gets a separate funding, gets a separate grant from JJA. This application would be in competition with others and that's why we're going through this process and this application requires a \$12,500 match, which would come from either the Sheriff's Department or we have contingency funds for grant matches, which if we were successful, this grant would come from one of those places. So it's not part of the funds that we receive from the Juvenile Justice Authority, this is a competition from around the state. Sorry for the confusion."

Chairman Norton said, "Any other questions or discussion?"

MOTION

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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 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

Commissioner McGinn said, “Before we move on, what’s the total amount then? The total dollars received?”

Sergeant Dietzman said, “The total amount that’s going to be given and the matches is \$89,625. \$20,625 of that is coming from JJA.”

Commissioner McGinn said, “Excuse me. The JJA . . . Okay, go ahead, I’m sorry.”

Sergeant Dietzman said, “Okay, \$12,500 is coming from the Board of County Commission that is a money that you give to the DRC that you’ve given in the past for programming in Oaklawn. We’re using that as the cash match, instead of coming up with new funds. And then the DRC is providing \$56,500 in cash and monies, free admissions, things of that nature.”

Commissioner McGinn said, “Okay, thank you.”

Chairman Norton said, “Have we voted on this yet? Okay, thank you everyone for helping with that. Next item.”

E. DIVISION OF HUMAN SERVICES.

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COMCARE

- 1. AMENDMENT TO GRANT AGREEMENT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES PROVIDING AN EXTENSION OF THE AGREEMENT AND ADDITIONAL FUNDING FOR ADDICTION TREATMENT SERVICES.**

Ms. Marilyn Cook, Director, COMCARE, greeted the Commissioners and said, “This is the third year of a three-year agreement with SRS, who has yet another new name for your addiction treatment program. This, I think, is the fifth one in ten years that I’ve been with COMCARE. They now call it AAPS, Addiction and Prevention Services. But this grant is the same amount as we have had in the past, \$155,000 a year and they pay us once a quarter for the services that we provide, outpatient addiction treatment services to individuals.

There will be a small change in this after October 1st, through the legislative process this year, they decided that instead of allowing people up to 200% poverty level to be eligible for these services, that was reduced to folks that just were up to 100% poverty level. So we will have an additional number of people approaching COMCARE that will not have this as a payer source as a consequence of that. But we are grateful for the amount of money that we do get from them to this point. I’d be happy to answer any questions and if you don’t have any, I would ask that you approve the contract.”

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

MOTION

Commissioner Sciortino moved to approve the Amendment to Agreement and authorize the Chairman to sign.

Commissioner Unruh seconded the Motion.

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

VOTE

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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, Marilyn. Next item."

2. AGREEMENT WITH THUNDER ENTERPRISES DBA FRIENDLY SHEPHERD, INC. TO PROVIDE TRANSPORTATION FOR ELDERLY AND DISABLED PERSONS.

Mr. Buchanan said, "Commissioners, we would like to defer this item. There's a problem with their corporation charter that needs to be worked out and so we can't enter a contract with them yet."

Chairman Norton said, "Do I have a Motion to defer?"

MOTION

Commissioner McGinn moved to defer item E-3 indefinitely.

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."

3. AGREEMENT WITH UNIVERSITY OF KANSAS SCHOOL OF

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MEDICINE-WICHITA MEDICAL PRACTICE ASSOCIATION TO PROVIDE MEDICAL SERVICES TO JUVENILES IN DEPARTMENT OF CORRECTIONS RESIDENTIAL FACILITIES.

Mr. Larry Ternes, Youth Services Administrator, Department of Corrections, greeted the Commissioners and said, “The University of Kansas School of Medicine, Wichita Medical Practice Association currently provides medical services to juvenile offenders residing in the facilities operated by the Youth Services division of the Sedgwick County Department of Corrections. The cost for the contract before you today reflects an increase of \$3,500 compared to last year’s contract. The increase can be attributed to an increase in personnel costs and the continuing impact of the loss of Medicaid services for most detainees in juvenile detention.

The contract period is one year and the maximum amount of the contract will not exceed \$154,900. I would request that you approve this agreement and authorize the Chair to sign and be happy to answer any questions that you might have.”

Chairman Norton said, “I see no questions. Will of the Board?”

MOTION

Commissioner Winters 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, Larry. Next item.”

F. PUBLIC WORKS.

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1. SUPPLEMENTAL AGREEMENT WITH PROFESSIONAL ENGINEERING CONSULTANTS TO PROVIDE CONSTRUCTION ENGINEERING FOR THE RAILROAD GRADE SEPARATION AT 71ST STREET SOUTH AND THE UNION PACIFIC RAILROAD. CIP #I-78. DISTRICT #2.

Mr. David Spears, P.E., Director/County Engineer, greeted the Commissioners and said, “Item F-1 is a supplemental agreement between Sedgwick County and Professional Engineering Consultants for inspection and testing of the railroad grade separation project at 71st Street South, which is Grand Avenue in Haysville, and the Union Pacific Railroad designated as I-78 in the Capital Improvement Program. The cost will not exceed \$839,993.50. We are still significantly under budget on this project due to the low bid from our contractor and I recommend that you approve the agreement and authorize the Chairman to sign.”

Chairman Norton said, “I see no discussion.”

MOTION

Chairman Norton 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

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.”

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2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE, WITH DONDLINGER AND SONS CONSTRUCTION COMPANY, INC., FOR BIKE PATH ALONG ZOO BOULEVARD BETWEEN WINDMILL ROAD AND WESTDALE DRIVE. CIP #R-257. DISTRICT #3.

Mr. Spears said, "Item F-2 is a modification of plans and construction, request number one, for the Sedgwick County bike path along Zoo Boulevard between Windmill Road and Westdale Drive designated as R-257 in the Capital Improvement Program. There will be a net increase of \$11,252 due to the addition of slope protection to protect the existing berm of the bridge adjacent to the new bridge that we're going to build. KDOT concurs and we will receive 80% of the cost from them. I recommend that you approve the modification and authorize the Chairman to sign."

Chairman Norton said, "And we do have a question. Commissioner McGinn."

Commissioner McGinn said, "Eighty percent of the cost of the \$11,252 will be covered by the state?"

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

Commissioner McGinn said, "Okay. And then I just have another question, since I drive by there every day. I'm trying to figure out, you know I'm watching the bridge be built. How are they going to get them across the street, going to the east where everybody makes right turns and nobody is paying attention? I mean, I see this as this is going to clog up traffic again and so I'm just curious if somebody . . . I'm sure they have, all the engineers have thought about the traffic flows and everything but how you're going to get people safely across the street."

Mr. Spears said, "Let me get back to you on that, Commissioner, and see how we ended up. There was a lot of discussion on that. They at one time talked about a pedestrian signal. Another time, we talked about actually coming underneath the roadway that is there now and coming up the other side. You see, go below the bridge, down through there. But let me get back to you for sure on that."

Commissioner McGinn said, "Okay, thank you."

Chairman Norton said, "We have a Motion. Do we have a Motion?"

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MOTION

Commissioner Winters moved to approve the Modification of Plans and Construction 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, “And before we move on to the Consent Agenda, I would like to recognize Bud Hentzen who is here with us today. Welcome Bud for being here today. And I’d also like to recognize Aaron Dixon, who is a Boy Scout who is here today to work on his Communication and Citizen in Community badge. So, welcome Aaron. Would you like to come up and say something? It’s your one chance. So tell us what you’re working on, Aaron.”

Mr. Aaron Dixon, Boy Scout, said, “I’m working on my Communications and Citizenship in the Community merit badge.”

Chairman Norton said, “Okay. And what grade are you in?”

Mr. Dixon said, “I’m going into the 7th grade.”

Commissioner Winters said, “Where do you go to school?”

Mr. Dixon said, “Allison Traditional Magnet. It’s a good school.”

Chairman Norton said, “Well that’s great. And how long have you been in scouts?”

Mr. Dixon said, “Seven years.”

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Chairman Norton said, "Okay. And are you going to keep going until you become an Eagle Scout?"

Mr. Dixon said, "Yeah."

Chairman Norton said, "That's great. Well, we're very proud of you. Thanks for coming today and come back whenever you can."

Mr. Dixon said, "I will."

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

CONSENT AGENDA

G. CONSENT AGENDA.

- 1. Four Temporary Construction Easements for drainage project to reconstruct Idlewild Street and provide drainage between Clifton and the Big Arkansas River. CIP #D-3. District #5.**
- 2. Notices of Public Hearing (two) for August 13, 2003 post annexation hearings.**
- 3. Ratification and confirmation of the June 6, 2003 actions and proceedings of the Sedgwick County Board of Canvassers.**
- 4. Plat.**

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

Antler Point Addition

- 5. Order dated June 4, 2003 to correct tax roll for change of assessment.**
- 6. Payroll Check Register of June 6, 2003.**
- 7. General Bills Check Register(s) for the week of June 4 – June 10, 2003.**

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

MOTION

Commissioner Sciortino moved to approve the Consent Agenda as presented.

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, "At this point, I'd like to recess the County Commissioners."

The Board of Sedgwick County Commissioners recessed into Fire District #1 Meeting at 10:17 a.m. and returned at 10:46 a.m.

Chairman Norton said, "Is there anything else to come before the County Commission today?"

Commissioner Winters said, "Are you ready for 'Other' other or are you ready for the executive session?"

Chairman Norton said, "Why don't we do 'Other' other first and then we'll do the other so that when we come back we can adjourn. Anything anyone would like to talk about?"

H. OTHER

Commissioner McGinn said, "Well, I guess I'll just real quick wish everybody a happy Father's Day this weekend. That's coming up this weekend. And then the weekend after is Juneteenth celebrations at McAdams Park and it's a weekend of a lot of festivities celebrating the freedom in the African American community. So, I'll have some more information about that next week, but that's in two weekends."

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Commissioner Sciortino said, "Share that with us."

Commissioner McGinn said, "They'll have a parade."

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

Commissioner Sciortino said, "I can't think of anything exiting. Well, I'm going to take my wife and my daughter, we're going to celebrate Father's Day at the zoo. We're going to go spend the day out there and then my daughter said she would buy me a hot dog and a Coke. So I guess that's what I'm going to get for my Father's Day present."

Commissioner Unruh said, "Well you will enjoy the zoo. It is a wonderful place and, as Kristi said earlier, the summer concert season is starting out there. They have great entertainment and a terrific way to spend a summer evening. So check the schedule and take advantage of that."

I might also say that many of us had the opportunity to visit the Wichita Art Museum's opening and participate in all the festivities in the opening of that. I wasn't here when the decision was made to support that, but I'm very proud that our County Commission took the step to be a participator in supporting the development of that because it's a magnificent building and a great place to go."

Commissioner Winters said, "Thank you, Dave."

Chairman Norton said, "I think Tom, you were here were you not?"

Commissioner Winters said, "I certainly was."

Chairman Norton said, "It's is a wonderful facility. If you haven't been by there, it's certainly open to the public now. They've had all the ribbon cuttings and the grand opening and just to go and see the beautiful Chihuly blown glass ceiling and chandelier is worth the trip out there, not to mention the Murdock collection and a lot of the artwork that has been archived for many years, where they couldn't get it out on the floor. So, it is a wonderful facility and they have a new restaurant called the 'The Spartan' I believe, where if you're looking for a place to grab a bite to eat and have a little culture and artwork, you can do that. I have nothing else. Nothing else before us? I would entertain a Motion."

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MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 5 minutes to consider consultation with legal counsel on matters privileged in the attorney/ client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 10:55 a.m.

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

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:50 a.m. and returned at 10:57 a.m.

Chairman Norton said, "We've returned from Executive Session. According to state statute, no binding action was taken. Is there anything else to come before us, Mr. Manager? Mr. Counselor?"

Mr. Euson said, "Yes, Mr. Chairman and Commissioners, while in Executive Session we discussed a workers compensation claim by a former employee, Lisa Fullerton. And the recommendation was that we settle this claim for the total amount of \$20,000. This is an injury to both upper extremities and we believe the recommended settlement is well within the range that is authorized by statute. The settlement would close out any future medical and any ability to review and modify the award. And so we recommend that we settle this claim in the amount of \$20,000."

Chairman Norton said, "Will of the Board?"

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MOTION

Commissioner Sciortino moved to take the recommended action.

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, “Anything else to come before us? We are adjourned.”

I. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:57 a.m.

**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