

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

November 26, 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, November 26, 2003 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Colin McKenney, Director, Community Developmental Disability Organization; Ms. Annette Graham, Director, Department on Aging; Ms. Pam Martin, Director, Clinical Services, Health Department; Dr. Cindy Burbach, Director, Health Surveillance and Disease Prevention, Health Department; Mr. Bill Farney, Director, Administrative Services, Health Department; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Bethany Carpenetti, Deputy County Clerk.

GUESTS

Mr. Kent Rowe, Mayor, Longton, Kansas.

INVOCATION

The Invocation was led by Mr. Norm Mosher of Calvary Baptist Church, Derby.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, November 12, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of November 12, 2003.

Chairman Norton said, "Commissioners, the Minutes of November 12th are in front of you. What's the will of the Board?"

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MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of November 12, 2003.

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Norton said, "Next item."

CITIZEN INQUIRY

A. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING LANDFILLS.

Mr. Kent Rowe, Mayor, Longton, Kansas, greeted the Commissioners and said, "Also a property owner of Sedgwick County, by which I've never required trash service at that residence, never had the occasion to even think about requiring trash service. Now you think, well, you better look in my backyard, I may have a big mountain back there, but actually not. I've been able to recycle, recover, reuse, reduce all, virtually all of my household affluent.

McConnell Air Force Base has been integral in this because the residents there, the dormitories do recycle and have had that program up and going for some time. So I wanted to remind you that there is a island of opportunity here and that we have good recourse to not build or site any landfills anywhere in this county or anyplace else.

If you recall last time, in my five minute filibuster, my bi-monthly address to you all, I did give you

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an assignment on recycling your household solid materials. How did you come out? Well, if you certainly did some of those things you would have probably had mostly paper, primarily paper products, which is up to 80% of our solid waste affluent: newspaper, slick paper, various types of office paper, so forth. These items are probably the most easily recyclable, reusable, recoverable materials, very easily handled but yet I see, in our new guide, which is excellent too by the way, nice job, only one place other than newspaper that accepts letterhead, pastel papers, file folders and computer paper, unsolicited mail, so forth and that's Weyerhaeuser out there on 29th Street.

Now if you would have had your big pile of materials, most of that would have been paper. A lot of it would have been slick paper, office paper, magazines and you say to yourself, 'What am I going to do with this?' Can't I just take it out to the curb? No, you have to acquire quite a lot of material to justify your trip, because your energy used to take that paper to West 29th Street is going to exceed, far exceed the value of what that paper would be. However, if you could, as many communities have done, implement at least at the onset, a paper curbside recycling or pickup, again with incentives on pay-per-bag fees that would entice people to do this, we could take care of up to 80% of our problem here immediately, and what is wrong with that and why can't we do that, as many other communities have done.

For instance, a statement here from the Green Party of New Zealand is promoting a waste-free approach for production and emphasize research and technology to help do more with less for longer and to promote innovation in waste management, with increased emphasis in conservation and small scale local solutions, I'll repeat, local solutions. Corporate waste haulers do not do these kinds of activities. This body has the ability to do that, on local solutions. The Green Party of New Zealand also has set a target for waste-free New Zealand by the year 2020, with clear and significant progress by the year 2010.

A proposed landfill for this county will be at its peak of waste disposal in this fashion by the year 2010 or 2020, whereas the rest of the world and many communities are following this stance, are going to waste-free. So, you need to set a time frame for waste management plans, under the local government, and require the investigation and source separation, such as exclusion of organic waste from landfill, establish the resource of recovery enterprises as ways to decrease waste.

Now, the waste recovery and . . .”

Chairman Norton said, “How much more time?”

Mr. Rowe said, “About 30 more seconds, thank you. Is trying to obtain a building in Wichita, a vacant building that is probably city owned and, thus far, has met with vehement opposition. And I

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know I come from Elk County and we are the second poorest county in this state and we are indeed building and laying the floor at the moment for a recycling building because we are taking care of what we think is our greatest resources and that's hunting, fishing, natural environment and those kinds of things. So, please, I'll be back in two weeks, I'd like to see some progress on this. Help us find that building. We can start with the paper recycling. Sheldon Camon is wrong. We cannot mine these landfills. These will take very, very long and lots of energy per unit to gain on it. So, happy holidays, thanks very much, appreciate it very much, thanks."

Chairman Norton said, "What is 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
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Next item."

NEW BUSINESS

B. DIVISION OF HUMAN SERVICES.

DIVISION OF HUMAN SERVICES - COMCARE

1. AGREEMENT WITH INTER-FAITH MINISTRIES PROVIDING FUNDING FOR EMERGENCY OVERFLOW SHELTER SERVICES FOR HOMELESS INDIVIDUALS.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "We're requesting your approval of a contract with Inter-Faith Ministries to provide an

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overflow shelter. This is an emergency shelter for the dates of December 1st through February 28th and this is jointly funded between the County, the City and United Way and the amount of that contract is \$10,500. I'd be glad to answer any questions."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Go ahead Ben. I'm still thinking here."

Commissioner Sciortino said, "Okay. About how many people will they be able to take care of on an average evening? I mean, if you don't know, that's okay but maybe you could get it."

Ms. Donaldson said, "I think they run probably around 70 and over that term I think it's 400 individuals."

Commissioner Sciortino said, "So it's about 70 a night and this will be like for a whole year, this funding will assist them for a whole year?"

Ms. Donaldson said, "December 1st through February 28th. That's through the coldest months of the year."

Commissioner Sciortino said, "So about three months, okay. Thanks."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "As you said, Debbie, the City of Wichita is working hard to try to restore some of this funding as well and it's really . . . it's not a lot of money and I don't think it's going to take care of everybody, but I guess it's back to working in partnership with the City of Wichita and the third party was?"

Ms. Donaldson said, "United Way."

Commissioner McGinn said, "United Way, there we go. In trying to do something and I think this is a very critical year this year because of all the layoffs we've had. I don't think we realize the impact that the layoffs have had in this community and the trickling effect, as people have lost unemployment benefits and those kinds of things. So I think this is very much needed. I hope that we can get by with just these funds here. So I want to thank the City of Wichita as well, as trying to do their part in helping restore some of this funding as well."

Commissioner Sciortino said, "And I just did some really quick math. But let's say Wichita matched us on this, for \$21,000 there's 90 days, so that's like seventy-some odd dollars a day

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divided by if there's 70 people a day, we're taking care of them for \$1.28 a day. That's pretty reasonable."

Ms. Donaldson said, "Although the United Way does put in \$10,500 also."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Well I just wanted to acknowledge this is not all it takes to keep this thing open over this time period. There are churches and individuals that provide virtually all of the food. Most of this goes for the supervisory people that are there to make sure things are . . . as these folks stay overnight in wherever the facility is."

Commissioner Sciortino said, "No, I meant our contribution, along with the City's, it only was costing us a dollar something a day, which is pretty reasonable partnership. I didn't mean . . . I knew it wasn't the whole program."

Commissioner Winters said, "Just wanted to acknowledge that there were lots of other volunteer assistance in this program. That's all I had."

Commissioner McGinn said, "And that's what I was going to tie onto. If you've ever gone . . . I had an opportunity last year to go to one of the meetings and have the churches share the story of how they're trying to use what facilities they have, especially in the intercity, to provide some place for people to lay down. And don't think these are college dormitories. These are cots, side by side, in the spaces that they have available, limited restroom facilities. It's basically to get people out of the cold, and if they can get a little bit of sleep, it's there for them. But you're right, these dollars are only part of a greater resource that we have, and that's our churches and our volunteers in the community."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. Same comment, I just wanted to acknowledge that there are other people involved in this effort. But a question also, how many different churches or civic groups are involved in providing the actual space?"

Ms. Donaldson said, "I don't know the exact number, but I can get that to you, but there are a number of churches in the center part of the city that do provide that service and if . . . you know,

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obviously on the street, people hear about where to go at night. They can also call Inter-Faith Ministries and they will tell them where the location is and they will in fact provide transportation for individuals to get to that site.”

Commissioner Unruh said, “Okay, good. Okay, thank you.”

Chairman Norton said, “Deb, on any given night, how many homeless are there in the greater Wichita area?”

Ms. Donaldson said, “We estimate there’s approximately 600.”

Chairman Norton said, “And I just had a briefing in a United Way board meeting and that number is growing because of the economy and many more families and children are dropping into the system than ever before. Is that not correct?”

Ms. Donaldson said, “We’ve never . . . I don’t think we’ve ever seen as many families with children in the system. People have the vision of a male that’s out on the street that’s from 18 to 60, but that’s not the case anymore. That’s not the typical homeless person.”

Chairman Norton said, “Right. Commissioner McGinn.”

Commissioner McGinn said, “I think that’s a very good point. It’s not . . . I think people in the past think of homeless they think of the adult male or the adult female and now it’s families and that makes it even more difficult and trying for these organizations because they have to, in many cases, put males in one room, females in another. Now what do you do with the children? And so, it’s certainly complicated and a growing need and let’s hope the economy rebounds before long and I’m glad we’re doing what we can until we get there.”

Chairman Norton said, “Well it becomes really complicated when you have families that have children that are school age and how to get them out to go to school. I mean, it gets to be a real complicated issue that we’re dealing with and the cold weather is just now set in, so we really don’t know . . . traditionally, we’ve kind of been through the summer months and you think you know who the homeless are. When it gets really cold, that’s when you find out people that are really at risk, because they can’t stay in their cars, they can’t find other kinds of places and they have to have a place that’s really sheltered. So, it would be interesting for you to give us an update here in a month or so of how this is working out, as the economy continues to hurt some families.”

Ms. Donaldson said, “Yes, be glad to do that.”

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

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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, Deb. Next item."

DIVISION OF HUMAN SERVICES
COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION

2. AGREEMENTS (13) TO PROVIDE MENTAL RETARDATION AND DEVELOPMENTAL DISABILITY SERVICES.

- **ASSISTED HEALTHCARE**
- **BETHESDA LUTHERAN HOMES AND SERVICES**
- **BRANDY DOCKERS**
- **CATHOLIC COMMUNITY SERVICES**
- **CONSUMER DIRECTED SERVICES, INC.**
- **CREATIVE COMMUNITY LIVING**
- **EPIMELOS ASSOCIATES**
- **LAKEPOINT HOME HEALTH SERVICES**
- **PROGRESSIVE HOME HEALTH CARE**
- **SPECIAL CARE SERVICES**
- **THE FARM, INC.**
- **TOMORROW'S DREAMS, INC.**

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- **TSS, INC.**

Mr. Colin McKenney, Director, Community Developmental Disability Organization, greeted the Commissioners and said, “For your consideration this morning we have 13 additional annual affiliation agreements with providers of services in the Sedgwick County area. These services may range from supports in an individuals home to day program supports and assistance in obtaining hourly support in the folk’s home. I would be happy to answer any questions you may have and suggest that you approve the agreements as distributed.”

Chairman Norton said, “Colin, are any of these new folks that we’re using? Are these pretty well entities that we’ve used before?”

Mr. McKinney said, “One of these agreements that we have was not previously considered by you. We, for the first time, have an agreement with the Farm, which is a child placing agency and this is necessary because at some times we need to augment a person’s support needs in a foster care placement with residential supports from the Developmental Disability service system, so that would be one that you have not previously seen.”

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

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

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

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**DIVISION OF HUMAN SERVICES
CENTRAL PLAINS AREA AGENCY ON AGING**

3. AGREEMENT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT PROVIDING GRANT FUNDS FOR A KANSAS FIRE-RELATED INJURY PREVENTION PROGRAM TO BE ADMINISTERED BY CENTRAL PLAINS AREA AGENCY ON AGING.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "Today I'm pleased to bring to you this grant from the Kansas Fire Related Injury Prevention Program, which is KFIPP, which is a demonstration program funded through the Office of Health Promotion and the Kansas Department of Health and Environment. The overall purpose of this is to increase the number of homes with adequate functional smoke alarm coverage and to increase knowledge and skills related to the prevention of fire related injuries.

The U.S. Fire Administration states the fire death risk among seniors 65 is more than double, over age 75 is triple and over age 85 is three and one-half times the average population's. Central Plains Area on Aging [sic] will specifically target older adults in Wichita who are low-income, homebound, minorities and non-English speaking individuals. Volunteers will install 450 ten-year lithium battery operated smoke detectors and electricians will install 20 hard-wired smoke detectors for the hearing impaired.

The grant provides these smoke detectors with the grant. Wichita will benefit as a result of the KFIPP grant by educating older adults through the community through one-on-one presentations to any group on how to prevent death and injuries related to fire and burns. We're very excited to be receiving this grant, which is the only grant in the state through this program that is specifically focusing on older adults. The grant amount is \$6,000.

One of the provisions of the grant is that we had to reflect and had to show that we had staff that were current and would be available to do this kind of education. So under the grant match it does show amount of \$16,114. However, \$15,250 of that simply reflects staff time that's currently already providing this kind of education through her work in the homes and in groups, when we go out and do assessments and in-home work with individuals. So that was already current work that was being done. The rest of that grant amount is for mileage and that's \$866. So I just wanted to clarify that for you. So, I'd be happy to answer any questions and we would recommend that this contract be approved and authorize the Chairperson to sign."

Chairman Norton said, "Commissioner Sciortino."

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Commissioner Sciortino said, “Annette, now you had mentioned the City of Wichita would benefit, but are all senior citizens that would qualify on whatever the qualifiers are, would they be eligible to have one of these, or do they have to live within the city limits of Wichita?”

Ms. Graham said, “Under this grant, we were required to target certain populations and it had to be a certain number of people in that population. So to meet that criteria, we had to focus, at this point in time, on the City of Wichita for that demographic area. However, the education and those presentations will be available throughout the community and we’ll be available to do that.”

Commissioner Sciortino said, “Us making an assumption here that maybe a senior is watching that lives within the area that feels that he or she falls within that criteria, how do they contact somebody to maybe get on the list to have one of these installed or how do they go about . . .?”

Ms. Graham said, “The contact number would be 660-5222 and that person is Krista Lovette. She is the staff person that will be handling that.”

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

Chairman Norton said, “Annette, we’ve done this program several years, or a program similar to this I assume. Do we continue to serve four to five hundred people a year?”

Ms. Graham said, “Well, this is the first time we’ve received this grant so we’re excited about it because, although we’re targeting Wichita in this demographic now, we’re hopeful that through this partnership we will be able to continue to, if that funding is available at the state level to access that and to provide that in other areas and throughout the community and the county. So we’re real excited about this.”

Chairman Norton said, “Okay. Well I knew we had another smoke detector program. Maybe that was through the fire department or the housing. I’m not sure where that came from. Well, it’s still a great program and it serves a great need in our community, thanks. What is going to be the will of the Board?”

MOTION

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

Chairman Norton seconded the Motion.

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

VOTE

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

Chairman Norton said, "Next item."

HEALTH DEPARTMENT

C. HEALTH DEPARTMENT.

1. CONTRACT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT PROVIDING GRANT FUNDS FOR THE WOMEN, INFANTS AND CHILDREN IMMUNIZATION ACTION PLAN.

Ms. Pam Martin, Director, Clinical Services, greeted the Commissioners and said, "The KDHE immunization program began collaboration in 1999 with the local WIC immunization action plan in an effort to improve the immunizations of infants and children who are enrolled in the WIC program.

This program serves as an immunization advocator for the infants and children enrolled in WIC in Sedgwick County. This joint efforts prevents and reduces the spread of childhood diseases in Sedgwick County. This contract assures quality public health services, it provides for the present and future health and well-being of children in Sedgwick County. Our recommended action is that we're asking to approve this contract and authorize the Chairman to sign the contract and any related documents."

Chairman Norton said, "Any questions or discussion for Pam? If not, I would entertain a Motion."

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MOTION

Commissioner Winters moved to approve the Contract 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, "Next item."

2. AGREEMENT WITH UNIVERSITY OF KANSAS SCHOOL OF MEDICINE-WICHITA MEDICAL PRACTICE ASSOCIATION TO PROVIDE INFECTIOUS DISEASE CONSULTING SERVICES.

Dr. Cindy Burbach, Director, Health Surveillance and Disease Prevention, Health Department, greeted the Commissioners and said, "I have a request to renew the agreement that we have with K.U. Med School and in particular we use Dr. Minns, whose a specialist in infectious disease, for consultation in our TB clinic. We are asking that this be renewed and continued through the end of this year, and have plans to come with a bigger contract for next year to provide infectious disease consultation in much other than just TB, but right now we're trying to finish up this contract for TB consultation."

Chairman Norton said, "Okay. Any questions for Dr. Burbach or discussion? I see none. What is the will of the Board?"

MOTION

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

Chairman Norton said, "Thanks. Next item."

3. GRANT AWARD FROM KANSAS HEALTH FOUNDATION AND RELATED "STATEMENT OF LEVEL OF FUNDED PUBLIC HEALTH CONTINUING EDUCATION."

Mr. Bill Farney, Director, Administrative Services, Health Department, greeted the Commissioners and said, "We're requesting your approval this morning for grant funding from Kansas Health Foundation for continuing education. Kansas Health Foundation is an organization that's located here in Sedgwick County and their purpose is to promote and enhance public health throughout the state of Kansas. To that end, they've funded many initiatives with the Health Department in the past. This particular one is for continuing education. They fund all of the counties in the state of Kansas for this purpose and the general purpose is to get folks from local health departments together to communicate, discuss whatever issues are relevant for that day, along with state officials and others, so they pay for membership dues to different organizations, public health membership dues and for registration to various conferences throughout the state.

They've been kind enough to fund us. The grant award this year is just under \$10,000 and they have funded that since 1995. I'd be happy to answer any questions you might have."

Chairman Norton said, "Any discussions, questions? Commissioner Unruh."

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Commissioner Unruh said, "I just had one question. You used a statewide reference as to where these educational conferences would be. Is it all within the state of Kansas? It's not a national thing?"

Mr. Farney said, "All of the conferences are within the state of Kansas. There are some national memberships, associations that we belong to with the funding, but all of the conferences are within the state of Kansas."

Commissioner Unruh said, "Okay, thank you."

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

MOTION

Commissioner Unruh moved to approve the Grant Award and authorize the Chairman to sign the related Statement.

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, Bill. Next item."

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

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item D is a modification of plans and construction, request number two and final, for the Sedgwick County bike/ pedestrian path along Zoo Boulevard, over the floodway, designated as R-257 in the Capital Improvement Program. This project has been constructed and is ready to be finalized out. There will be a net increase of \$10,085.43 due to variations in plan quantities from actual field measurements. The City of Wichita will pay for \$1,512.81 of this increase. KDOT will pay for \$7,059.81 of this increase. I recommend that you approve the modification and authorize the Chairman to sign.

I don't know if you remember, KDOT pays for 70% of the project and then the City of Wichita pays for 15% and the County 15%, basically that's how it's broken down."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Is this the path that has speed limit signs on it?"

Mr. Spears said, "That's part of it, over near the . . . that's along Windmill Road, that's part of this also."

Commissioner McGinn said, "Did you get a ticket?"

Commissioner Unruh said, "Well, if I was there I didn't want to go too fast."

Commissioner Sciortino said, "Speed limits on the walking path?"

Chairman Norton said, "Yeah."

Commissioner Sciortino said, "How fast can you walk? I mean, what's the limit say?"

Commissioner Unruh said, "I don't know what the speed limit . . . I saw the sign. I don't know what the limit is."

Mr. Spears said, "I can't remember, I think it's 20 or 30 miles per hour."

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Commissioner Sciortino said, "I'll have to back off a little when I'm walking."

Mr. Spears said, "To get the funds we had to . . . the State required us to put those on there."

Commissioner Unruh said, "Seriously, I mean it's good if somebody sees that speed limit sign on a path like that, they should know that that was a State requirement. Those things don't go up for free."

Mr. Spears said, "I've gone that fast on a bicycle, but it was down a pretty steep hill. It wasn't out there."

Commissioner Unruh said, "Okay."

Chairman Norton said, "Truthfully, if there's federal money attached to it, it requires that it's a thoroughfare and it has to have posted speed limits and it's usually 20 miles per hour."

Mr. Spears said, "The curves all have to be engineeringly designed and it's quite a thing."

Commissioner Sciortino said, "And banked probably too."

Mr. Spears said, "I don't usually burden you with those details."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "I'm starting to hear more than I want to know. On the signature page, I was just curious, is there another Tim Wagner. I mean this isn't our Tim Wagner from Code Enforcement as the field representation."

Mr. Spears said, "No."

Commissioner McGinn said, "Okay. I just was wondering if there was something in that department that the federal government required too."

Mr. Spears said, "That's a different person."

Commissioner McGinn said, "Thank you."

MOTION

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Commissioner Sciortino moved to approve the Modification of Plans and Construction 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, "Thanks, Dave. Next item."

E. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF NOVEMBER 20, 2003.

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the November 20th meeting of the Board of Bids and Contracts and there are seven items for your consideration.

1) COMMVAULT SOFTWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS
FUNDING: DATA CENTER

Item one, Commvault software maintenance for Division of Information and Operations Data Center. It was moved to accept the quote from Commvault Systems for \$28,714.

2) OS/ 390 SOFTWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS
FUNDING: SYSTEMS & SECURITY

Item two, software maintenance for the Division of Information and Operations system and security. It was moved to accept the quote from Computer Associates for \$74,700.

3) ¾ TON CREW CAB TRUCK- FLEET MANAGEMENT

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FUNDING: VEHICLE ACQUISITION

Item three, three-quarter ton crew cab truck for Fleet Management which would be for the Fire Department. It was moved to accept the low bid, including trade-ins and manuals for a total cost of \$26,550.

**4) CONDENSING UNITS- FACILITIES MAINTENANCE
FUNDING: BUILDING MAINTENANCE**

Item four, condensing units for Facilities Maintenance. It was moved to accept the bid meeting specifications from Trane for \$16,884.

**5) INSPECTION & REPAIRS OF AIRPLANE- FLEET MAINTENANCE
FUNDING: FLEET AIRPLANE**

Item five, inspection and repairs for the Sedgwick County airplane, Fleet Management. It was moved to acknowledge the expenditure from ServiCenter for \$25,456.31.

**6) IP PHONES- COMCARE
FUNDING: INFORMATION TECHNOLOGY II GRANT**

Item six, IP phones for COMCARE. It was moved to accept the low bid with Insight Public Sector for \$29,907.20.

**7) HVAC CONTROLLER INSTALLATION- FACILITIES MAINTENANCE
FUNDING: CAPITAL IMPROVEMENT PROJECT**

And Item seven, HVAC controller installation for Facilities Maintenance. It was moved to accept the expenditure with Johnson Controls for \$35,943.

I'll be happy to take questions and recommend approval of the Minutes of the Board of Bids and Contracts."

Chairman Norton said, "Any questions of Jerry? On number seven, Jerry, it says Sedgwick County Extension Office. Is that the whole office complex?"

Mr. Phipps said, "Yes, it is."

Chairman Norton said, "It's not just one . . . I mean . . . the whole complex."

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Mr. Phipps said, "That's correct. Their system over there is antiquated by now and this is a system to get with our current system."

Chairman Norton said, "It's not the whole extension building though. It's not the big meeting rooms, it's just the office side."

Mr. Phipps said, "Yes, correct."

Chairman Norton said, "Will of the Board?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

CONSENT AGENDAS

F. CONSENT AGENDA "A."

- 1. Orders dated November 12 and 19, 2003 to correct tax roll for change of assessment.**
- 2. Payroll Check Register of November 21, 2003.**

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3. **General Bills Check Register(s) for the week of November 19 – 25, 2003.**
4. **Resolution formalizing findings made November 19, 2003 by the Board of County Commissioners regarding the service extension plan for an annexation set forth in City of Wichita Ordinance Number 43-921.**
5. **Resolutions (three) authorizing destruction of noncurrent records.**
 - Routine administrative records for 1970 and prior
 - Routine administrative and tax collection records for 1999 and prior
 - Routine motor vehicle records for 1999 and prior
6. **Amendment to Lease Agreement with A.J. Investments, LLC providing an extension of the lease for property housing COMCARE at 1919 North Amidon.**
7. **Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V03082	\$337.00	Butler	Dan Wedel
V03088	\$550.00	5	Springcreek Apartments
V03089	\$341.00	5	Hearth Hollow
V03090	\$356.00	Butler	Savannah Park
V03091	\$255.00	5	Cottage Grove
V03092	\$172.00	Harvey	Metro Plains Development
V03093	\$382.00	5	Raymond Toupin
V03095	\$224.00	Butler	Savannah Park
V03096	\$283.00	Butler	Brookside Cottages
V03097	\$446.00	Butler	Walnut River
V03098	\$214.00	5	William Favreau

8. **The following Section 8 Housing Contracts are being amended to reflect a**

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revised monthly amount due to a change in the income level of the participating client.

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V99066	\$597.00	\$579.00
V010162	\$328.00	\$319.00
V20128	\$400.00	\$339.00
V010167	\$290.00	\$337.00
V020075	\$505.00	\$505.00
V20138	\$270.00	\$315.00
V99076	\$366.00	\$367.00
V02007	\$336.00	\$334.00
V99079	\$346.00	\$410.00
V99056	\$113.00	\$298.00
V20143	\$407.00	\$472.00
V94116	\$477.00	\$88.00
V20119	\$207.00	\$208.00
V020074	\$251.00	\$240.00
V020064	\$256.00	\$199.00
V99073	\$269.00	\$251.00
V010170	\$578.00	\$574.00
V20122	\$197.00	\$193.00
V94101	\$231.00	\$197.00
V020068	\$236.00	\$220.00
V020003	\$334.00	\$337.00
V020071	\$423.00	\$177.00
V97069	\$332.00	\$338.00
V010168	\$328.00	\$346.00
V03088	\$550.00	\$378.00
V03078	\$266.00	\$296.00
V20018	\$411.00	\$450.00
V03134	\$700.00	\$643.00
V020073	\$575.00	\$575.00
V020017	\$643.00	\$679.00
V03061	\$385.00	\$357.00

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V03061	\$357.00	\$285.00
V020027	\$530.00	\$505.00
V01061	\$375.00	\$500.00
V03033	\$607.00	\$565.00
V03073	\$475.00	\$475.00
V03070	\$414.00	\$583.00
V03064	\$358.00	\$500.00
V01060	\$474.00	\$609.00
V010101	\$542.00	\$385.00
V03074	\$421.00	\$700.00
V03079	\$545.00	\$595.00
V95088	\$474.00	\$550.00
V03077	\$509.00	\$509.00
V20114	\$000.00	\$182.00
V9915	\$271.00	\$273.00
V020076	\$575.00	\$575.00
V20118	\$185.00	\$185.00
V020012	\$567.00	\$573.00
V20127	\$400.00	\$400.00
V93118	\$307.00	\$285.00
V020073	\$575.00	\$575.00
V20129	\$493.00	\$492.00

9. Budget Adjustment Request.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, we have two consent agendas today. The first one is consent agenda 'A' which includes all the items listed in your agenda, plus an additional budget adjustment requirement. We have a need to fund a community college tuition program, increase their budget by \$601,000. This is due to the increased number of enrollment in community colleges and especially Cowley and Butler County. Therefore, I'd recommend you approve the consent agenda 'A' with that adjustment."

Commissioner Sciortino said, "And what are those funds that we're adding to the consent agenda?"

Mr. Buchanan said, "\$601,000."

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Commissioner Sciortino said, "\$601,000?"

Mr. Buchanan said, "It's the wonderful program that we have no control over that we're obligated to pay."

Commissioner Sciortino said, "And we have sufficient funds to take care of this?"

Chairman Norton said, "Didn't we get forwarded from Chris Chronis of kind of where the funds were?"

Mr. Buchanan said, "We've spent up to about 1.3 million dollars, or that's what we had budgeted, 1.3. What happens in a downturn in the economies that we know from community colleges and from Wichita State University and other training institutions is when layoffs occur and when there's a downturn in the economy, those programs increase significantly. People take that opportunity to go back to school, get retrained or get more education so they can improve their status. And so, we didn't anticipate this kind of an increase. We did anticipate some, but not to this extent."

Chairman Norton said, "It's kind of a good new/ bad news thing. And the good news is people are getting continuing education, trying to redevelop their skills. The bad news is because of out-of-district tuitions, Sedgwick County ends up paying part of the ticket. Commissioner Winters."

Commissioner Winters said, "And this was the program that the state had agreed that they were going to fund and then started the process and then in their financial conditions stopped and I think we had anticipated too that they would be paying more of this out-of-district tuition."

Commissioner Sciortino said, "Well, they were supposed to take our interest down to zero over a four-year period or something. They stopped us at 25% or something."

Mr. Buchanan said, "They're balancing the budget on us."

Commissioner Sciortino said, "On our backs."

Chairman Norton said, "It should have sunsetted by this year or next year. Is that correct?"

Mr. Buchanan said, "I think . . . I would be guessing. I thought this or next, but I will get back to you with an answer. I don't know."

Chairman Norton said, "But we're not close to sunseting it. We've got to pay the tab. What is the will of the Board on the consent agenda? Consent agenda 'A'?"

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MOTION

Commissioner Winters moved to approve the Consent Agenda as presented.

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, "Next item."

G. CONSENT AGENDA "B."

Resolution formalizing findings made November 19, 2003 by the Board of County Commissioners regarding the service extension plan for annexation set forth in City of Wichita Ordinance Number 43-934.

Mr. Buchanan said, "We have consent agenda 'B', which is the resolution formalizing the finding of November 19th, which was the extension regarding a service plan for annexation set forth in the City of Wichita ordinance. I recommend you approval."

Mr. Rich Euson, County Counselor, said, "Commissioners, this is the one that Commissioner Winters indicated his intension to abstain."

Mr. Buchanan said, "That's why we have two consent agendas."

Commissioner Winters said, "For clarification, this is the finalization of the annexation of the process in the area where I live, so I'll not be voting or making a Motion."

Chairman Norton said, "He could make the Motion and still abstain, that's legal, but why would you."

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MOTION

Commissioner Sciortino moved to approve the Consent Agenda as presented.

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Norton said, "Next item. Oh, we're up to 'Other'. How fast did that go? This may be a new world record. Anything else to come before us today, Commissioners? Any other items?"

H. OTHER

Commissioner Unruh said, "I'll follow protocol and turn on my light."

Chairman Norton said, "Yes you did, by the way."

Commissioner Unruh said, "I just want to mention that the gift membership packages are available at the Sedgwick County Zoo, just in time for Christmas and you can go out there and purchase a membership package and it's gift wrapped, has a lot of certificates for services out at the Zoo and it makes a great Christmas gift and so I'd encourage anyone whose thinking of a gift for the family to get out and purchase the holiday gift membership at the Sedgwick County Zoo."

Chairman Norton said, "Is there a packet of monkey food in this gift package?"

Commissioner Unruh said, "Well, if someone requested that, I bet you that Mark Reed, the director, would make sure that you got one little biscuit of monkey food and it's quite tasty."

Chairman Norton said, "Commissioner McGinn."

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Commissioner McGinn said, "Before you go out to the zoo to get your gift package, you might want to go to Cowtown on Saturday, because the gift store is open and they have all kinds of different kinds of gifts in the form of food, jewelry, art and those kinds of things. And so, want to make sure you have an opportunity to look at some other things. And our food is not monkey food. It's actually jams and jellies and good things like that, so I encourage everyone, if you're looking for that special gift, for people to go to Old Cowtown Museum on Saturday."

Commissioner Unruh said, "Well, in ours we have a zoo wall calendar. Do you have a wall calendar in yours?"

Commissioner McGinn said, "Well, we might not but I'm sure . . ."

Chairman Norton said, "Is this point/ counterpoint here? I feel like the moderator."

Commissioner Sciortino said, "Competing for that discretionary dollar."

Commissioner McGinn said, "But I would also encourage you to call out there, because I'm not sure what time the doors open, so call Cowtown before you head out there."

Commissioner Sciortino said, "Do they have to call the zoo before they head out?"

Commissioner Unruh said, "I don't think you have to call. The zoo people are there and they're ready to go."

Commissioner McGinn said, "At six in the morning?"

Commissioner Unruh said, "Probably not six."

Commissioner Winters said, "You're in control."

Chairman Norton said, "I lost it somewhere in there. Well, Mr. Sciortino, have you got something that you might want to hawk before we get out of here today?"

Commissioner Sciortino said, "Yes, I do. First of all, I want to say to everybody in the audience and who are out listening, hope you all have a very happy Thanksgiving and that you take time to reflect on maybe what you have to be thankful for. We all are blessed and I think sometimes take for granted this wonderful country that we live in, especially this fantastic state and county. However, if you've finished going to the zoo and to Cowtown, you might want to consider something. You know there's going to be a lot of turkey cooking and food cooking and deep fat

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frying turkeys are getting to be more and more popular and there's an awful lot of leftover oils that seem to accumulate over the holidays and I don't know if you really realize it, but a lot of those can and will contaminate the environment and our Household Hazardous Waste Facility does have a solution. If you're done with doing . . . or you might want to do it before you go there so it doesn't slosh over . . . but anyway, bring any of your leftover oils into our Household Hazardous Waste Facility. We'll recycle it for you. You can actually make alternative fuels for trucks and what have you out of this material. And we also just give it away to those companies, so it's going to be closed on Thursday and Friday but they'll be open Saturday from 9 to 3 and think about bringing any of your leftover oils in after Christmas and also after New Years. Thanks."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Well, I really don't have much to report, but would just wish all of you and all of you viewing, along with the rest of us, a happy Thanksgiving. Hope you and your families have a good holiday."

Chairman Norton said, "I've got two last things. First is last week I met with the Kansas Advisory Council on Inter-government relations. That's members of school boards, legislatures, cities and counties around the state. The governor has appointed this committee to start working on how governments work together, how we maximize the effectiveness of services and minimize the cost and we're off to a great start. We've had two meetings and I'm hopeful that this will be the catalyst around the state for governments to have the dialogue of how to run our business just better. And I was pretty excited that we had a really good meeting last week.

The other thing is that four of us were in Topeka . . . or not Topeka, Overland Park for the Kansas Association of Counties meeting. We had several workshops that we went to and general meetings. A lot of that is just building relationships and networking with other county commissioners and elected officials around the state. We had a great meeting. I would call attention to one meeting that all four commissioners that were there attended, and that was on the ethical dimensions of consolidations and other contentious issues that we have to deal with. I thought it was a pretty good three-hour session that really kind of brought us back to focus on how complicated and hard some of the issues are that we deal with and how imperative it is that we have a compass that guides us through the decisions that we have to make.

I'm proud to say that the four commissioners that were there I think took that serious, stayed for that whole session, inter-reacted with other commissioners and tried to understand the volatility of the issues that we deal with, everything from consolidation and landfills to some of the services we

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provide and I thought there was some really great sessions that we got to be involved in. I think it was very good use of taxpayers money to give us a little more education, some networking and to understand the issues that other counties are having. And we finally finished up the day with a luncheon with four other urban counties, to start some dialogues about what government looked like in the big counties, as we try to struggle with the dichotomy of rural counties and very big urban counties in our state.

So, anything else to come before us today?"

MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider consultation with legal counsel on matters privileged in the attorney/ client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 10:05 a.m.

Commissioner Sciortino seconded the Motion.

Commissioner McGinn said, "I have a question. The reason I didn't think we had one is that says November 21st."

Commissioner Winters said, "That's the day this note was written."

Commissioner McGinn said, "Got it, thank you."

Commissioner Winters said, "We do need to have that session."

Chairman Norton said, "We have a Motion and a Second. Any other discussion? Clerk, call the roll."

VOTE

Commissioner David M. Unruh Aye

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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 9:50 a.m. and returned at 10:10 a.m.

Chairman Norton said, "I'll call us back to order. According to state statute, we took no binding action in the Executive Session today. Is there anything else to come before us today? County Manager? Counselor? Commissioners? We're adjourned."

I. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:11 a.m.

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

TIM NORTON, Chairman
Second District

THOMAS G. WINTERS, Chair Pro Tem
Third District

DAVID M. UNRUH, Commissioner
First District

CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2003