

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

October 8, 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, October 8, 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; Dr. Mary Dudley, County Coroner/ Chief Medical Examiner; Ms. Jan Kennedy, Treasurer; Ms. Karen Duranleau, Assistant County Counselor; Mr. Don Brace, County Clerk; Mr. Tom Pollan, Director, Emergency Medical Services; Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation; Mr. John Nath, Director, Kansas Coliseum; Mr. Marty Hughes, Division of Finance; Ms. Pamela Martin, Director, Clinical Services, Health Department; Ms. Annette Graham, Director, Department on Aging; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Jack Kellogg, Member, Delano Business Association.
Ms. Teresa Carter, Susan B. Komen Foundation.
Ms. Traci Addington, President, Project Awareness.
Ms. Christy Schunn, Program Director, SIDS Support Network of Kansas.
Mr. Ted Bradehoft, President of Board, SIDS Support Network of Kansas.

INVOCATION

The Invocation was led by Reverend Tim Leaf of Resurrection Evangelical Lutheran Church, Haysville.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES: Special Meeting, August 4, 2003
Special Meeting, August 21, 2003
Regular Meeting, September 10, 2003
Regular Meeting, September 17, 2003

The Clerk reported that all Commissioners were present at the Special meetings of August 4th and 21st, 2003 and the Regular Meetings of September 10th and 17th, 2003.

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

MOTION

Commissioner Winters moved to approve the Minutes of the Special Meetings of August 4th and 21st, 2003 and the Regular Meetings of September 10th and 17th, 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.”

PROCLAMATIONS

A. PROCLAMATIONS (FOUR).

1. PROCLAMATION DECLARING OCTOBER 8, 2003 AS “DELANO DAY.”

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

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PROCLAMATION

WHEREAS, the founding fathers of the city and Sedgwick County encouraged the separation of Delano as a town to contain the enterprise desired by the cattle trade; and

WHEREAS, the town of Delano contributed significantly to the agricultural community of Sedgwick County by providing goods and services to these enterprises; and

WHEREAS, the roads of Sedgwick County were paved by the sins of Delano; and

WHEREAS, fines of \$3,000 per month in 1872, paid by the exemplary entertainment establishments of Delano, resulted in revenues for the city and county of more than half a million dollars per year as valued in 2003 dollars; and

WHEREAS, modern day Delano has generously decided to forgive the aforementioned debt owed by the City and County;

NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 12, 2003 as

“Delano day”

in Sedgwick County and urge all citizens to honor Delano’s contribution to our county’s heritage.

Dated October 8th, 2003. And I understand Jack Kellogg is here to receive. Jack, if you’d like to make a comment or two. Tell us about Delano Days on Sunday. I guess, first I need to entertain a Motion.”

MOTION

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

Commissioner McGinn seconded the Motion.

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

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VOTE

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

Mr. Jack Kellogg, Member, Delano Business Association, greeted the Commissioners and said, "Thank you. We have sponsored the Delano Fall Fair, which will be this Sunday from noon to five. It will be a rather large fall fair, which will be dedicated to approximately 30 food and craft vendors, main stage at Douglas Avenue at the bridge. It will be a noon to five affair that will be replete with lots of wonderful historic reenactments in regards to the history of Delano, as well as lots of entertainment. The Prairie Rose Wranglers are our chief leading act, which will be on stage in the afternoon.

We welcome your participation, Chairman Norton, and thank you for that. We'll have proclamations, a ribbon cutting and an installation of the time capsule, which kind of dictates the history of Delano and we're all very much looking forward to that. That will be this Sunday, from noon to five, and one more thing I might add is parking will be available at Lawrence Dumont Stadium parking lot. The streets will be closed for a five-block area, so access from the South on Maple would be advisable, and thank you again for the proclamation."

Chairman Norton said, "Will you be opening the roundabout and is that the ribbon cutting? Everything is finished now and you'll celebrate that too. Is that correct?"

Mr. Kellogg said, "It certainly should be finished by Sunday, yes. In fact today they're putting up the historic bar reliefs on the roundabout and the clock tower and it's really . . . this whole festival is a celebration of a public/ private partnership that we've been able to put together for the whole Delano area."

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

Commissioner McGinn said, "Did you say specifically what time the ribbon cutting was and putting the time capsule in?"

Mr. Kellogg said, "Yes. I did not but I will. The actual ribbon cutting will be at 1 p.m. sharp at the roundabout at Sycamore and Douglas and of course it will be followed by the installation of the time capsule."

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Commissioner McGinn said, "And they'll talk a little bit about what's in it?"

Mr. Kellogg said, "Yes, in fact Mary Lou Rivers with Delano Business has prepared comments for that, yes."

Commissioner McGinn said, "Well, I just want to say you all, all the businesses in Delano have done a great job in trying to move this project forward and it looks great. And I'm excited to see that it's finally here, but I was concerned that it wasn't even going to be here this soon. And so I think it's your efforts that helped keep it going and pushing it forward.

And I've been down there, just as recently as yesterday, and it looks great and hopefully they'll have all the orange barrels pulled away by Sunday."

Mr. Kellogg said, "We're on our way."

Commissioner McGinn said, "Congratulations."

Mr. Kellogg said, "Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Jack, are the businesses going to be open for people that want to patronize the stores and what have you?"

Mr. Kellogg said, "Yes, I would say at least three-quarters, if not more, will be open that day, yes."

Commissioner Sciortino said, "Because there's one that I think charges exorbitant prices for things on top of your head. I was just wondering if there was going to be a sale or anything going on."

Mr. Kellogg said, "As a matter of fact, I have a Delano Fall Fair Sale that day, yes. Thank you."

Commissioner Sciortino said, "Thank you."

Chairman Norton said, "This has been a paid announcement. We'll send you the bill later, Jack."

Commissioner Sciortino said, "Yeah, take it off whatever they're forgiving here or whatever."

Chairman Norton said, "I just have one comment. I think that it's wonderful what the Delano

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Associations have done, not only the citizens' group, but the business association, and I think it gives hope to many other older neighborhoods in our community. We talk about revitalization, communities deteriorating. Here's a group that just said we're going to keep hammering on this, we're going to keep advocating, we're going to keep working with elected officials until something good happens. And you know what, fruits of your labor, something good is happening and it should be a benchmark for other neighborhoods to look at and say, 'You know what, if we work hard, if we pull together, if we have a vision it will come true'. So I applaud you for that, Jack. Thanks."

Mr. Kellogg said, "Thank you. And we couldn't have done it without the County and the City. So, thank you."

Chairman Norton said, "Thanks for coming today. Clerk, call the next item."

2. PROCLAMATION DECLARING OCTOBER 10, 2003 AS "BREAST CANCER AWARENESS DAY."

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

PROCLAMATION

WHEREAS, breast cancer is the leading cause of death for women between the ages of 40 and 59; and

WHEREAS, in 2003 it is estimated that 211,300 women and 1,300 men will be diagnosed with breast cancer; and

WHEREAS, during the same time period, 39,800 women and 400 men will die from breast cancer; and

WHEREAS, the majority of breast cancers occur in women without any family history of the disease; and

WHEREAS, approximately 80% of the breast cancer occurs in women 50 and older; and

WHEREAS, early detection is the key to survival and a greater quality of life; and

WHEREAS, the State of Kansas and Sedgwick County are committed to the eradication of this disease, support the treatment of citizens that suffer from it, and encourage private efforts to

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enhance the research funding and education programs that address these diseases;

NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 10, 2003 as

“Breast Cancer Awareness Day”

to enhance the understanding of breast cancer and to encourage voluntary activities to support education programs and the funding of research programs to find a cure for it.

Dated October 8, 2003. What is the will of the Board?”

MOTION

Commissioner McGinn moved to adopt the Proclamation 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 Teresa Carter with the Komen Foundation is here. Teresa, welcome.”

Ms. Teresa Carter, Member, Susan B. Komen Foundation, greeted the Commissioners and said, “Thank you, Commissioners. I appreciate the proclamation and your awareness of breast cancer. As you know, you have given us permission and those of you who have been asking me, the pink

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ribbons outside to tie the County pink, making breast cancer awareness available to the men and women of Kansas that there are funds available and we work in conjunction with Sedgwick County with the Free to Know program. The national breast and cervical early detection program and then we provide a grant also to the Sedgwick County for mammography for men and women who are underserved. So thank you very much.”

Chairman Norton said, “Commissioner McGinn.”

Commissioner McGinn said, “I was out of town for the Race for the Cure, but I understand it was a record attendance.”

Ms. Carter said, “It was. We had approximately 6,000 registered participants from 27 states in the nation. We had a lot of people who came in and got to see Sedgwick County and Wichita and we had a wonderful day. We figure there was seven to eight thousand people on site, by the time you get the hundreds of volunteers and the vendors and we had a great day and it was a very moving day. We raised a lot of money to service all the counties in Kansas except for the nine around the Kansas City area. Our money goes to serve all of those people.”

Commissioner McGinn said, “Well, I’m glad to see that event grows every year and the organizers do a great job putting that on as well.”

Ms. Carter said, “Thank you. I’m still tired.”

Commissioner McGinn said, “I have another question that caught my eye and I don’t know if this is of interest to anybody else out there watching, but it says the majority of breast cancers occur in women without any family history. That’s not the message I ever get from my doctor.”

Ms. Carter said, “That’s true. If you have a mother or a sister or a direct relative, or a father who has breast cancer, you’re at higher risk. But . . . and Sue, you might correct me, but I believe that 85% of cancers occur in people who have no family history. I believe that’s the statistic. So, that’s true but it’s also true that you’re at higher risk if you have that family connection.”

Commissioner McGinn said, “Okay, thank you. I think that’s probably a message that we need to let people be aware of. I think sometimes you think that no family history and maybe let things slide or that kind of thing.”

Ms. Carter said, “That’s true, and one of the biggest messages, and this proclamation helps us get that out, that men and also . . . or women and also men who have a family history should be doing their BSEs, their breast self-examine and going for their annual mammograms and their clinical

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breast examines and if we get that message out and one person hears that and gets in for the mammogram, it was worth doing this.”

Commissioner McGinn said, “Thank you for being here and all that you’ve done.”

Ms. Carter said, “Thank you.”

Chairman Norton said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you. I just would also like to thank you for being here and for the effort you make in trying to emphasize this important health issue. What you just said is a comment I was going to make about early detection is so critical. My wife hadn’t had that experience or that history in her family and yet had to deal with breast cancer, and thankfully, with early detection, you know we’re going to have a happy ending to the episode. But it’s critical about early detection and so the efforts you make here and with the Race for the Cure I think are critically important to our community. So I just wanted to thank you for that.”

Ms. Carter said, “Thank you. I’m glad she heard the message and was able to get that early detection. Right now we don’t have a cure. I’d like to see that in my lifetime, so that my daughter doesn’t have to do Race for the Cure because I’ll tell you, it’s a lot of work. But right now, early detection is the only thing we have going for us.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “Thank you. I just got aware, I think a year ago or so, we had luncheon with you all and Todd Tiaht was there and he shared that his father had . . . and that was the first I was aware that men can even contract this disease. Is this something that’s recommended that males go through mammograms or whatever for early detection?”

Ms. Carter said, “I don’t believe that mammograms right now are the standard of care. However, there is a movement, they’re seeing a slight increase in breast cancer in males. They also think that maybe breast cancer is underreported in males. That by the time they find it, it has metastasized and so it gets labeled as lung cancer or kidney cancer or something else. So they really don’t know. There’s some studies going on in that. It never hurts to do a breast self-examine when you’re in the shower. If you feel something that’s not supposed to be there, you really need to go.

We were able to hear Senator Brooks, former Senator Brooks, who was the first African American senator elected from the south after the Civil War. He’s recently in the 70s, and he was recently diagnosed, just several months ago, with breast cancer and he was the same way. He had no idea

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and he was out moving some bricks or something and thought he pulled a muscle and found a knot and he just happened to mention it to his doctor and sure enough. So, it does occur in men. It's relatively rare, but it goes back to the adage of know your body, know when things change and men especially don't . . . at least my husband doesn't like to go to the doctor and say 'You know I've got a little lump here' but we need to tell men that it's okay to be concerned about that. It's okay to tell your doctor."

Commissioner Sciortino said, "Thank you."

Chairman Norton said, "Well, I have to tell you, as the brother of a breast cancer survivor and as a husband and as a father and as a father-in-law to two daughter-in-laws, I appreciate all that you do. Please continue the good work. Thanks. Clerk, call the next item."

3. PROCLAMATION DECLARING OCTOBER 5-11, 2003 AS "MENTAL ILLNESS AWARENESS WEEK."

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

PROCLAMATION

WHEREAS, mental health is essential to health, every individual, family and community must understand that mental health is an essential part of overall health and we must increase suicide prevention by reducing the stigma of seeking care; and

WHEREAS, it is essential to eliminate disparities in mental health by promoting well-being for all, regardless of race, ethnicity, language, place of residence or age and ensure equity of access, delivery of services and improvement of outcomes, through public and private partnership to ensure culturally competent care to all; and

WHEREAS, consumers and families must have the necessary information and the opportunity to exercise choice over their care decisions, including individualized plans of care, expanded supported employment, enhanced rights protections, better criminal and juvenile justice diversion and re-entry programs, improved access to housing, and end chronic homelessness; and

WHEREAS, every individual must have the opportunity for early and appropriate mental health screening, assessment, referral to treatment and supports leading to recovery; and

NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of

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Sedgwick County Commissioners, do hereby proclaim October 5-11, 2003 as

“MENTAL ILLNESS AWARENESS WEEK”

in Sedgwick County, Kansas to increase public awareness of severe mental illness and in so doing to promote greater access to effective treatments for those who suffer from the potentially disabling symptoms of these disorders.

Dated October 8, 2003. What’s the will of the Board?”

MOTION

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

Commissioner Unruh seconded the Motion.

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

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 Traci Addington is here.”

Ms. Traci Addington, President, Project Awareness, greeted the Commissioners and said, “Thank you for allowing me the opportunity to talk with you today about Project Awareness for Major Mental Illness. Project Awareness is a coalition of providers, advocates and consumers to increase public awareness and understanding of the causes and treatments of major mental disorders.

As president of the organization, I’m here today to speak to you in appreciation to the Board of County Commissioners for proclaiming October 5th through the 11th as Mental Illness Awareness Week in Sedgwick County. It is my understanding that the County Commissioners enjoy chocolate and good tidings and so I bring to you gifts.”

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Chairman Norton said, “Well, they’ll never make it down to this end, once they get to Ben and that will effect our mental health I think.”

Ms. Addington said, “And one of the things you’ll see are chocolates provided by Cero’s Candies and that’s one of the things that you will see at our walk for awareness that is Friday, October 10th at the Mid-America All Indian Center. That is our Walk for Awareness of Homelessness and Mental Illness. That is from 12 to 1 p.m. and you can register at 11:30 a.m. and that will be to bring awareness of homelessness and mental illness and that is the event that we have that concludes Mental Illness Awareness Week and at the beginning of the week, on Sunday evening, at the Boat House we have the candlelight ceremony, which celebrates hope and recovery from mental illness.

And we host, each year annually, this weeklong of events and I’ve provided a calendar up there to you and I believe invitations were sent to the County Commissioners earlier that show you that these events are going on and they’re open to the public, free of charge and Project Awareness hosts these events to let the public know that mental illness awareness is very important and that, in Wichita, we have . . . and I’ll talk about homelessness for a minute and then give you some mental illness statistics. In Wichita alone, we have over 626 homeless individuals on any given night, and in a year, we have approximately 1,300 homeless individuals that live in Sedgwick County alone. Over 40% of those are children. Approximately one-third of the adults in those numbers have a mental illness and that is nationally, as well as locally.

While lack of awareness does not stop or prevent mental illness, it does encourage stigma and that’s the reason why Project Awareness began in 1989 as a partnership between the National Alliance for the Mentally Ill chapter in Sedgwick County, the Department of Psychiatry at the K.U. School of Medicine in Wichita and NAMI.

Did you know, and the president’s new freedom of commission of mental illness report, released in July of 2003 released some really important statistics that I want to share with you before I conclude. Mental illness ranks first among disability in the United States, Canada and Western Europe. Depression will be the second greatest cause of premature death and disability worldwide by 2020 and that the World Health Organization recently reported that suicide worldwide causes more deaths every year than homicide or war.

Mental illnesses fill more hospital beds than cancer, lung disease and heart disease combined. The commission’s findings in July of 2003 have found that no community is unaffected by mental illnesses, no school or workplace is untouched, that one in five people have a mental illness, that millions of Americans but only 20% of those Americans that have a mental illness seek help, and that’s because of the stigma that still exists and that’s why Project Awareness exists and that’s why we have COMCARE of Sedgwick County, because it’s so important to have mental health services.

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For America to move forward in addressing the seriousness of mental health issues, the public must understand the mental health conditions are illnesses that can be reliably diagnosed and effectively treated and that research shows the most effective way to reduce stigma is through personal contact with someone with a mental illness.

In the homeless community, nationally and locally, approximately one-third of persons who are homeless also have a mental illness and Project Awareness is committed to building a more compassionate, enlightened community. Thank you for recognizing that National Mental Illness Awareness Week celebrates hope, recovery and increased public awareness of mental illness. We encourage you to attend Friday, October 10th the symbolic Walk for Awareness of Homelessness and Mental Illness at the Mid-America All Indian Center from noon to one.

One of the new things that we have is that you can bring a new pair of shoes that will be given to the homeless later at emergency shelters, because many people that are homeless don't have shoes, whether shoes to go to work, shoes for children to go to school and so those will be donated to the shelters and the clothes closet for people to have shoes. So bring a pair of new shoes that will be given to the homeless, listen to music, watch a one-act minute play, 15-minute play that will be performed by Gypsy Player People Net and that's written by a person who was previously homeless, enjoy free pizza and dessert courtesy of Pizza Hut and Krispy Kreme Donuts, who have donated and we're going to release balloons and we'll wrap up the Awareness Week activities and we thank you very much and now I'd like to introduce Marilyn Cook, Executive Director of COMCARE, who will be talking to you for just a moment about the 40th anniversary of community mental health services and continuing mental illness awareness."

Ms. Marilyn Cook, Director, Comprehensive Community Care, greeted the Commissioners and said, "Thanks, Traci. In addition to celebrating Mental Illness Awareness Month, we're celebrating the 40th anniversary of the Community Mental Health Center Construct Act of 1963, which was signed into law by President John F. Kennedy on October 31st of 1963. This was the last significant legislation before his assassination. In a joint address to Congress, President Kennedy proposed what he called a very bold new approach that replaced the focus of institutional care for the mentally ill with comprehensive community care.

The act required community mental health centers that were being formed to provide some core services, including out-patient therapy, in-patient therapy at the time, emergency care and consultation and education.

Community mental health centers predated Medicaid and Medicare by two years and were originally designed to be funded by third-party insurers and local communities after the initial federal grants ended. We were born at the same time as our identical twin, the federally qualified

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health centers. Community mental health centers were designed to provide mental health services and the federally qualified health centers were designed to focus on physical health and dental care.

In 1981, our two systems took different turns. That year, the Mental Health Systems Act was repealed and replaced with Mental Health Block Grant system and we lost our federally qualified status as community mental health centers. But it did remain for the federally qualified health centers, who were asked to continue to serve three populations: the medically indigent, the uninsured and migrant workers.

In removing the federal status from the community mental health centers, the action delegated control of mental health services to the state and the community, which is how we got so involved locally and how you got involved. As we acknowledge our 40th anniversary, we have many reasons to celebrate our system. Community-based mental health services have demonstrated their effectiveness in diverting thousands of individuals from state hospitalization, and have wrapped services around adults and children, enabling them to stay in the community. We are the public safety net for adults with a severe and persistent mental illness and for children with serious mental disorders. The number of adults with a severe and persistent mental illness served in Kansas increased from around 7,700 in 1992 to about 13,000 this last year and the number of children with serious emotional disturbances increased from about 6,000 to about 13,000 in 2002.

And this year, collectively, all 29 community mental health centers in Kansas served over 110,000 Kansans. Locally, that number is about 14,000. We do this in every county of the state 24 hours a day, 7 days a week in over 120 locations. COMCARE is a local mental health authority for Sedgwick County and we have a long and a very proud tradition of service in the community. We thank our affiliates, the Family Consultation Services, Breakthrough Club, Mental Health Association and Catholic Charities for helping us serve the individuals in this county, because it is a big county and thank you, commissioners, for your constant support and your willingness to continue to learn with us about mental health and mental illness. Thank you very much.”

Chairman Norton said, “Thank you, Marilyn. Commissioner Unruh.”

Commissioner Unruh said, “It’s a very comprehensive report that the two of you have given. The three things I’d like to emphasize that I think Mental Illness Awareness Week needs to be understood that it’s a pervasive problem. I think they said one in five have it, but there’s no need for it to be stigmatized and that there is treatment available and it’s effective treatment. So, out of your report and out of the week that we’re emphasizing this, I think that our citizens need to come to that understanding. It’s a big problem, don’t stigmatize it, help is available.”

Ms. Cook said, “Absolutely. Thank you for your support.”

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

Commissioner Winters left at 9:40 a.m.

4. PROCLAMATION DECLARING OCTOBER 2003 AS "SUDDEN INFANT DEATH SYNDROME AWARENESS MONTH."

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

PROCLAMATION

WHEREAS, Sudden Infant Death Syndrome (SIDS) is the leading cause of death for infants under one year of age in the United States, claiming more children annually than all those who die of cancer, heart disease, pneumonia, child abuse, AIDS, cystic fibrosis and muscular dystrophy combined; and

WHEREAS, each year 3,500 infants in the United States die from SIDS, commonly called 'crib death'; and

WHEREAS, the tragedy of SIDS is not contagious, is not considered hereditary, occurs on all social and economical levels and is not the result of neglected illness or child abuse. Although this mysterious disorder cannot be predicted or prevented, recent studies have shown that this risk of SIDS can be reduced by placing infants on their back to sleep, by breast feeding and by smoking cessation; and

WHEREAS, public awareness of SIDS combined with risk reduction measures can protect, save and guard the lives of our State's babies and spare many families the needless tragedy that is Sudden Infant Death Syndrome;

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

"Sudden Infant Death Syndrome Awareness Month"

in Sedgwick County and urge all Sedgwick County citizens to become more aware of this devastating syndrome and to lend to their courage, caring and support to all the families who have lost a baby to SIDS.

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Dated October 8, 2003. What is the will of the Board?"

MOTION

Commissioner Sciortino moved to Adopt the Proclamation 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	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Commissioner Winters returned at 9:43 a.m.

Chairman Norton said, "And Christy Schunn is here with the us with the SIDS Network of Kansas. Is that correct? Did I pronounce that right?"

Ms. Christy Schunn, Program Director, SIDS Network of Kansas, said, "Well Schunn would work a little better. Thank you for the opportunity to be here this morning. I am the program director of the SIDS Network of Kansas and I just wanted to take a few minutes to tell you about our mission.

Our mission is to provide bereavement support to families who have been affected by Sudden Infant Death. We provide community awareness to reduce Sudden Infant Death and we provide professional development for Infant Death responders, as well as supporting medical research efforts to eradicate Sudden Infant Death Syndrome.

As the proclamation stated, Sudden Infant Death Syndrome is the sudden, unexplained death of a child under the age of one. SIDS is the leading cause of death in children one month to one year of age and SIDS affects one in one thousand babies born each year. Currently, Kansas is one of the ten states with the highest SIDS rates among the country. Although every infant is at risk for SIDS, those that are at the highest risk are those that are premature, low birth weight, multiple babies,

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prone sleepers and those who live in a smoking environment prenatal-ly and postnatal-ly.

Along with our continued bereavement services, the Network launched a major community awareness program this last year called the Six Steps to Safety, which provides educational information to reduce all infant mortality. Since June of 2003, the Network has distributed over 3,500 packets to families throughout the State of Kansas who received Healthy Start home visits. Those families are being educated about reducing the risk of SIDS, how to provide safety in the home, such as water safety and fire safety, good nutrition, no smoking, lead prevention, and how to buckle up the baby safely through all stages of life, so we're really trying to affect infant mortality across the whole board, not just SIDS awareness.

We have been able to do this program through a variety of grants, through the March of Dimes, through Boeing, Ronald McDonald charities, C.J. Foundation for SIDS and the Kansas Department of Health and Environment. Specifically, the Six Steps to Safety contains the Halo Sleep Sack. It's a sleeveless wearable blanket that reduces the risk of SIDS by keeping the baby from flipping over too early, so they're not sleeping on their tummies, but they're remaining to sleep on their back. It follows the American Academy of Pediatrics recommendation that they sleep on their back, as well as being a blanket-free environment. So this packet includes several things to reduce infant mortality, specifically SIDS, by using this sleep sack.

So the SIDS Network is very excited and grateful for this proclamation. It is through efforts like these that we will reduce and someday eradicate SIDS. On behalf of the Board of Directors and several of those board members are here today, we have Major Bill Auchterlonie with Sedgwick County EMS, Ted Bradehoft, our board president, Dr. Mary Dudley of Sedgwick County Forensic Science Center, Nancy Jenson, an RN who is a child care licensing surveyor, Bill Cummings, with Cummings and Cummings Law Firm and Monty Munyan, with the Department of Conservation in Sedgwick County. So, I thank you on behalf of our board of directors and families that we serve. Together in Kansas, we will become one of the fewest states with SIDS deaths rather than one of the states with the highest rates, so thank you.

I'd like to introduce Ted Bradehoft, our board president. He'll say a couple of words also."

Mr. Ted Bradehoft, Board President, SIDS Network of Kansas, greeted the Commissioners and said, "Thank you, Christy. It's a pleasure to come back again, and although I can't vote for him, I'm glad to see Commissioner Ben is still here.

But we feel quite close to Sedgwick County, in as much as you folks were there, the county was there, the commissioners were there and especially Bill Buchanan. He's seen us really grow from scratch with this organization and we thank you for your continuing interest and support and specifically the personnel that you've provided to help us on our board to carry our mission and we very much appreciate that.

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And I'm a SIDS papa and our first grandchild died of SIDS six years ago and my wife and I, Susan were aghast after the funeral, when we found out that the City of Wichita did not have a SIDS organization, Sedgwick County didn't and the state didn't. In fact the state is one of four states that did not have a SIDS organization. So, in the short time we've been around, we're very pleased with the acceptance that we've had throughout the state. There's not one corner of the state we have not reached and it's all kind of headquartered right here in Sedgwick County. But we have been to all four corners and we're very fortunate and not only have a great board, a very dedicated board of directors, we also have a program director named Christy Schunn that we feel we're very, very fortunate and blessed to have her aboard, because she's just done a great job. And we again appreciate everything that the county has done for us, helping us get started and at this time, I'd like to have a person to say a few words that is very close to us, and that's your Medical Examiner, Dr. Mary Dudley who not only served on the national board of directors, but the advisory group of our board."

Dr. Mary Dudley, County Coroner/ Chief Medical Examiner, Regional Forensic Science Center, greeted the Commissioners and said, "Thank you, Ted. Thank you for this opportunity to speak on behalf of the SIDS Network of Kansas. Our organization, the Forensic Science Center, works very closely with SIDS of Kansas. We have two members on their board and also Christy is on our advisory board.

We also refer all cases of potential SIDS within 24 hours to their organization. SIDS is a diagnosis of exclusion, so that diagnosis is not made sometimes for several weeks, until we receive all the information back on toxicology and microscopic findings and investigation that it is in fact a SIDS death. The SIDS Network of Kansas will immediately contact the family, provide information on what SIDS is and also we'll welcome the parents and extended families to their monthly meetings.

In addition to the family support, they also have a train the trainer program which they have offered to the entire state for pre-hospital and hospital personnel and law enforcement to educate them on SIDS. They provide information to new mothers and caregivers on the risk factors of SIDS and they also have been very creative in their fundraising drives and grants, especially in this very difficult time for non-profits to be able not only to sustain but also to grow and I really wish them continued success in their mission and in the important work that they do. Thank you."

Chairman Norton said, "Thank you. Thank you, Christy and Ted and Dr. Dudley. We appreciate you coming today. Clerk, call the next item."

NEW BUSINESS

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B. SCHEDULE OF UPCOMING TAX FORECLOSURE SALES.

Ms. Jan Kennedy, Treasurer, greeted the Commissioners and said, "I'd like to announce that we have three tax foreclosure sales in the upcoming next three Wednesdays, October 15th, October 22nd and October 29th. There's 143 properties in the first sale, 131 properties at this time on the October 22nd sale and 32 properties in the sale at the end of this month.

The sales will be held at 1:30 in the Jury Room. A list of the properties to be foreclosed is published in the Derby Daily Reporter. Copies of the publication are available in the Treasurer's Office, in the pay station on the first floor of this building, 525 North Main.

A list of the properties, plus all the qualifications for the biddings are available at the County website under 'tax foreclosure sales'. We also have plat map books . . . goodness, that's more complicated than it should be . . . for sale also in the Treasurer's Office for \$10 that shows the location within the County and a street marker and exactly which property for people to be able to find the properties more easily. These map books sell for \$10 each. If you wish to order one through the mail, if you send us cash . . . well, not cash, a money order or check for \$13 to cover the postage and handling, we will mail it out to you or you can pick them up in our office from 8 to 5, Monday through Friday. Are there any questions regarding the sales? Thank you."

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

MOTION

Commissioner Sciortino 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

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Commissioner Ben Sciortino Aye
Chairman Tim Norton Aye

Chairman Norton said, "Next item."

C. RESOLUTION REVISING PORTIONS OF THE *SEDGWICK COUNTY CODE* PERTAINING TO REGULATION AND LICENSING OF ADULT ENTERTAINMENT ESTABLISHMENTS, DRINKING ESTABLISHMENTS AND CEREAL MALT BEVERAGES.

Ms. Karen Duranleau, Assistant County Counselor, greeted the Commissioners and said, "You have before you today a resolution which would amend a certain portion of the adult entertainment code. As you recall, the original enactment was made June 28th of 2000. It was slightly amended in November of 2000 and I'm here today once again to ask that you make some minor changes to the code.

For the benefit of the Commissioners who may not have been present at the time of the original enactment, I wanted to give just a brief overview of what you have in place now and maybe that would assist you in making a decision here today. What you have, and this is a very brief description, you have to understand, I'm probably oversimplifying, but I wanted to give you a brief overview of what the adult entertainment code provides.

And surprisingly to some, this code does allow total nudity. We required that the establishments and the dancers be licensed to do so. No alcohol or cereal malt beverage can be possessed, consumed or sold in those properly licensed establishments, that's an adult cabaret where there can be total nudity, no alcohol or cereal malt beverage may be possess, consumed or sold at those locations.

A properly licensed adult bookstore may sell adult materials. Once again, no alcohol or cereal malt beverages at those locations. A properly licensed adult theater may offer adult films for viewing and generally, there are other restrictions that are going to apply, but these particular provisions are found in chapter 17 of the county code.

And then another portion of the adult entertainment code pertains to cereal malt beverages and drinking establishments. Those are found in chapter 4 of the county code and you prohibited back in June of 2000 you prohibited nudity at those establishments.

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And yes, that is a very brief overview and then those provisions were effective immediately upon the enactment of the code in June of 2000. The provisions which would require distance from the adult entertainment clubs, the 1,000 foot buffer zone, those were grandfathered and those are set to expire in June of 2004. Those provisions would require that no adult establishments be located closer than 1,000 foot from a park, school, church and other establishments. So those take effect in June, 2004.

And moving to today's amendments, like I said, these are relatively minor. They are in keeping with the spirit and intent that was back in June of 2000 but the most major change of those is the removal of the doors to the adult booths located within an adult bookstore, any doors or other obstructions to that area. The Health Department discovered that there was seminal fluids in these booths and it was prevalent."

Commissioner Sciortino said, "Excuse me. There was some what in these booths?"

Ms. Duranleau said, "Seminal fluids, semen. Despite the adult entertainment code, provisions prohibiting sexual activities in these booths, it was apparent that such activity was going on and exposure to these fluids is a health risk and has been addressed by the Health Department. You should have a letter from Dr. Frederickson that was delivered to your office yesterday and he is available here today if you have questions in that regard.

Removal of the doors will deter this activity. It may not completely cease the activity, but we hope that it will be easier for this activity to be discovered by employees, law enforcement and hopefully we'll take care of this situation. This was brought to our attention by the Health Department, upon inspection of the adult booths.

Other clarifications that are involved in the adult entertainment code amendments today, we discovered on routine review that the County Counselor's Office routinely monitors cases that come out on this subject matter and we found that some other changes that were needed, they are somewhat technical in nature, but we found that . . . I'll go ahead and list these for you. We do already require dancers to be licensed and we would now, upon the enactment of these amendments, would require managers to be licensed also. The judicial review provisions have been changed so that we indicate we would like to have prompt judicial review and that was out of a South Carolina case that indicated that was necessary.

We require cereal malt beverage establishments to provide a diagram and that is so that we have proof of the confines of that establishment and therefore we are better able to enforce the provisions

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of the chapter 4 prohibiting nudity within the establishment. Several of these were advocated by the Sheriff's Department and one of those was the requirement that additional identification by dancers be provided at the time of licensing procedure and that will be provided to the County Clerk.

And we also clarified that there should be no body fluids on the walls of these booths, and that was just a clarification. And then there was some other general language cleanup that was needed and we did make those changes.

The tipping provisions, it is just mainly a language clarification. You will find those in your chapter 4, which states that . . . the way it states now, no tip or gratuity will be placed in or under the clothing of any person. The minor change that I'm asking you to make would be so that prosecutions could go forward more easily. Just a more direct statement that no patron shall place any tip or gratuity within the clothing of any person and that happens within the alcohol and cereal malt beverage establishments.

And one change that I worked with Don Brace on and he advocated for this change was the cereal malt beverage licensing procedures. He desired that greater convenience for applicants should be in place. Therefore, the photographing and fingerprinting need only take place once initially and then upon renewal we would just check the identification. They would not need to be fingerprinted once again.

Anyway, I just wanted to remind the Commissioners that this is an extensive body of law and will require periodic fine-tuning and would ask that you approve these amendments. I will stand by for questions and Dr. Frederickson is here also."

Chairman Norton said, "I see no questions to start out. Is there a differentiation between a video store and a bookstore? Are they the same?"

Ms. Duranleau said, "They are . . . we have an adult theater licensing procedure and we also have an adult bookstore licensing procedure. So the booths fall within the adult bookstore provisions. They are within those."

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

MOTION

Commissioner Sciortino moved to Adopt the Resolution.

Chairman Norton seconded the Motion.

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

VOTE

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

Chairman Norton said, "Next item."

D. RESOLUTIONS (TWO) RELATED TO CEREAL MALT BEVERAGE LICENSES.

1. RESOLUTION AMENDING THE *SEDGWICK COUNTY CODE* RELATING TO RULES AND REGULATIONS FOR LICENSING OF CEREAL MALT BEVERAGE ESTABLISHMENTS.

Mr. Don Brace, County Clerk, greeted the Commissioners and said, "Ms. Duranleau set my presentation up very good. Thank you, Karen, appreciate it. The first number one resolution has to do with chapter 449 and this has to do with renewal of cereal malt beverages. And the chapter just refers back to 2-4-46 and 4-47 and 4-47 talks about issuance and some renewals and 4-46 talks about applications and as Karen mentioned, fingerprinting used to be in there for renewals. Fingerprints don't change, so why do we have to send the people over there to get fingerprints every time they renew. We have those fingerprints on file. And this has been coordinated with the Sheriff's Department and Legal.

Any checks and balances have not been changed. Safety, security has not been compromised so I recommend that you adopt the resolution. I'll be able to answer any of your questions."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Don, you have in place, I assume, sufficient ways of verifying that the person coming in for renewal is actually the person that originally made application for it."

Mr. Brace said, "The applicant must bring, when they apply for a new application for a new license, they have to bring a photograph taken within 30 days and we'll verify that photograph with

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last year's photograph and we'll put that on file."

Commissioner Sciortino said, "Fine. Thank you, that's all I had."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "So, the fingerprinting every year has been eliminated. Just fingerprint once."

Mr. Brace said, "The first time they apply for a license."

Commissioner Winters said, "And then the photograph?"

Mr. Brace said, "That would be done every year and the new photograph must be taken within 30 days of the application."

Commissioner Winters said, "So they still must bring a photograph. Okay, I guess that's all I had."

Commissioner Sciortino said, "Can I just expand? Does then the new photograph become the photograph of record?"

Mr. Brace said, "Yes, it goes in the file."

Commissioner Sciortino said, "Okay."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "And I guess there is a reason that we need a photograph every year? It seems like if we could eliminate the fingerprinting, maybe just eliminate the photograph too."

Mr. Brace said, "I entertained that but then really make assurance that the features, the right person comes in, we'll be assured that there isn't any hanky panky going on or any altercations or anything. I entertained it and I just thought it would be better just to continue the photograph. The photographing and fingerprinting used to be done in the Sheriff's Office. This way, the applicant will bring the photographs in themselves."

Commissioner Winters said, "Okay. Thank you."

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

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."

2. RESOLUTION AMENDING THE *SEDGWICK COUNTY CODE* RELATING TO LICENSING OF SHORT-TERM CEREAL MALT BEVERAGE SALES; AND REPEALING RESOLUTION NO. 181-1996.

Mr. Brace said, "First I'll give an explanation of resolution number 181-1996. This resolution has to do with special events and by you dissolving this resolution, we're going to put the resolution into the Sedgwick County Kansas Code book.

By doing this, we're going to change paragraph 426, which is definitions and we'll put a new explaining what special events are and paragraph there for special event licenses. We'll also be establishing new paragraphs 4-54, 4-55 and 4-56. 54 and 55 will just be taking things from the old resolution and putting it into the code book. 4-56 changes the cost of a special license from \$250 to \$225 and our recommendation for doing this, it keeps it in line with other communities in Sedgwick County. I'll be glad to answer any questions on special event licenses and if there are none, I recommend you adopt the resolution."

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

MOTION

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Commissioner Sciortino moved to Adopt the Resolution.

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, Don. Next item."

E. RESOLUTION APPROVING A SCHEDULE OF CHARGES FOR SEDGWICK COUNTY EMERGENCY MEDICAL SERVICE (EMS); REPEALING RESOLUTION NO. 15-1998; AND AMENDING SEC. 11-1 OF THE *SEDGWICK COUNTY CODE*.

POWERPOINT PRESENTATION

Mr. Tom Pollan, Director, EMS, greeted the Commissioners and said, "And user fees for EMS is always a difficult subject for those of us who desire to provide quality public health services and have a compassion for those we serve because we never want those user fees to interfere with somebody's access to the system. And there's also another reason, because there's a conflict out there that is a widely held position that because the service is operated by the county, therefore it's paid for by tax dollars and should be available when I need it. That has never been the case with Sedgwick County EMS. We have always . . . a major revenue source has been our user fees and it has continued to serve us since 1975.

Why do we need to do a user fee? One, we do want to continue to provide that quality service that we are providing today, in fact improving it with new technologies and an increase in training and performance of the system.

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We also had a study done in 2000 and looked at our system and made a couple of recommendations that we did agree with is that we need to look towards reducing tax subsidies and we need to look at mirroring the market or reducing the revenues consistent with the marketplace.

And last, we have to be responsive to Medicare. It is 46% of our patient volume is covered by Medicare and federally regulated, we must comply with their processes of billing.

What we've done is produce a new schedule of fees. I show the old at the old level there, but each of the titles represents continuum of minimal care to increasing intensity and intervention requirements. In other words, going from the patient who needs to be transported because they cannot get out of bed, needs palliative care to those needing critical interventions and immediate access to the system.

Immediate access creates an additional cost and of course the interventions as well, so what we've done is looked at our 2004 budget needs for revenues and developed a fee chart that you see on the second line there for each of those categories. Medicare originally had four categories. They moved that to five in 2002. And what we chose to do at the time was simply leave the charges for the fees and take the fifth one and allow it to remain at the same level.

We did look . . . we did not want to . . . we did look at the marketplace and people who provide services like we do, both emergent and non-emergent care and who provide to a large community and have a large population: Kansas City, Missouri, Kansas City, Kansas, Topeka, Oklahoma City and Tulsa, these types of services to see how do they fare? What are they charging for each one of these levels? And you can see that at the bottom. And we do not rank first in any of those categories with any of those services.

Again, reinforcing the issue that tax revenues does not fund all of EMS, it never had and it has gone from about 25% in 2000 up to 2003 at about 38% of our revenue funds down to 17% in 2004. So we're being able to take those steps that we saw in the study that we agreed with and moved forward. But to generate that kind of revenue at our current rates would be impossible. We must do a user fee increase as we have recommended.

Who will be affected? Obviously those people who pay for their own services. Private health industry health insurances that do not have regulatory control of what they pay us, auto insurance, work comp and health care facilities, should they be determined to be responsible for the bill.

The unaffected are Medicare recipients of covered services. If we provide that service, they're not going to do . . . what is called an allowable level is not going to increase because we increased charges. They will stay where they're at, so will Medicaid. To give you some idea, Medicaid for instance is less than \$100 for the top service of what they'll reimburse if they deem it medically

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necessary and less than \$50 for a transfer. That's some of the costs that we're talking about that we don't recover because they're regulated.

I would recommend your approval of the new schedule of fees. Are there any questions?"

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Tom, let me understand. Did you say someone that has Medicare and Medicaid, they won't see any change if they require an ambulance service or any EMS service? Whatever is being charged goes through Medicare and Medicaid, but their out-of-pocket expenses, if any, won't be affected, is that what you just said?"

Mr. Pollan said, "That's correct. Medicare patients that we provide covered service for and they determine to pay, they will set an allowable level that's already set. Medicare pays 80%, the patient is responsible or another insurance company is responsible for the 20% difference. That is not going to change."

Commissioner Sciortino said, "Well, wait a minute. Let me make sure I understood it. If the fees go up from 100 to 200 and the patient is required to pay 20%, won't their out-of-pocket expenses go up?"

Mr. Pollan said, "No. We have a charge level. We have an allowable level. No matter where this goes, this allowable level is going to stay the same. That 20% is going to remain the same of that allowable level."

Commissioner Sciortino said, "Okay, all right. That's good."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. This increase in the fee schedule does not make our EMS service self-supporting. We're still subsidized by our taxpayers."

Mr. Pollan said, "17% tax support."

Commissioner Unruh said, "Not increasing it just means that we have to use more of our cash reserves."

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

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Commissioner Unruh said, “So our motivation for doing this is trying just to maintain some stability in our current reserves.”

Mr. Pollan said, “Correct.”

Commissioner Unruh said, “It is not because we haven’t changed fees since 1998 and it is not because we’re just below the average. The reason I bring those up is because that’s some of the comments from constituents that says, saying they haven’t changed since 1998 is not sufficient justification, which I agree. And just because we’re below average of the state is not sufficient justification, of which I agree. But the point that I’d like to make here and I want you to verify is that we’re still having a tax subsidy for this, even though we’re increasing the fee schedule and we’re just trying to reduce our cash drain. Okay, thank you.”

Chairman Norton said, “Commissioner Winters.”

Commissioner Winters said, “Thank you. Just a quick comment or question then and I think I realize the answer. But in the comparison, in trying to make sure that we’re at least comparable to surrounding communities, when we look at Tulsa, Oklahoma City, Kansas City, Kansas, Kansas City, Missouri and Topeka, even with our increases, the only one that we’re higher, when you take those, the only one we’re higher on is the ALS 2 service. The average of those is \$581 and our charge is going to be \$600. Every one of our other services are still lower than the averages of our surrounding communities.”

Mr. Pollan said, “Correct.”

Commissioner Winters said, “Thank you. That’s the only comment I have.”

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

MOTION

Commissioner Unruh moved to Adopt the Resolution.

Commissioner Winters seconded the Motion.

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

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VOTE

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

Chairman Norton said, “Thanks, Tom. Next item.”

F. AGREEMENT WITH WICHITA STATE UNIVERSITY FOR HUGO WALL SCHOOL OF URBAN AND PUBLIC AFFAIRS TO CONDUCT A FOUR-PHASE PUBLIC DISCUSSION PROCESS THAT WILL INFORM KEY STAKEHOLDERS AND HELP GUIDE FUTURE DECISIONS REGARDING PUBLIC HEALTH IN SEDGWICK COUNTY.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “This is a contract, an agreement with the Hugo Walls School to participate with Sedgwick County in a four-phase program. The four phases include a focus group, which would include gathering information from providers in the health care system, by some business community folks, by those who work specifically in the area and by some consumers. Secondly would be a survey of 25,000 households, which would be probably in people’s hands right after the first of the year. That survey results then would be used to develop conversation pieces around an assembly, which would be . . . I think we’re honing in on a date in March and I will get that date to you soon. And finally, the fourth phase would be some small group discussions after that to make sure that we understand what it is the public expects of government and what they think their obligations are towards public health.

Now, why are we doing this is probably a good place to start. Well, we’re doing this for several reasons. One is that Chairman Norton, when he became chairman indicated that one of the things he wanted to focus on was what the concern of all of us was about the uninsured and the underinsured and how we were delivering health care to people in this community, especially faced with layoffs and the lack of health insurance. Second reason is . . . and that’s certainly reason

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enough.

Another reason however was that Sedgwick County took over public health responsibility a year and a half, two years ago and it became clear, the more we got our organization involved in it, that there was some disconnect and some disjointed functions that were occurring, and especially in what people thought was public health. Public health is more than just clinics. It's surveillance, it's prevention, it's intervention and how does that all work together. When you combine that with the several millions of dollars, seventy-some million dollars that Sedgwick County spends on health issues, mental health issues, people clobbered with disabilities, either by birth or by accident and those health-related issues, how we involve ourselves in keeping senior citizens in their home and healthy, that whole involvement; EMS, you just heard about our tax subsidy there for that program.

We're taking care of thousands of people, pre-emergency room care involved in people's lives. We have 1,500 of Gary Steed's closes friends in the jail, 1,500 prisoners who we're responsible for, for their health and the medications of those. And so, when we talk about the County and health, it becomes a big ball of twine to get our hands around.

This community has gone through community health assessment program, CHAPS, in the early 1990s by the University of Kansas. That program identified very clearly that in certain zip codes and areas in this community, that underweight babies was under the national average, which caused all kinds of health problems for those children as they grew up. The care for women who were pregnant was inadequate. There was infant mortality rate that was higher than normal. That program was expanded in the late 1990s and we had that piece of information. We have a big piece of information from the United Way about clinics. We know who is providing services to whom. We know where there's some overlaps. We understand some of those issues.

What we don't understand, from a public policy point of view is what are the public's expectations of government and what do they think is their obligation in this whole process and until we can sort that information out, it seems to me, until we have a better understanding of that, we will struggle with these issues. So this agreement is intended to get at the core of that, and we'll take some time to noodle this around and engage the public in a dialogue and discussion about what needs to be done.

We have some partners. \$93,000 seems like a lot of money to pay and it is a lot of money to pay to the university. We have some financial partners in this who have already signed up without much hesitation: Via Christi Hospital, Kansas Department of Health and Environment, Kansas Department of Social and Rehabilitation Services, K.U. Med School and the Medical Society of Sedgwick county. And there's a couple of more that have not been back to me and I'm not going to announce them today but I can assure you that they also will be partners. So the financial burden on Sedgwick County will be at least half the cost of this, if not significantly reduced, depending upon

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the partners that we sign up. I would recommend that you approve this agreement.”

Chairman Norton said, “Okay, I see no questions. I’ll make the Motion, but first just a quick comment. I think it’s imperative that as Sedgwick County serving as the Board of Health, that the five of us really understand and move forward on redesigning, retooling and re-understanding what public health is and how we deliver it. And I think we’ve made great strides in the last year and a half, since we’ve taken over the Health Department, but I think the new realities that are in our society, in our economy and within the four walls of our county make it imperative that we really understand public health, what our role is and what the new policy decisions are that we’re going to have to make as the governing body.

I think it’s just not good enough to say ‘Well, we’ve done it that way in the past and we’ll continue down that path’ because things have changed. I applaud my colleagues for continuing to help us move this along. I applaud the manager for taking the bold steps to move ahead on the assembly. Hopefully, we can come to some great understandings of what good government is in relationship with public health.”

MOTION

Chairman Norton moved to Approve the Agreement and authorize the Chairman to sign.

Commissioner Unruh seconded the Motion.

Chairman Norton said, “Commissioner McGinn.”

Commissioner McGinn said, “I just wanted to add that with all the information that’s come out over the years, to me it seems that prevention is the key and I think that this will be a very good session, tool, instrument in getting to the root of how do we change some of the things we’re doing in our community to be a healthier community. And so I’m very excited to see this go forward and I’ll be excited to see the outcome of this as well.”

Commissioner Sciortino said, “Mr. Manager, on the 25,000 survey documents that are going to be sent out. Is that going to be a total randomly picked, so we can get literally . . . sometimes, some of the public that talks to me gets a little jaundice eye when you have a survey it’s only maybe that closed circle of people that have a vested interest in it or what have you. But will this be really a random survey so we can get a good sense of what all the taxpayers are interested in.”

Mr. Buchanan said, “Absolutely. The person who is doing this is a professor at Wichita State University, a guy by the name of Mark Glasier and Dr. Glasier is know nationally for doing surveys about community interests. He’s hired from all over the country, Tampa, Jacksonville are some

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recent places that he's been doing these kind of things. He's also the one who designed a survey for the school district on the bond issue that was distributed to a similar population group.

There's a real effort to make sure that citizens in this community have a voice in this process. And so, there will be special ways to make sure that some groups who traditionally may not participate in a survey, do participate. Now we're not going to force them, but there will be special efforts made to make sure that this is a sample that is truly a sample."

Commissioner Sciortino said, "Well, I think it's going to be very interesting, at least for my part, and I believe my colleagues too. We started . . . you know, maybe we have an idea on what we think, but it's going to be nice to really . . . and informative for us to find out what is the public's thinking that public health should get involved with and I look forward to the results of that. Thank you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. Well, I'm really excited about the possibilities for this thing and it seems that we're stepping across a threshold into a new era of public health service and delivery and we're going to have input not only from citizens, but from stakeholders and experts in the area and we can see, not only where we are, but where we ought to be and what the possibilities are. And it's an indication of we're trying to be good stewards and overseers of what our responsibility is. I think it's a great first step and I'm very supportive. Thank you."

Chairman Norton said, "At this point I think we have a Motion on the floor. Any other discussion? Clerk, call the roll."

VOTE

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

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

Commissioner McGinn left at 10:25 a.m.

G. DIVISION OF CULTURE, ENTERTAINMENT AND RECREATION.

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**1. AGREEMENT WITH INTER-FAITH MINISTRIES FOR USE OF
SEDGWICK COUNTY PARK OCTOBER 12, 2003 TO HOLD A “CROP”
WALK BENEFITING LOCAL AND INTERNATIONAL HUNGER RELIEF
ORGANIZATIONS.**

Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation, greeted the Commissioners and said, “This is an event that has been happening in our community for a number of years and for many of those years it’s been happening at the Sedgwick County Park. And so, we’re here today to ask for you to approve the agreement between the County and Inter-Faith Ministries for the Crop Walk, which will be at Sedgwick County Park on October the 12th, 2003. We recommend you approval and authorize the Chairman to sign. I’d be happy to answer any questions you might have.”

Commissioner Sciortino said, “I just have one quick one.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “I’m going to show my ignorance. What is a ‘crop walk?’”

Mr. Holt said, “I don’t know exactly what the acronym stands for, but the idea is to raise money for local and international hunger relief. So it is a walk where people contribute and provide funds and these funds go to provide hunger relief not only locally, but through an international organization.”

Commissioner Sciortino said, “Okay. When you find out what that means, would you let me know?”

Mr. Holt said, “I will do that. This is a walk that has been happening in our community for many years and it just escapes me what the acronym stands for, but I’ll do that, yes.”

Chairman Norton said, “Any other discussion? What is the will of the Board?”

MOTION

Commissioner Unruh moved to Approve the Agreement and authorize the Chairman to sign.

Chairman Norton seconded the Motion.

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

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VOTE

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

Chairman Norton said, "Next item."

2. AGREEMENT WITH ATHLETICS WICHITA FOR CONTROLLED ACCESS TO CERTAIN COUNTY ROADWAYS OCTOBER 19, 2003 TO HOLD A KAKE-TV/WICHITA MARATHON.

Mr. Holt said, "This is approval of an agreement between the County and Athletics Wichita for controlled access to certain county roadways for the purpose of sponsoring the KAKE TV/ Wichita Marathon. This will be held on Sunday, October the 19th. This does impact certain roadways in the southeast part of our community.

Again, this is a longtime event, 24th year for this event. The group has made arrangements with the Sheriff's Reserve to support the sections of the course that are in the county. In fact, no streets will actually in the county be closed, but they will cone a lane to run in on Oliver at the 47th Street area. So we would recommend the approval of this agreement, authorize the Chairman to sign. I'd be happy to answer any other questions you might have."

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

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

Commissioner McGinn returned at 10:28 a.m.

Chairman Norton said, "Next item."

Commissioner Sciortino left at 10:28 a.m.

3. AGREEMENT WITH TERMINIX INTERNATIONAL PROVIDING ADVERTISING RIGHTS AT KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "One of the things that really has raised importance over this last budgetary process that we have just gone through, those of us who deliver public services, the awareness has been raised in the importance of being creative in the delivery of those services and being proactive in the delivery of those services.

One of the things that the Coliseum has a bit of an advance of is we have advertising opportunities that we can leverage in either increasing our revenues or, as a case with our barter agreements, decreasing expenditures that we have to make in the budgetary year.

This first agreement with Terminix, both of these will illustrate examples of that creativity. Terminix has been a partner for the last three years. They've provided pest control services to certain areas of the Kansas Coliseum. Not the whole property though. The concession areas were not covered by Terminix. They were covered by another company, required by contract with our concessionaire. They have to provide it and have to pay for those services. This new agreement provides for that coverage of the whole property, instead of our concessionaire paying a separate company for those services, they will in turn pay the Coliseum. So, this is a barter agreement, advertising for services. We are realizing some cash out of it, because we will be paid just like hiring another company. We recommend approval."

Chairman Norton said, "Okay. Any discussion?"

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MOTION

Commissioner Unruh moved to Approve the Agreement and authorize the Chairman to sign.

Chairman Norton seconded the Motion.

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

VOTE

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

Commissioner Scortino returned at 10:30 a.m.

Chairman Norton said, "Next item."

4. AGREEMENT WITH ECHO HILLS GOLF COURSE, INC. PROVIDING ADVERTISING RIGHTS AT KANSAS COLISEUM.

Mr. Nath said, "Echo Hills Golf Course will become a new corporate partner with the Kansas Coliseum. We frequently get requests, now this doesn't happen all the time, but it happens with some frequency, from the visiting acts, the band's managers, the tour managers, when they're in town they'd like to play a round of golf prior to performing at the Kansas Coliseum. We think it would be a natural fit to our hospitality offering, welcoming these people to our community, to provide those kind of services for them as our guests.

We also, with a newly remodeled Coliseum, we will be charged with, I project, a large increase of prime advertising possibilities and we would like to utilize this as a sales for us to obtain and create

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new partnerships, because the corporate part of our business is going to become very, very important. We recommend approval.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “I’m going to be supportive of this, but I just want to go on record, if any of those people need a host to welcome them to Sedgwick County, I mean I’m a public servant, I’d be willing to help you in any way I could in that area.”

Chairman Norton said, “Are you willing to caddy or play?”

Commissioner Sciortino said, “Well, I can’t play very good but I’d be more willing to play than caddy.”

Chairman Norton said, “Commissioner Unruh.”

Commissioner Unruh said, “Well, I’m supportive of this also but I just want to compliment Mr. Nath on being creative, both on this issue and the last issue on the revenue side of it, with the last item and then here on the marketing side of it, to make us stronger financially just by good ideas. So, great job.”

Mr. Nath said, “Thank you.”

Commissioner Sciortino said, “Yeah, I want to expand because this is unused space and we have more inventory than we could possibly sell, so if we’re having a need and this is probably a client that wouldn’t necessarily even advertise with us, so this is a very creative way to increase services without incurring any costs. I think that’s great.”

Chairman Norton said, “At this point, I’d entertain a Motion.”

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

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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, “Thanks, John. Next item.”

H. AGREEMENT WITH JUSTICE BENEFITS, INC. TO PROVIDE ASSISTANCE IN SECURING FEDERAL REIMBURSEMENTS FOR ELIGIBLE PROGRAMS.

Mr. Marty Hughes, Revenue Manager, Division of Finance, greeted the Commissioners and said, “Sedgwick County has contracted with Justice Benefits Incorporated since April of 2000 to assist the County in securing federal reimbursements when they’re eligible. The primary focus of the assistance, over the past three years, has been the state Criminal Alien Assistance program, through the Department of Justice. Justice Benefits Incorporated has been very helpful in taking Sedgwick County inmate and detention facility data files, analyzing them to include only the eligible inmates and converting them into the acceptable format for the state Criminal Alien Assistance program grant application process.

This agreement maintains the same compensation rate as in the past, at 22% of federal reimbursements in excess of the baseline of \$179,299. Which basically means if our award falls below \$179,299 Justice Benefits will provide this service for free.

We received notice a couple of weeks ago of this year’s award amount in the amount of \$100,681, which is below the baseline and so, basically, there will be no compensation for Justice Benefits for this year’s work that they’ve done for us. However, it is a reduction from last year’s award amount of \$309,517, which is a reduction of about \$208,836.

Since our award is less than the baseline, of course there will be no compensation for Justice Benefits this year, but they’ve agreed to continue the contract if we’d like to continue it. County Sheriff and Finance staff have been very pleased with this arrangement and recommends the continuation of the agreement for another year, with options to renew for three additional years. I’d

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be glad to answer any questions you might have regarding the contract.”

Chairman Norton said, “Commissioner Winters.”

Commissioner Winters said, “Marty, I think you answered my question right there at the end. Chris Chronis and Finance Department is still very supportive of this?”

Mr. Hughes said, “Yes, uh-huh, yeah.”

Commissioner Winters said, “Thank you.”

MOTION

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

Chairman Norton seconded the Motion.

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

VOTE

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

Chairman Norton said, “Thanks, Marty. Next item.”

HEALTH DEPARTMENT

I. HEALTH DEPARTMENT.

- 1. AGREEMENT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) FOR THE HEALTH DEPARTMENT TO SERVE**

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AS REGIONAL COORDINATOR FOR THE KANSAS BREAST AND CERVICAL INITIATIVE FREE TO KNOW GRANT.

Ms. Pamela Martin, Director, Clinical Services, Health Department, greeted the Commissioners and said, “The Sedgwick County Health Department has served as a regional coordinator for the Kansas Breast and Cervical Initiative Free to Know program since 1998. This contract provides services to 18 counties in south central Kansas. The program provides breast and cervical cancer screenings, as well as limited diagnostic follow up testing to income eligible women in Kansas. The program is designed to reduce breast and cervical cancer, morbidity and mortality through early detection. Our recommended action is that we are asking for the Board to approve this contract and authorize the Chairman to sign the contract and any other related documents.”

Chairman Norton said, “I see no questions, so I would entertain a Motion.”

Commissioner Winters said, “Mr. Chairman, I believe the Health Department is doing a fine job. They’ve done this in the past.”

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. CONTRACT WITH KDHE FOR HEALTH DEPARTMENT TO CONDUCT A BLOOD LEAD TESTING PROGRAM.

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Ms. Martin said, “My second agenda item is the agreement with the Kansas Department of Health and Environment to conduct a blood lead testing program with Sedgwick County. This agreement was presented to and approved by the Board of County Commissioners on July 16th. Upon submission of this to KDHE for signature, it was decided that some additional language was needed in the contract for clarification purposes.

The two additions are as follows: a provision that allows the County to spend up to 10% of the grant funds on administrative costs for such things as data lines, software or training and a provision that requires the County to coordinate and/or provide elevated blood level investigations for children identified in the County as lead poisoned.

The County Counselor’s Office has approved the revised contract and has recommended resubmitting this to the Board for reapproval. Our recommended action is that we’re asking to approve this agreement and authorizing the Chairman to sign the agreement.”

Chairman Norton said, “Once again, I see no lights flashing.”

MOTION

Chairman Norton moved to Approve the Contract 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, “Thank you, Pamela. Next item.”

J. DIVISION OF HUMAN SERVICES.

DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING

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1. AGREEMENT WITH KANSAS DEPARTMENT ON AGING TO ALLOW CENTRAL PLAINS AREA AGENCY ON AGING TO ASSIST WITH DETERMINATION OF ELIGIBILITY FOR THE STATE SENIOR PHARMACY PROGRAM.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, “The Kansas Senior Pharmacy Assistance program provides financial assistance to seniors that are eligible under the criteria of the program to assist in meeting their prescription costs. The eligible participants can be reimbursed for up to 70% of their out-of-pocket expenses for prescriptions and for qualifying drugs.

The maximum reimbursement per year is \$1,200. The program is administered by the Kansas Department on Aging. The Central Plains Area Agency on Aging assists KDOA by processing the applications and forwarding the necessary information to Kansas Department on Aging.

The Area Agency on Aging is reimbursed \$10 an application to provide that assistance and to coordinate that program at the tri-county level of Butler, Harvey and Sedgwick County. This is an agreement that allows us to do that and we would request that you approve the contract agreement and authorize the Chair to sign.”

Chairman Norton said, “Well I think you’re going to have it easy today too. I see no light flashing.”

MOTION

Chairman Norton 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

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

DIVISION OF HUMAN SERVICES - COMCARE

2. AGREEMENT WITH HORIZONS MENTAL HEALTH CENTER, INC. FOR COMCARE TO PROVIDE PSYCHIATRY SUPERVISION AND CONSULTATION SERVICES.

Ms. Cook said, "This is a renewal of an agreement with Horizons Community Mental Health Center in Hutchinson, Kansas for COMCARE to provide psychiatry supervision and consultation services to their Advanced Nurse Practitioner who works with children there.

This is done by Dr. Madden, who is a board certified child psychiatrist working with COMCARE and she provides up to three hours of supervision each week and also helps that Advanced Nurse Practitioner in consultation with very difficult cases that they might be handling. We're paid for three hours each week and there's also an option for Horizons to pay for more of our time if the situation arises where they have a number of clients that need that. The services are provided via our tele-medicine unit and our children's program, so Dr. Madden doesn't have any travel time, which is also fabulous for us. We're requesting your approval of this agreement."

MOTION

Commissioner Sciortino 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

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Chairman Norton said, "Next item."

3. AGREEMENT WITH BREAKTHROUGH CLUB OF SEDGWICK COUNTY TO PROVIDE TRANSITIONAL HOUSING PROJECT PAYEE SERVICES.

Ms. Cook said, "Center City, which is COMCARE's homeless program, was recently awarded a HUD grant to provide transitional housing to individuals that are dually diagnosed with a mental illness and a substance abuse problem. One provision of the grant is to provide payee and banking assistance services to those individuals. The agreement before you spells out the conditions for Breakthrough Club to provide a three-quarter time staff for this project.

The grant will pay a total of a little over \$60,000 over the three-year period of the HUD grant and the services provided will be one-on-one assistance with budgeting and coaching on budgeting and money management, with a goal of 95% of the individuals who participate in the program establishing and maintaining a checking or a savings account within 30 days of their entering into the project. We're requesting your approval on this agreement."

MOTION

Chairman Norton 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, "Next item."

4. AGREEMENT WITH JOHNSON COUNTY MENTAL HEALTH CENTER

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FOR COMCARE TO PROVIDE MENTAL HEALTH SERVICES FOR DEAF AND HARD OF HEARING INDIVIDUALS.

Ms. Cook said, “This agreement funds services for COMCARE consumers who come to us who are deaf or hard of hearing through a grant that Johnson County Mental Health Center receives from the state. It’s a renewal of a prior year grant. We had a little bit of a delay on this grant because we used to have a therapist that did sign and that psychologist has left the organization. And after some discussion with them they have decided they want to continue this with us and that the funding for this, a little over \$15,000, will reimburse part of the salary of an out-patient therapist, Nancy Dreiling, who is a licensed clinical specialist social worker, who will be the point person for outpatient services to oversee the treatment needs of this population and she will provide these services using an interpreter. Be happy to answer any questions you have on this.”

Chairman Norton said, “Commissioners?”

MOTION

Commissioner Unruh 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.”

5. AGREEMENT WITH STATE OF KANSAS FOR COMCARE TO BECOME A QUALIFIED SERVICE ORGANIZATION PROVIDING SUBSTANCE ABUSE TREATMENT TO ADULT DRUG OFFENDERS.

Ms. Cook said, “We have had a number of un-funded mandates in the last several years but the two next items are both mandated services that the state has provided some funding for. This first one is a result of Senate Bill 123 that provides for community supervision and treatment, in lieu of

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incarceration for individuals primarily who have been caught with possession of drugs but doesn't include manufacturing drugs, drug trafficking or drug possession with intent to sell. Only those offenders that are sentenced after November 1st, 2003 and who meet the target population, the guidelines are pretty stringent but they're spelled out in that RFP, will be eligible under this legislation.

The goal of this alternative drug policy, and there's been one around in California for the last couple of years which has been fairly successful, is to provide community intervention and opportunity for treatment rather than incarceration of offenders who are not violent, saving the space in jails and prisons for those who are violent. The referrals will come to us from the Department of Corrections. They're anticipating about 250 individuals that will be eligible for this program the next year, but it's also open to all publicly funded programs in our area.

In preparation for this, we had several alcohol and drug councilors receive training in a special program through DOC called 'Thinking for Change' which is a cognitive model that they want us to use or one very similar to that and they also have gotten skilled up on several assessment instruments as well. The program is a fee for service program and we're requesting that you approve this agreement."

MOTION

Commissioner Sciortino moved to Approve the Agreement and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

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

Commissioner Unruh said, "I think Commissioner Winters . . ."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Thank you. Marilyn, how many folks will we have working on this project and are they folks that are already here or are you going to have to hire some new folks?"

Ms. Cook said, "We're not hiring any new folks for it. We have two people currently trained and Department of Corrections offered a very limited number of spaces for the training, so we have two

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trained. We will feel lucky to get about 25 new clients through this process this year, so we feel that we're prepared."

Commissioner Winters said, "All right. And you'll have a monitoring process, because I'm sure that you know, our local legislators, I'm sure the Board of County Commissioners are going to like to know how this is going to work, how it's working. And I hope that you have great success, because it looks to me like a good project. But two, three, four years down the line, I'm sure both our legislators will come to us and will be asking is this program and did Senate Bill 123 really do what we thought it was going to do. So I just encourage you and your folks to figure out how to monitor that and whether it's going to take monitoring individuals, tracking them for years or what, I don't know. But I think we're going to need to have some kind of results at the end of the line where we can see if this is something that needs to be supplemented, encouraged, do more of or actually what the outcome is."

Ms. Cook said, "The monitoring and tracking will be done by Department of Corrections but we will also be telling them how the person is progressing in treatment and if they are picked up again for drug charges, there are consequences and sanctions for that, including incarceration at some point. So I think it will be very closely monitored."

Commissioner Winters said, "Okay, thank you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. I'd just agree with Commissioner Winters' comments but a couple of questions. Did you just say that we would probably have 25 new clients?"

Ms. Cook said, "Right."

Commissioner Unruh said, "But in your presentation, I thought I heard the number 250."

Ms. Cook said, "Two hundred and fifty people will be eligible, it's anticipated, since it's a new program. And that depends on judge's decisions, but they're anticipating about 250 people in Sedgwick County will be affected by this. Since there are 10 to 12 publicly funded programs, if they evenly distribute that, we're thinking we'd get about 25 clients."

Commissioner Unruh said, "Okay. And then just to emphasize again, these are low level offenders. I mean, it's possession only, not dealing. It's no priors and not felons and that sort . . ."

Ms. Cook said, "Actually, there is a condition in here for priors, but the violent piece of it is not

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allowed. Possession, a prior possession may be eligible for it. I don't have the document with me."

Commissioner Unruh said, "Yeah, I see, there is an exception for that."

Ms. Cook said, "And I think that will also be monitored as time goes on to see."

Commissioner Unruh said, "I just wanted to kind of make the point we're not setting up a program for hardcore felon type folks. Thank you."

Chairman Norton said, "I see no other discussion. What's the will of the Board? Do we already have a Motion? I'm sorry, 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, "Clerk, call the next item."

6. GRANT AWARD TO COMCARE ADDICTION TREATMENT SERVICES TO DELIVER SERVICES TO FOURTH-TIME D.U.I. OFFENDERS.

Ms. Cook said, "This is another interesting process that happened. During the 2001/ 2002 legislative session, Senate Bill 67 was passed and that bill required individuals who were convicted for the fourth time for driving under the influence receive mandatory substance abuse services. COMCARE . . . and at that time, they asked all publicly funded programs to say how would you respond to this and we did that in 2001, although it was not a formal RFP process.

We ended up getting two offenders that were referred to us from this program after two years, so these are the first two that have come up, and so now the grant award came from the state. It provides up to \$15,000 for up to three individuals. The minute a fourth individual comes to us, we will receive another \$15,000 grant award, so that the money flow can continue through the process.

And the additional grant award documents are going to have the same terms and conditions as this original one does. So we're requesting that you approve this grant award and then future grant

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award documents that we may receive as the number of clients grow. We only have two now. I understand Johnson County has 100 people in this program, so evidently some of our judges are now deciding to enforce this. So we may be seeing more of these individuals as well.”

MOTION

Commissioner Winters moved to Approve the grant award and authorize the Chairman to sign the current grant award document and future grant award documents containing the same terms and conditions.

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, Marilyn. Clerk, call the next item.”

K. ADJUSTMENT TO THE CODE ENFORCEMENT STAFFING TABLE TO INCLUDE ONE WATER QUALITY SPECIALIST POSITION, BAND 321.

Mr. Glen Wiltse, Director, Code Enforcement, greeted the Commissioners and said, “We are requesting to hire this position early. This position is currently in the 2004 staffing table as an addition to our staff. We have received a Kansas Department of Health and Environment grant to pay the salary of this position through the end of the year and are requesting to hire the staff person a couple of months early.”

Chairman Norton said, “Commissioner McGinn.”

Commissioner McGinn said, “Did you say when you were going to hire this person in ’04?”

Mr. Wiltse said, “It would be . . . we would advertise it to try and have them hired by the first of the year. We can’t, I don’t believe, advertise until right at the first of the year or have it ready for

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the first of the year. It's in the staffing table for 2004."

Commissioner McGinn said, "Okay. And this money came from the LEPP grant."

Mr. Wiltse said, "This money did come from the LEPP grant."

Commissioner McGinn said, "And it just helps supplement what we're going to fund for that position."

Mr. Wiltse said, "Right."

Commissioner McGinn said, "Okay. I guess I'll talk to Irene later. I'd like to know what else we received out of the LEPP grant as well for '04."

Mr. Wiltse said, "It is specific, I mean it can be used for salaries, vehicle expenses, you know office type stuff. I believe there's also a possibility that if we have special project, that you can redirect, but you have to get permission to redirect some money if you're going to do that."

Commissioner McGinn said, "Okay. Well, I think this is a very much needed position. You know, we've kind of raised the standards as far as alternative sewer treatment here in county and for 50 years we've used septic tanks, no monitoring and now we're introducing some systems that will be monitored and they have to be monitored when they're put in but now we actually have systems that can be monitored throughout the year, which I think is going to be great for the environment of Sedgwick County. So I am certainly going to support this item. If there aren't any other questions . . . Did you have one?"

Chairman Norton said, "Just one. Will this person be working with Tim?"

Mr. Wiltse said, "Yes, that's correct."

Chairman Norton said, "Okay."

MOTION

Commissioner McGinn moved to Approve the adjustment to the Code Enforcement Staffing Table.

Chairman Norton seconded the Motion.

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

VOTE

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

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

L. FORCE ACCOUNT AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION FOR SEDGWICK COUNTY BRIDGE PROJECT 821-J, K; BRIDGE ON BROADWAY OVER BURLINGTON NORTHERN SANTA FE RAILROAD AT 45TH STREET NORTH. CIP# B-310. DISTRICT #4.

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item L is a force account agreement with the Kansas Department of Transportation to reimburse Sedgwick County for construction engineering services performed during construction of the bridge on Broadway over the BNSF railroad near 45th Street North. This project is designated as B-310 in the Capital Improvement Program and will have 80% reimbursement. The maximum amount of federal funds the county can receive is \$62,071.14. I recommend that you approve the agreement and authorize the Chairman to sign."

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

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye

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

Chairman Norton said, “Before you step down Dave, you may . . . I’d like to ask you just to make a comment. Yesterday we had Deb Miller, the Kansas Department of Transportation secretary with us yesterday and three of her staff members and the commissioners kind of toured the county to look at some major projects. I thought maybe you’d comment on that before we got to ‘Other’. I’m putting you on the spot, but that’s what I do.”

Mr. Spears said, “That’s unexpected. I thought you’d comment after the meeting, like you usually do. But I’ll just say that it was a very enjoyable day. Deb Miller, the Secretary of Transportation was here and we went on a tour in the morning and looked at some major type of projects that we’d like to get some KDOT funding for. Steve Lackey went with us from the City of Wichita and we looked at not only some of our projects but their projects and when I say ‘their’ and ‘ours’ I mean all of ours. It’s the entire community, so it really doesn’t matter whose it is. We looked at what we thought was important and I think it was very worthwhile.

Then we had lunch and we had many maps in our office down there and we discussed it further over lunch and I thought it went very well.”

Chairman Norton said, “Okay.”

Commissioner Sciortino said, “Lunch was great. Well, it was. I don’t know who that catering service was, but it was pretty good.”

Chairman Norton said, “Well, I thought we’d probably talk about that as ‘Other’, but this was a good opportunity to let Dave visit about that. I thought we had a great time of connecting with the secretary. I’m pretty sure that maybe Tom was the only one that had worked with Secretary Miller in the past. Carolyn maybe had connected with her once or twice but it was a great time for us to understand what her priorities are and the issues they have at the state level and what we pass on to her what our priorities were and what our values are here in Sedgwick County. Commissioner McGinn.”

Commissioner McGinn said, “Well, I was just enlightened by some of the comments she made. You know, in the past we’ve talked about this northwest bypass and we’ve talked about other road

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situations and we've exchanged letters from City of Wichita and the County to Topeka. And her comment was, even though they have all that information, it just really helps them a lot to see the project and understand exactly why we feel the way we do.

We've had some discussions about where exchanges ought to be or should not be and I just think that personal contact is very beneficial. And so I think it's going to be good news for Sedgwick County in the future."

Chairman Norton said, "Good. Thanks, Dave."

Mr. Spears said, "Thank you."

Chairman Norton said, "Did we vote on the Motion? Yes, we did. Okay, next item."

M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF OCTOBER 2, 2003.

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the October 2nd meeting of the Board of Bids and Contract and there are six items for your consideration.

1) FOUR-DOOR SEDANS- FLEET MANAGEMENT FUNDING: VEHICLE ACQUISITION

Item one, three four-door sedans for Fleet Management. It was moved to accept the low bid from Haven Ford, including trade-ins and manuals, for a total of \$35,955.

2) LARGE FOUR-DOOR SEDANS- FLEET MANAGEMENT FUNDING: VEHICLE ACQUISITION

Item two, five large four-door sedans for Fleet Management. It was moved to accept the low bid meeting specifications from Don Hatten Chevrolet, including trade-ins, manuals, for a total of \$65,425.

3) HEAVY DUTY PICK-UP- FLEET MANAGEMENT FUNDING: VEHICLE ACQUISITION

Item three, heavy duty pick-up truck for Fleet Management. It was moved to accept the low bid, meeting specifications, from Lubbers Ford, including trade-ins and manuals, for a total of \$28,863.

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4) TRUCK CHASSIS- FLEET MANAGEMENT
FUNDING: VEHICLE ACQUISITION

Item four, two truck chassis for Fleet Management. It was moved to accept the low bid from Doonan Truck and Equipment, including trade-ins, manuals and one set of filters, for a total of \$104,808.

5) ANTENNA SITE LEASE- EMERGENCY COMMUNICATIONS
FUNDING: EMERGENCY COMMUNICATIONS EQUIPMENT

Item five, antenna site lease for the Emergency Communications. It was moved to accept the quote from Pinnacle Towers for \$63,206.40.

6) ON BASE LICENSES- COMCARE
FUNDING: COMCARE INFORMATION TECHNOLOGY GRANT

Item six, On Base licenses for COMCARE. And on behalf of the COMCARE department and for the record, I would like to modify the recommendation to the Board of Bids and Contracts and recommend the amount of 40 On Base licenses rather than 75 On Base licenses as presented. The grant total for 40 On Base licenses, including maintenance from Automated Business Systems will be \$79,817.34.

I'd be happy to take questions and recommend approval of the Minutes from the October 2nd meeting of the Board of Bids and Contracts."

Chairman Norton said, "I don't see any questions. I've got a couple. On item number three, it appears that Donovan Auto and Truck had the low bid. Is that because there is some other specifications we didn't . . . they didn't meet or am I looking at it wrong?"

Mr. Phipps said, "Item three?"

Chairman Norton said, "I'm looking at grand total, trade-ins, yada-yada-yada, \$28,000."

Mr. Phipps said, "Okay, the low bid from Donovan Truck on Item three bid a gasoline engine rather than the diesel engine that we spec-ed out."

Chairman Norton said, "Okay, I see that down at the bottom now. And on Item two, same thing, is there a . . . the low bid was different. There is another bid that's lower but it has some qualifications that were not met. Is that correct?"

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Mr. Phipps said, “That is correct. Lubbers Ford and Haven bid Ford Taurus and we’re asking for the larger Impala.”

Chairman Norton said, “Any other questions on Board of Bids and Contracts?”

MOTION

Commissioner Winters moved to Approve the recommendations of the Board of Bids and Contracts including the items that Jerry mentioned on Item six that were changed.

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, Jerry. Next item.”

CONSENT AGENDA

N. CONSENT AGENDA.

- 1. One Easement for Drainage and one Temporary Construction Easement for Sedgwick County Project 618-36; Central between 143rd and 159th Streets East. CIP# R-252. District #1.**

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2. 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:

B.E.M. Hein Acres Addition

3. Orders dated September 24 and October 1, 2003 to correct tax roll for change of assessment.

4. Payroll Check Register of September 26, 2003.

5. General Bills Check Registers for the weeks of September 24 – October 7, 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.

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 today, ‘Other’ items?”

Commissioner McGinn said, “Like ‘Other’ other?”

Chairman Norton said, “Other other. Commissioner McGinn, we’ll let you go first.”

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O. OTHER

Commissioner McGinn said, “Well, this weekend, Saturday night is Calamity at Cowtown. It’s a second annual event and we’re looking for our Zoobilee at Cowtown and it was a great time last year and actually they have a little mystery they play out and have actors, local people that act it out. And then the audience gets to be involved in trying to solve the mystery, so . . . and they have a silent auction and a live auction. And so I’m sure we still have probably tickets available and you can call 264-0671 at Cowtown and get more information about that.

Also this weekend is the annual Midtown Historic Home Tour, which is the walking tours. Volunteers in their costumes and there’s five homes that will be open in the Bitting Historic District. That will be on October 11th from 5:00 . . . or 11 a.m. to 5:00 and noon to five on October 12th. And tickets are available at Park Villa in north Riverside Park, or you can call Historic Midtown Citizens’ Association at 651-7763. But that is also a very interesting event, especially if you’re very interested in Wichita history, because you’re right at the heart of it there. Thank you.”

Chairman Norton said, “Anything else? Nothing about the Zoo, Commissioner Unruh?”

Commissioner Unruh said, “Well, Kristi mentioned the Night of the Living Zoo is coming up in a couple of weeks, so after Cowtown, make plans to visit that with your children and enjoy the activities out there.

I might say that this week I’m taking a class in commercial appraising, trying to get my certification there and my brain is overflowing with formulas and I took a break from it this morning. I hope I don’t get so far behind that I flunk, but hopefully that won’t happen.”

Chairman Norton said, “Well to tie in with that, last night Commissioner Unruh joined me for a dinner with Secretary Miller and promptly at 7:30 he left to go home and study. So he is certainly dedicated to being a good appraisal evaluator, because he left and didn’t have Crème Brule so that he could go study.”

Commissioner Unruh said, “That was a sacrifice.”

Chairman Norton said, “It was a sacrifice. Commissioner Sciortino.”

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Commissioner Sciortino said, “Well, I can remember a few years ago taking that class and for me it was about as exciting as watching grass grow. So I’m glad, if you really like it that’s great but those formulas and figures, I mean, it was a mess.

I think I sent you all a little e-mail. I’m not going to be able to join you this Saturday evening. Mary’s mother is a little under the weather and we’re going up to visit with her. But I remember last year’s event down there at Cowtown and I think everybody that goes is going to have a wonderful time and isn’t toastmasters or Wagonmasters or something, aren’t they involved in that again?”

Chairman Norton said, “Wagonmasters are.”

Commissioner Sciortino said, “Yeah, that’s great. That’s all I have.”

Chairman Norton said, “Commissioner McGinn.”

Commissioner McGinn said, “Just one other thing. Last night’s event, they had the Hispanic Trolley Tours and it was on the front page today, but I had a chance to go with Manager Bill Buchanan and our intern Chad and it was a great event. It was their first time and I think they’re going to do it again. And I was surprised, it did take a little more than an hour, almost took two hours, but you stopped at six sites and saw either little shopping areas or food places and you were full by the time you were off the trolley. And when we got back, there was this line of people that were waiting to get on the trolley and go, so the turnout was just tremendous.

But I think it’s important to note for folks that have not been into the 21st Broadway, Market, even to Amidon area for a long time, to go down there because I’ve just watched it over the years and businesses are just sprouting up all over that area and it used to be kind of a deserted area and now things are happening and the people that put this on did a tremendous job and I hope it’s something that . . . I’m sure I got indications last night they’re going to be doing it again, so maybe more people can do that next year.”

Chairman Norton said, “Okay, anything else? A couple of things, the Delano Day is on Sunday. I encourage people to stop by and celebrate the revitalization of that neighborhood. In two weekends, Haysville Fall Festival will be a three-day celebration and I would invite you to come out. The County will have a booth there. And finally, this last week, I got a flu shot. I was the first in the County to get a flu shot and I would urge people, with the flu season coming up, to please get out and get your flu shots. You can get information through out Health Department on where to get them. There will be a ‘drive-by shooting’, which is not a great idea in some communities, but for the Health Department you can drive through and get your flu shots and there’s more information

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on our website about that. Commissioner Sciortino.”

Commissioner Sciortino said, “I forgot that tomorrow we’re going to be . . . I’m going to be involved in the rededication of the Plainview Library. You remember all the controversy we had about that and a couple of us are going to go down there a little early and do, again, reading for the kids and then they’re going to have a big rededication and I’m real excited that we got involved in that project. So, that’s all I had.”

Chairman Norton said, “Okay, I think that’s all. What else? Anything else to come before us?”

Commissioner Winters said, “Mr. Chairman, we do need to have a short Executive Session this morning.”

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 pending claims and litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 11:16 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

Chairman Norton said, “This meeting is recessed into Executive Session.”

The Board of Sedgwick County Commissioners recessed into Executive Session at 11:12 a.m. and returned at 11:24 a.m.

Chairman Norton said, “We’ve returned from Executive Session. No binding action was taken,

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according to state statute. Is there anything else to come before us? Mr. Manager? Mr. Counselor?
We're now adjourned."

P. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:25
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

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ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2003