

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 14, 2004

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, January 14, 2004 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation; Ms. Diane Gage, Director, Emergency Communications Department; Ms. Stephanie Knebel, Manager, Facility Project Services; Mr. Mark Masterson, Director, Department of Corrections; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Mr. Mick McBride, Risk Manager; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Ms. Ronda Mollenkamp, Mayor, City of Viola.
Ms. Sherry Canfield, Executive Director, Girls Scouts of the Golden Plains Council.
Ms. Carlynn Page, National Academy of Emergency Dispatcher.
Dr. Alan Kalmanoff, Institute of Law and Policy Planning.

INVOCATION

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

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, December 17, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of December 17, 2003.

Chairman Norton said, "Commissioners, what is the will of the Board?"

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MOTION

Commissioner McGinn moved to approve the Minutes of the Regular Meeting of December 17, 2003.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Norton said, “Before we go to the next item, I would like to recognize Mayor Mollenkamp from Viola. She’s here just visiting today. I understand you have a day off and this is the way you elected to spend it, huh?”

Ms. Ronda Mollenkamp, Mayor, City of Viola, said, “I have to go renew my driver’s license.”

Commissioner Sciortino said, “I was going to say, if this is the way she spends her day off, she has a very sheltered life.”

Chairman Norton said, “Well, welcome from the far reaches of southwestern Sedgwick County. We appreciate you stopping by today. Next item.”

PROCLAMATION

A. PROCLAMATION DECLARING JANUARY AND FEBRUARY 2004 AS “GIRL SCOUT COOKIE MONTHS.”

Chairman Norton said, “Commissioners, I’d like to read the following proclamation into the record, but before I do that, I want to put my props up here.

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PROCLAMATION

WHEREAS, the Girl Scout purpose is to inspire girls with the highest ideals of character, conduct, patriotism and service so that they may become happy and resourceful citizens. Girl Scouts of the Golden Plains Council serves more than 8,000 girls and 3,000 adults in Butler, Cowley, Sedgwick and Sumner Counties; and

WHEREAS, participating in activities that are fun and personally challenging, girls learn decision-making skills and build self-confidence. Where today's girls become tomorrow's leaders, through leadership and service, Girl Scouts enrich the lives of those around them; and through the many enriching experiences Girl Scouting provides, girls grow courageous and strong; and

WHEREAS, the Girl Scouts of the Golden Plains Council, through the support of generous donors and the annual product sale activities including the annual cookie sale, is dedicated to making Girl Scouts available to every girl, everywhere. Girl Scouts not only welcomes but seeks out members from all racial, ethnic, cultural, religious and socioeconomic groups; and

WHEREAS, character, conduct and community service are core qualities; Girl Scouts is the preeminent organization dedicated solely to girls- all girls- where in a nurturing environment, girls build character and skills for success in the real world. In partnership with committed adults, develop qualities that serve them all their lives- like strong values, social conscience, and conviction about their own potential and self-worth; and

WHEREAS, Sedgwick County is committed to supporting the programs provided by Girl Scouts of the Golden Plains Council and encourages our communities to support Girl Scouting and its annual money earning activity- the annual Girl Scout Cookie Sale.

NOW THEREFORE BE IT RESOLVED, that I, Tim Norton, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim January and February of 2004 as

“Girl Scout Cookie Months”

and encourage all citizens to support the Girl Scout Annual Cookie Sale in Sedgwick County beginning January 17 through February 29 and make an investment in the lives of girls and continue to uphold the enterprising spirit of Girl Scouts to become a self-sufficient organization.

Dated January 14, 2004.

Commissioners, what is the will of the Board?”

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MOTION

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

Commissioner Unruh seconded the Motion.

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

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 with us today is Sherry Canfield, Executive Director of the Girls Scouts of the Golden Plains. Welcome, Sherry.”

Ms. Sherry Canfield, Executive Director, Girl Scouts of the Golden Plains Council, greeted the Commissioners and said, “I really appreciate being here and I want to thank you, on behalf of our 8,000 plus girl members and 3,000 adult members. We really appreciate you recognizing the importance of Girl Scouting in this community.

Thousands of girls will start knocking on doors this Saturday morning to sell cookies, and it’s a hallmark of Girl Scouting, this cookie selling program and we really feel it’s important, not only in terms of teaching girls money management and goal setting and all of those important skills, but it helps them really learn to earn their own way through valuable programs. So thank you very much and I did bring more cookies. I didn’t want any fights to erupt over the thin mints, so we have plenty more, not to worry. Thank you so much.”

Chairman Norton said, “Well, you know there may be some people out in the audience who like cookies. Maybe we should get a show of hands. Anybody like Girl Scout cookies?”

Commissioner Sciortino said, “Hey, wait a minute. Girl Scouts do not believe in thievery, right?”

Ms. Canfield said, “Correct.”

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Commissioner Sciortino said, “All right, somebody just stole my cookies. I want to buy another box of lemon cookies.”

Chairman Norton said, “Did you have something else?”

Commissioner Sciortino said, “No.”

Chairman Norton said, “Just a comment before you run off. I had a chance to make it to one of your kickoffs with your volunteers and I’ll tell you, people are pretty dedicated as volunteers. I mean, here’s a room of 80 or 90 adults that will spend two months helping girls through the process and making sure that they can do the good work of Girl Scouting. And it was pretty . . . it was a fun event and it does show the dedication of many adults to the Scouting programs. And both Girl Scouts and Boy Scouts would not exist without great volunteers to carry that on.

I have to tell you, I have a warm spot in my heart for Girl Scouting. As a single dad at one point in my life, I spent three summers at Camp Widdeman with my daughters and, you know, I wore the swimming cap, I did the whole gig as a parent and it was pretty interesting because I was the only male with about 600 girls swarming around. The good news was that I got to use the main house shower facilities and most of the moms didn’t like me for that because they had to use the concrete facilities and I got the hot water. So I do have a warm spot in my heart for Girl Scouting. I hope you have a very successful campaign.”

Ms. Canfield said, “Thank you very much, we appreciate it.”

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

AWARDS

B. PRESENTATION OF THE 2003 CHAIRMAN’S AWARD.

Chairman Norton said, “Commissioners, during my time and my year as Chairman of the Board of Sedgwick County Commissioners I had the opportunity to work with a number of great groups and advisory boards and citizens groups and individuals and all these individuals made a great difference in our county. It makes my job to pick the Chairman’s award really pretty tough, you know one individual or one group to be singled out is a hard choice.

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The recipient will join a number of other outstanding recipients over the years: the Sedgwick County Fair Association, Physical and Mental Disabilities Advisory Board, the Dick and Bill DeVore Foundation, the Sedgwick County Solid Waste Committee, Team Justice, the McAdams Neighborhood Economic Development Coalition and last year, the Sedgwick County Sheriff's Community Policing Unit, all great individuals and organizations.

As Commissioners in 2003, we have dealt with a great number of large projects and serious issues including renovation of the juvenile detention facility, solid waste, a tough budget year, public health and many, many more items. However, the dedication and the work of one group particularly caught my attention. Last February we appointed a group of individuals from throughout Sedgwick County to form a task force to help us determine the future of the Kansas Coliseum. This task force met a number of times at the Coliseum, took tours and most importantly, engaged other citizens in Sedgwick County with the issue before us, what to do with the Coliseum, how to move forward and give us recommendations.

As a board, we are committed to providing the best venue possible for the citizens at the lowest possible cost in doing so. This task force was challenged to do just that. They were tasked to decide what changes Sedgwick County citizens felt were necessary and which upgrades were just not feasible to maintain a reasonable cost. This was not an easy task, especially in the short time that we gave them to do it.

I'd like the members of the Kansas Coliseum Task Force to come forward. I know there's some that won't be able to be with us today, but if they would please come forward, I would like to recognize them: Ron Holt, Co-Chair, Fran Jabara, Co-Chair, Bill Brookhouser, David Calvert, Dave Sproul, Bill Gale, Bill Hancock, Tom Gibson, Beth Garrison, Sheryl Wohlford, John Mies, Brad Edwards, Jana Mullen, Jack Whitson, Greg Ferris, Kent Hixson and Kevin Chase. These folks worked tirelessly, they toured the facility, listened to reports by architects and talked to a number of neighbors and friends.

And I want to tell you how pleased I am to recognize them for the Sedgwick County Chairman's award 2003. And I'll show you that we have a Sedgwick County Chairman's Award plaque for outstanding service to Sedgwick County that hangs in the Commission Office and all the past recipients from 1988 on are listed and today we have the Kansas Coliseum Citizens Design Review Task Force- 2003. And then, individually I have something you can put on your desk, 2003 Sedgwick County Chairman's Award for each individual. Ron, as the chairman, I'll ask you to say something, and we do have other awards for those and we'll get them to each individual."

Mr. Ron Holt, Chairman, Kansas Coliseum Citizens Design Review Task Force, greeted the

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Commissioners and said, “And really Fran Jabara, the other co-chair of the committee couldn’t be here today and as you notice, many of the other members could not be here, but you did yourselves proud really with wanting a group of independent thinkers, hard workers, people who care about this community and who wanted to do the right thing and the best thing for this community with the wonderful Kansas Coliseum asset.

They did spend a lot of time debating. They spent a lot of time looking at the condition of the project. They spent a lot of time thinking about not only how that asset has served this community over the past number of years, but thinking about how that asset will serve this community over the next number of years, going forward. So, I was very pleased to be a part of this effort, most especially because of the quality and the kind of people that we had to work with. And I would just like to also add my thanks to the committee for an excellent, excellent job. Thank you very much, we appreciate it.”

Chair Pro Tem Winters said, “Commissioner McGinn has a comment to make about the award presentation.”

Commissioner McGinn said, “Well, I thought it was a great idea that Commissioner Norton came up with this group of individuals, because I’m not sure that the community really knows exactly all the work that these folks did on this committee and it was a very important task. It wasn’t just, ‘Hey, the Coliseum is old, we need to renovate it’. It had a lot of challenges, as far as what needed to be upgraded and what amenities needed to be added. And then spent a lot of time touring, studying and discussing this issue. And so, what we’re moving forward with today on the Coliseum is greatly the result of a lot of work that they did to help guide us in the right direction.

And I just, I want to thank you for your time as volunteers and as dedicated citizens to Sedgwick County. Thank you.”

Chairman Norton said, “Any other discussion? Clerk, call the next item.”

C. ACCREDITATION OF EMERGENCY COMMUNICATIONS DEPARTMENT BY THE NATIONAL ACADEMY OF EMERGENCY MEDICAL DISPATCHERS.

Ms. Diane Gage, Director, Emergency Communications Department, greeted the Commissioners and said, “With me today is Carlynn Page from the National Academy of Emergency Dispatchers. She came in from Salt Lake City to make this presentation to us this morning. This is a culmination of quite a bit of work from our department over the past year and I’ll turn it over to Carlynn and she can explain a little more of what this process was.”

Mr. Carlynn Page, National Academy of Emergency Dispatchers, greeted the Commissioners and

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said, "On November 18th, Sedgwick County Communications was awarded the highest honor that the academy can bestow to anyone and that is that of an accredited center of excellence. Sedgwick County Emergency Communications is the first emergency communications center in Kansas to receive that award. They are only the 88th in the world. So as you can see, this is a very prestigious honor and I'm very excited to be able to be here and officially recognize them as such.

The MPDS or the Medical Priority Dispatch System are the medical priority protocols that they use to interrogate callers and to provide instructions to them before the emergency medical services arrive. And the MPDS is the world's most widely used 9-1-1 type pre-arrival instruction and dispatch life support protocol system, with scripted telephone instructions for CPR, airway obstruction relief, hemorrhage control and child birth assistance. The MPDS has been credited with helping save thousands of lives, in addition to requiring proper system oversight, medical control and a quality improvement program. Accreditation demands careful MPDS compliance and certification for all emergency call takers and medical dispatchers.

Earning this accreditation award is voluntary and it involves a detailed self-study and analysis. This accomplishment demonstrates to not only each individual within the communications center, but also to the administration, to your community and to the world that Sedgwick County Emergency Communications is compliant with all internal and international practice standards for emergency medical dispatch.

Since it is the emergency medical dispatchers that are responsible for this award, I felt that this is their honor and with your permission I'd like to just read each of their names, just so that they can receive some recognition as well, and if I mispronounce some of these, I would ask for your patience with me: Kristen Gill, Stephanie Ricker, Kim Pennington, Dennis Rooney, Dan Willard, Robin VanDeest, Vanessa Downing, Don Schuler, Taletha Hall, Gwen Windom, Linda Ester, Cody Charvat, Judy Hilton, Larry Tormey, Barbara Daily, Ron Zane, Tyler Dillon, Amy Fritchman, Cristy Ridey, Deidra Messenger, Michelle Robinson, Deb Sturm, Linda Staats, Mitch Garner, Trish Glover, Karay Dudley, Dawn Wehrley, Jimmy Patterson, Brad Crowe, BreeAnna Bennett, Erica Creighton, Nathan Johnson, Theresa Rodriguez, Steve Algier, Penny Blattner, Christopher Law, Thomas Sullivan, Sally Gill, John Lyons, Crissy Magee, Jennifer Westfall, Lindsey Bushell, Paul Chinn, Alayna Moreno, Tony Scroggins, Rebecca Watson, Iva Williams, Charles Gough, Jeremy Burnett, Anita Hollos, Natalie Kiser, James Shiblom, Tala Cortes, Brandi Cota, Elora Randleas, Gina Russell and Linda Whiteman.

And again, on behalf of the Academy, I would just like to congratulate and again recognize Sedgwick County Emergency Communications Center as the 88th center in the world and the first in Kansas to receive this award. Thank you."

Chairman Norton said, "I'd ask those individuals that were just called out to stand up and be recognized. It was nice that your names were called, but please stand. Well, Carlynn, tell me about

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how long this accreditation has been around. I mean, only 88 in the world, that's a pretty elite group, hasn't even made it to 100 yet. How long has the accreditation been around?"

Ms. Page said, "The first accredited center I believe received this in the early 1990s, so it hasn't been around very long at all."

Chairman Norton said, "It's incredible. We certainly appreciate you being here today. It's a great honor and I know some people have worked pretty darn hard to do this, as we accredit the fire district and we accredit many other of our service providers, it is just a wonderful market on our organization that we have that kind of dedicated people to take us to that level."

Ms. Page said, "I would agree. And this is the plaque that we've shipped to them and will be in the communications center."

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

Commissioner Winters said, "Well, I'd say you know we certainly appreciate your making the effort to come all the way from Salt Lake City to share with us and with our 9-1-1 folks, that's certainly a commitment on the Association and on your part. We certainly appreciate that. We hope you are able to stay around a bit this morning. I know afterwards certainly a number of us would like to say hello and just again thank you for your participation."

And Diane, to you and all of the employees, good job. I mean, to have your peer organizations and organizations in your business highlight you as one of the best and being able to stand there with any other dispatch operations in the country is a very valuable asset to all the citizens here and we appreciate your hard work and every employee in that organization that serves the citizens, 24 hours a day, seven days a week, we appreciate it very, very much."

Ms. Gage said, "Thank you and I believe the entire department thanks you for the opportunity to be able to do this."

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

Commissioner McGinn said, "I just basically wanted to say the same thing Commissioner Winters said in that we have a group of dedicated employees that helped make this happen and under the leadership of Diane Gage, our director of 9-1-1 and so I'm glad that you all want to achieve a higher level. I think that speaks well for our county and so thank you for doing that."

Chairman Norton said, "Commissioner Sciortino."

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Commissioner Sciortino said, “I could barely read that that’s on that little thing. It’s a three-year accreditation. So I would assume that we have . . . we being the department, would have to do something on an ongoing basis to be able to maintain that accreditation and I think that’s kind of neat because once you win, you don’t want to lose it, so that’s even more of a motivation than acquiring it for the first time, so it’s a double-edged sword and I agree with what Commissioner McGinn and Winters said and you said, this does make us proud because we have a total, seamless now Emergency Medical System and you’re the first lick when that phone rings and what you say to that patient or individual, sometimes what you don’t say to them can be just as important as what you say to them and assure the fact that they can get whatever services they need and in a very timely manner. So feel very proud to be able to sit over here and know that we have people like you sitting out there. Thanks.”

Chairman Norton said, “You’ve done so good, maybe we should build you a new facility. Let’s think about that.”

Commissioner McGinn said, “I have a quick question. One of the things I heard, in childbirth, is everyone is trained to give that guidance, I guess, when someone calls in our department? And I’m sure we have other things that could happen that people are trained in as well, but I just thought that was interesting that that many people have to understand that whole process, not that it happens very often, but it’s very important when it does.”

Commissioner Sciortino said, “So Carolyn, the next time you’re in need.”

Commissioner McGinn said, “I will not be a caller, unless I’m helping someone.”

Chairman Norton said, “Thank you very much, we appreciate your being here today. Clerk, call the next item.”

NEW BUSINESS

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D. PRESENTATION BY THE INSTITUTE FOR LAW AND POLICY PLANNING (ILPP), CRIMINAL JUSTICE SYSTEM PLANNERS, OF RECOMMENDATIONS FOR MODIFICATION OF THE CRIMINAL JUSTICE SYSTEM PROCESS TO REDUCE THE ADULT DETENTION POPULATION IN SEDGWICK COUNTY.

Mr. William P. Buchanan, County Manager greeted the Commissioners and said, “Since the opening of the jail expansion in 1999, the population has grown to a point our jail is full and we house a substantial amount of inmates across the state. That upward trend resulted in the Sheriff coming to you and to me several months ago, maybe a year ago, suggesting that the process of thinking about a new jail needed to begin and needed to begin immediately.

With his leadership, we thought it was important to understand the dynamics of inmate growth and what alternatives might change the growth trend before making a final decision about building an addition to the jail. So part of that process, and with his leadership and yours certainly, we issued an RFP, request for proposal in March of '03 and sent it to approximately 50 firms that we researched around the country who had some involvement in jail planning and we hired the Institute for Law and Public Policy [sic]. They were the winners of the very competitive process that had a committee that was appointed to review that. That committee comprised of commissioners, DA's Office, Sheriff's Office, District Court, Wichita State Criminal Justice faculty, some of our county staff.

The team hired this ILPP team and that's headed by director, Dr. Alan Kalmanoff. He's a lawyer, he has a Masters Degree in Social Studies and a PhD, and that may sound like a conflicted person, but it provides him with certainly the foundation and his experience in 25 years in doing this all over the country to help us lead through this process. The firm has worked and now Dr. Kalmanoff, Kal has worked there, as I indicated, 25 years and served 200 different municipalities across this country.

We're pleased that we could be partners with him and the company was selected because of his mix of educational, technical and competent staff experience. We've asked to do some very specific things in the request for proposal, to take a look at where we've been, where we are and where we're going. And now I think it's important for you to hear from Dr. Kalmanoff himself.”

POWERPOINT PRESENTATION

Dr. Alan Kalmanoff, Executive Director, Institute for Law and Policy Planning (ILPP), greeted the

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Commissioners and said, "I'm very happy to be here. I thank the County Commission for engaging our services. We are a non-profit organization that does primarily these kinds of studies, although we also do investigations and court monitoring, etcetera. I'm going to run through this Powerpoint presentation, which is in essences a summary of our report in a moment, very quickly and the speed of my presentation is primarily motivated by the fact that I know you all have questions. I promise you, if you run out of questions, I can keep talking, but I do want to move quickly through the Powerpoint in a moment in order to get to your questions.

But first let me frame the situation for everybody. Over the years, in Sedgwick County, there's a simple pattern in dealing with jail population management. You have a jail, it begins to get crowded, at some point it's crowded enough that the Sheriff, for reasons of safety and proper management has begun to rent beds in other county jails around the state of Kansas. When the rental costs or the number of inmates involved begins to rise to a certain level, there's a need to come back to the county seat and figure out a way to expand jail capacity, so there's an addition or building or a tower, in more recent times a new jail.

And then it gets crowded and this is a law in overcrowding around the country that you need to understand which is if you build it, they'll fill it. So the jail begins to get crowded and eventually rental beds begin to occur in other counties again and eventually there's that high rental fee, in the sense that you know, 100 to 200 inmates out of county because it's reached that high at times, is too high, come back and build some more space.

In a way, that's worked okay, but in a way it's kept you from going on a diet, in terms of the way your system runs. It's allowed you to feel like you have any number of beds you need, just turn on a faucet and you'll have new beds when you need them, first rent, then replaced by build, then rent, then replace by build. So, facing that same turning point in history in the county's jail business again, your forward-looking sheriff I think made the right decision in saying, 'Well, wait a minute, before we just go through this polka one more set of beats, and dance to the same tune, let's take a look at who we got in that jail', let's take a look at how they get there and how long it takes them and why they're there and examine the assumptions because there's nothing more expensive than a jail, I promise you, there's nothing more expensive for a county than a jail. Your current jail costs 8% of the county budget, just for the jail and that's not talking about criminal justice as a whole or public safety, it's just the jail, 24-7, fulfills all the life requirements of everybody in there, three shifts, relief factor shift, the whole deal.

So with that mind, as Mr. Buchanan has already said, we were engaged to do this study and I'm going to go through the assumptions and the background of the study very quickly now, but before I start, one last thing. In the end, you're either going to need to build beds or I believe implement the recommendations in this report, or some combination. Now, the reason I make that point now and

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I'll make it again later, is because you've got a sheriff sitting over there who is holding on to these 1,400 inmates locally and another 100 plus whatever outside of the county, that's his job and he does his job. And so he's looking to figure out what to do when it's 1,500 and 1,600 and 1,700 because he is expecting 10 new inmates every month, because that's been the trend line. So of course we examine the trend line, we want to understand what's driving it, etcetera.

In the end, and this is not a political statement, I think this is a system and a legal and a principle statement, in the end you owe him either the beds or the recommendations, many of which cost money or involve programs and alternatives and various fixes throughout the criminal justice system. If you do those recommendations he won't need beds and I don't think he wants them. But if you don't, you better give him beds. Otherwise, ultimately you'll have the federal courts in here, you'll lose control of your jail, you'll lose control of your budget, it won't go well. And it's not fair, in a political and a moral and a social sense to say 'Well, you, Gary, you hold them', let them gather and let them accumulate, but we won't build you any beds and we won't spend any money on programs and change. You can't do that, in my opinion. Of course you can. I'll be leaving but my opinion is you should not even think of doing that, it's either a or b, or some mix. You owe him a solution.

Okay, now moving through the Powerpoint to give you a feel for things, we looked at the budget, we looked at data in the jail, whose in there, how long it take them to get through and we came up with key findings and recommendations and then tried to figure out, if you did all those things, what would the impact be and that's how I'm going through this presentation.

You all know that the county and the state are experiencing budget problems. You should know or have a feel for the fact that your budget is 24% devoted to law and justice. That's not that bad, although it is climbing as a percentage, and that is important. Ever increasing and faster than any other component, the law and justice thing is growing and you need to pay attention to that, because you have at stake libraries, roads, human services as the tradeoff.

Here's your budget and you see, of course, criminal justice is on top and it really takes precedence over all these other things and the more criminal justice takes the less they'll get unless you want to raise your taxes.

Crime rates have fluctuated, crime rates and population growth and even the bookings in the jail per say are not driving increased crowding. What is driving increased crowding is an increase in the length of stay. And so, at the present rate of growth, the jail's population will grow 170% over the next 20 years. Now, before I go further, let me just say it's currently 8%, the jail is of your county budget. If you didn't do a thing, didn't do this study, didn't implement any changes, you would be

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looking at building, to meet the trend, such that in 20 years from today the jail would be near 30%, not below but a little above 30% of your county budget instead of 8%. It would be about not quite four times greater and this has to do with the costs of jail construction but not really as much as the cost of jail staffing, which is an around the clock deal. So this is a very important issue to this county.

Now, this chart shows population growth projected at the top, that's the way it's been, just looking at it over time, but the red line shows what happens if you look carefully at your own demography, you realize you have an aging population, which means an ever greater percentage of people are leaving the crime prone years, relative to the overall population. And when you break down your population and do the analysis by age cohort, you realize that it really isn't going up quite as steeply as it has been in the past, but that's just a projection and these things grow obsolete with embarrassing speed, especially if you build before you develop a management system over your population, which is one of the major . . . it is the major recommendation of our report.

So a very important fact is that 73% of the offenders entering the jail are charged or convicted of misdemeanor level offenses. This is very important. These are the folks bagging your groceries seven or eight or nine months out of the year, maybe in jail one or two. They're misdemeanors, they're not Jack the Ripper, very important. Over half the offenders entering the jail were charged with traffic and that includes DUI or domestic violence in that half. Roughly 60% of the offenders brought into the jail were from the municipalities, primarily the City of Wichita, which doesn't mean we blame them for filling our jail, but it of course meant that we took a close look at their court system and they were part of our review committee and we went round and round about a lot of things.

Half the offenders brought into the jail are on new charges, 26% for warrant arrests, 56% eventually released on bond. That's important because if more than half are going to get out anyway soon, ask yourself why are they in there. Ask yourself how long should they stay. Ask yourself if it was you that was arrested, would you be any different after a day awaiting for a bond versus 10 days. Do you want your county, do you want to pay taxes to have your county hold a person for 9 extra days while his bond is getting set up, just as an example, or any other kind of release, if they're going to be released anyway. Fifty-six percent were released on bond, 74% within 72 hours. It took about 14 hours to do a booking. A booking is very expensive, very expensive.

Nearly half the offenders were held in lieu of bond, that means they aren't rich enough to get out. It's very important that this county, as well as a lot of counties, but you need to look at this yourself, because other counties have, is discriminating against a lot of misdemeanants based on whose got the money to get out of jail and who doesn't. Ask yourself if that's Kansas values.

The average length of stay in the jail is 63 days. Most of the inmates were probation violators,

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think about that. They've already been judged to be safe enough to be out in the community on probation. Some violation, which could very well be serious in crime but it also could very well be missing an appointment and they're back in, followed by Drug 12%, a major revolving issue, property. Violence, a lot of people think the jail is full of violent people, and DUI.

Of the pre-trial folks detained, 40% are felons, 30% violators, probation violators, 30% misdemeanants. Now here's the most important single finding of the study. Using an external classification system, in other words saying the national best practice for sorting out badness is sort of an objective, point-based, validated instrument that predicts the likelihood of danger in the jail from an offender. Using an external system, over half the inmates are minimum security inmates. Minimum security meaning you don't have to worry that they're going to hurt somebody, harm somebody, it's not very likely that they're going to run away, if they do you're going to be able to find them. Forty percent medium but the jail, although run inside at time less than maximum, is definitely a maximum security facility in terms of its perimeter."

Commissioner Sciortino said, "Would you go back. When you start getting to your last point on a slide, you move it too fast for my eyes."

Dr. Kalmanoff said, "The jail itself is maximum security, while over half the inmates in there are minimum."

Commissioner Sciortino said, "Got that so I'm trying to add. Only 9% is what you're saying are inmates that would require maximum security?"

Dr. Kalmanoff said, "Yes.

So, with the sort of first look, we see a maximum security jail holding minimum security people, getting more and more crowded over time, going to rental beds, then new construction. It made us want to look at how the system was working and compare it to something called best practice, which of course is a . . . best practice can be considered, just like the medical thing that was just awarded, based on accreditation standards or it can be based on the majority the jurisdictions are having success with or it can be based on the highest and best opinion of professionals in the field. We tried to pull that together in our jobs and approach best practice or at least the norm. Say 'This

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is the norm, you're not doing what most people do'. That makes it likely that you could at least question it.

Your justice system lacks coordinated, systemic planning is a major finding. Now that doesn't mean individual agencies don't plan. I doesn't mean people don't communication well over cases. What it says is over the overall system there is no planning or management to speak of, compared to what's required. The county has its history of trying to build whenever it gets crowded rather than saying is there anything else we could do.

So, what we decided, after looking at the whole system from police all the way through the end was that a countywide arrest policy would really help, because a lot of people come into the jail only to be cut lose right away by the next decision and you kind of want to know why in the world should they have come in anyway. Officers out of service on the beat, people take time in the booking area. There may be a court thing before this thing washes out. We need to screen these cases earlier and just bring the people . . . bring to jail the people that need to be there.

We also find that your pre-trial release system is underdeveloped. Starting in the 1940s in New York City, and sweeping the country in the next 20 years a thing called the Vera Points System, which says Commissioner McGinn gets 10 points for owning a home, 10 points for having a full-time job, 2 points for not having a felony, 5 points for not having a misdemeanor. She only needs 21 to get out of jail pre-trial, that's a good risk to appear. So-and-so got 3 warrants, 5 felonies, doesn't get out, some kind of objective instrument. You don't have a system to get people out of jail like that. It's widely used around the country.

The sheriff is already implementing an improved classification system and is working hard with the National Institute of Corrections to improve it further. That is needed, as well as working on double bunking. Nationally, the norm is to double bunk the relatively new kind of jail that you have. Double bunk would be 60, 80 percent of the building used to house two people in each cell rather than one. It basically has to be on a classification system foundation, so these two things go together and it isn't dangerous if it's done on a good classification system, it's done everywhere and it gives you a tremendous opportunity here in Sedgwick County to buffer the planning periods you have available by bringing home your inmates from out of county, saving that money and double

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bunking your jail and using it to the maximum capacity.

Most important, the jail lacks various control mechanisms over the population. It doesn't really have a cap. Now that doesn't mean the sheriff isn't doing his job. It means the system hasn't come together to say, 'Okay, this jail should hold this many people, one more than that person and somebody has got to leave'. It could be the guy due to leave tomorrow morning, but somebody's got to leave and we're going to set up a system to do that. You don't let anybody that wants to get on an elevator or a bridge just pile on. Jail needs to be the same way.

Major recommendation, create a government over this criminal justice system, it's a voluntary, advisory government, it can't control budget, but if it includes the county manager and a commissioner and the sheriff and prosecutor and defender and the two presiding judges and the probation and the community corrections people, those are the gatekeepers and if they meet monthly or at least quarterly over data that describes the system and its flow, they will be jumping on opportunities to make things go more efficiently. It's not how many people check in. It is how long they stay. That requires management.

We recommend expanding the pre-trial release program to include the municipal court where most of the misdemeanors come from and certain probation violators. This is going to have a big impact on crowding. A lot of misdemeanants in the jail don't need to be in the jail and will be let out along the way with this kind of a program.

When I say don't need to be in jail, ultimately I'm saying they're only being held in order to get them to appear at trial and we can predict which ones will appear. Let's predict that right away, let's predict it consistently and well, let's collect the data on how we predict it and let's do it to the max but adjust it if it isn't working.

We say adopt a countywide field release policy for law enforcement and develop early screening of people at all stages in the system for placement in alternative programs. Now the issue here is how do you decide who gets to go to jail, who gets to go to an alternative program. And the way the society is currently is more hip pocket than anything else. You don't have many alternatives, it makes it pretty difficult. So we're recommending lots more alternatives and we're recommending objective, validated risk-assessment instruments, just like the one I described with Commissioner McGinn, so that the bad people and the bad risks are identified objectively, not by color, not by class, not by clothing but by real facts that really predict their propensity to appear and their safety and then those folks go on to alternatives, many of which are much harsher, by the way, as

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sentencing sanctions than jail. Sitting in front of a TV all day in a warm jail in the middle of the winter is a day at the beach compared to picking up paper in the cold behind a senior citizens hostel and helping the community. So we're not talking about no punishment when we say no jail for certain people. We're talking about more punishment, only a lot less punishment of the taxpayer.

Moving along, we're saying develop a continuum of sanctions, just the way you raise your kids. When you go 1-2-3, the first restriction is no dessert, the second one is TV, the third one is grounded, you know what this is, a continuum of sanctions. You don't have it. All you've got is jail or no jail for the most part. You need a continuum. It doesn't change people's behavior to have just these two alternatives.

Create a felony drug court; it will be expensive, but a lot less expensive than jailing only. It will limit the use of the jail for a large number of drug offenders who are not necessarily getting better by the revolving door of jail and drug treatment, at least in the City of Wichita, appears to be successful. It's successful nationally. It isn't a panacea. There are a lot of problems with it, it's tough, it's hard work, it costs money, but it's better than just saying jail every other month for the rest of your life, which is not quite the truth but kind of a statement that describes what's happening now.

Implement a jail population management plan, you've got to have a release matrix, you've got to know how you're going to handle crowding, you got to know where people are going to go. You can't just say, uh-oh, let's build. You have to have a much more proactive and detailed set of options available to you.

And here's the last one, institute economic rationing device, such as a booking fee. This basically says City of Wichita should have to pay the county for jailing its offenders, because the county is paying for the jail and therefore is a little bit more careful using this scare resource. If you were running a bridge, and some cities decide to put all this traffic on that bridge at rush hour, you ought to have some ability to ration that bridge, charge a toll. Now this is, around the country, pretty common, but I realize it's a conflict issue between the city and the county and it isn't going to be an easy thing to do but it needs to be done. You can't just have a free jail to enforce fines and various penalties and light-weight misdemeanors that the county has no control over. On the other hand, the city has a right to this jail, the citizens pay taxes just like the county citizens do, so there is some set of issues there that needs to be worked through, but rationing is the key. You can't just say,

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'Y'all come'. And you know, in my line of work we see it. We see that a city that's forty miles from the jail doesn't use the jail because there's an economic rationing device in the drive. And a city that's real close to the jail uses it a lot, because there's no economic rationing device. It's a very important concept.

Aggressively implement double bunking, we think that's about to happen, get everybody home. Hire a jail programmer who is not an architect. Now I said earlier you owe the sheriff a solution, either build him beds or implement this report or something like it, cause they make for alternatives and a management system.

However, you can't build a jail quite as fast as you can set up a program. You can set up a program over a weekend if you're in an urgent setting. A jail is going to take you years. With that in mind, and to make sure that everything is covered and your obligations to the sheriff, so that he doesn't get caught holding the bag with no bag, is to begin to get ready to build on several fronts, if you need to. At least you will need to put in double bunks and begin to think about using your outside foyer and your line up room and some other very open spaces in the jail as support spaces for the increase in the population of the jail when you double bunk. You may need to build on, expand kitchen or laundry, we don't know, but you need a programmer to come in to do this. Don't hire an architect.

An architect is a conflict of interest in any planning process that lead to a building and you know it, because they get 10% of the construction. Moreover, if you hire programmers to come in and talk to you about the kind of spaces and remodeling that are needed, and then have that programmer do the staffing plan for the facility, then you can tell your voters how much this building is actually going to cost, not just to build but to run, over time, as a percentage of the county budget, when you compare the cost of various alternatives. People always want to lock everybody up until they have the bill. So I think, from a political point of view, putting the bill on the table by getting the plan ready is instrumental to good decision making and good politics here.

A programmer will also save you a tremendous amount of money in the long run because an architectural fee for a jail addition or a new tower or whatever might be 8 or 10% of the construction cost. However, if you hand the architect a program, which is a list of spaces and relationships, it's a list of flows, it's functions, it has to do with staffing and costs and various other things, the architect is likely to be able to charge you 6, 5 or even 4% and you're in an excellent bargaining position at that point. You control the size and the cost of the project, huge savings there and you control the costs of the architectural services by cutting them in half but only paying about a quarter of 1% for the actual programming. So I advise you to do this.

Invest in various jail alternatives, like pre-trial release. Who is going to get out, why should they

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only get out cause they have money, if they're a good risk. The people, by the way, who get out with money aren't necessarily good risk. Invest, invest, invest in jail alternatives, home incarceration. A lot of people in this room could be punished by being kept indoors. There are people on the jail committee and I was kidding when I said to the District Attorney, 'Wouldn't it be punishment to you if you couldn't talk?'"

Commissioner Sciortino said, "It would be a blessing for some of us."

Dr. Kalmanoff said, "Well for some, but a curse for others, but the main point is there's lots of ways to punish people, lots and lots of ways and using the jail is the only clear way to punish the taxpayers along with them, so you should use it carefully."

There are work and treatment programs you need to talk about and all kinds of community options. Now, should you sort of want to go this way, here's what you could look at happening. The top line is projected the way things have been going. The next line down is what happens when you look at the age cohort separately and do a more careful analysis of what the drive is, population-wise. You can't have all the 75 year olds in jail in the county, they don't commit that much crime. So you have to be careful with age groups. The next one is an adjusted population based on implementing this report and last one is an adjusted population based on implementing this report and age adjusted.

These last graphic shows what happens if you implement the entire report, based on the adjusted population model that we've used. It basically says this is not the time to build beds, this is the time to build government and system over your beds, double-bunk, classify and create the entire range of sanctions that a mature criminal justice system had to avoid punishing the taxpayers and insuring that you always sanction all illegal behavior. Now knowing full well that many of you have questions, I'd like to stop here and answer your questions and if you'll let me preserve the right to pop back in with a couple of thoughts at the end."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Alan, would you expand a little bit on the criminal justice coordinating group. I think some people have perceived in the past that we've had something put together similar to this, but I'm not totally convinced everybody was at that setting and that it was consistent and how it might work here in our county."

Dr. Kalmanoff said, "First of all, criminal justice coordinating group can be at least a core group of gatekeepers, six, eight gatekeepers: sheriff, prosecution, key law enforcement, two key judges, probation, community corrections and a county budget person. That would be enough and in fact, that should be the executive committee if you go big and try to represent everybody else, cause

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there are a lot of other people who could be represented. You could have clerks represented, you have city and county systems, you have prosecutors and defenders from the city as well as the county. So some folks have 58 or 60 people on this committee.

In Salt Lake City it's 37, 58 in Stockton, California, it was very big. But the executive group needs to be those people who are really the lynchpins, the two or three elected, independent officials, prosecutor, judges, sheriff and the other crucial people, police chief of the largest city, a commissioner.

Okay, this is, of all the recommendations we've made, the one that is most clearly best practice. By best practice I mean the Department of Justice, Bureau of Prisons, National Institute of Corrections says this is best practice and have published a bunch of stuff to show the jurisdictions who have this round table, who have this coordinating council are known for managing their population and their public safety budget and for making what are considered by outsiders to be good decisions about developing their criminal justice system.

These kinds of groups can clear out grants, so I don't get a grant for ten more cops to do domestic violence enforcement, but you don't get a prosecutor to handle the caseload and you don't get jail beds to put them in. You've got to have all three in order for the thing to work, so you want a group that can coordinate grants. Ultimately, this group could provide you with a criminal justice system budget. It would be advisory, because the sheriff and the prosecutor and the judges are independent, but none the less, if you start off the first year just asking them to share one another's budgets, I see what you've got, you see what I've got before we send it up and the second year ask for comments and the third year ask for modifications. Do it all as an advisory, five or six years in, people aren't going to shrug at the idea of coming in with a combination criminal justice budget where I know why I'm adding extra money because of your needs and you know why I'm adding them for mine and we've all decided the system needs to move in that direction and we're trying to be coherent, even though we have prosecution and defense and varying functions. This is best practice now."

Commissioner McGinn said, "Okay, thank you. And I guess just for the audience, Commissioner Unruh and I sat on this committee from time to time and so I don't want you to think I didn't listen to you yesterday, but I'd like some of this information to come out. Also, would you address just a little bit some of the challenges that we have here locally, especially particularly as it pertains to state statute. Sometimes people get into the system and it doesn't flow as well as we'd like because we're required to keep them there through state statute and some of the challenges that we would have there."

Dr. Kalmanoff said, "Well, there are two aspects to the state statute issue that I'd like to address.

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First of all, it is a fact that the laws have been changing over time in such a way that various offenses have become first mandatory jail and then mandatory length of time in jail and then cover more people. A simple example is it used to be domestic violence meant husband and wife. Then it became husband and wife or wife/ husband. Now you can't think of a relative, however distant, that might somehow or other be in the household that wouldn't be covered, instead of as a simple assault, maybe as a felon domestic violence or maybe misdemeanor but a mandatory arrest and a whole lot of stuff.

So we think some of these statutes have kind of gone off the top. There are plenty of laws around to enforce assault. Prohibitions, one against another, without making mandatory arrests for a great uncle by a fracas in a house. You have to make these judgments but first you may have to go to the state capitol to get relief on some of these. But more importantly, there are plenty of statutes that do limit the ability to just cut people loose, but many of these can be remedied by local court order where they say in situations where there's no danger, based on so many points with da-da-da-da-da, da-da-da-da-da they can be released on probation or they can be moved out to work furlough or they can be moved out to conditional release or home confinement or a bunch of other things.

For the most part, court orders and local policies that are based on a list of rational criteria will allow you to develop your system the way you want to. There aren't many statutory limitations, but there are some underlying statutes that have lengthened the stay or put more people in jail. To go through every one of them would be difficult. I think our report has been fairly criticized for not going through every one of them. We couldn't do everything. On the other hand, you don't need to run to get legislation to implement this report. You can implement this report through a criminal justice coordinating group and hopefully the cooperation of presiding judges in both courts will issue local rules."

Commissioner McGinn said, "Could you speak to two items I brought up yesterday and that has to do with drug courts and mental health courts. It's my understanding that the City of Wichita has been using it, they've said that they . . . or they believe they have some successes through that program. There was some discussion with District Court, what works, what doesn't and whether we could expand that program and then also a mental health court, because you mentioned those in your report. They weren't I guess what you'd call priority 'a'. They were like 'b' and 'c' but I think that in today's society it's something worth looking to."

Dr. Kalmanoff said, "Well, first of all let me summarize an interesting discussion without naming names. Somebody says, 'Our drug court works', somebody else says, 'How do you know it

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works?' Somebody says 'Well, we have less recidivism or no recidivism or 5% recidivism and some good recidivism'. Somebody says, 'Is that every crime or just drugs?' 'Drugs'. 'Is that everywhere or just Sedgwick?'. 'Sedgwick'. 'How long is that for?' 'Two and a half years that we did the evaluation'. So you can get, by the flavor of that exchange, how complicated it is to ask the question 'Does it work?'

Secondly, this fascinating conversation we had, the next real question is does what we're doing without a drug court work? And you get this interesting exchange in which somebody says, 'Well it doesn't work because they keep getting re-arrested' and somebody else says 'It doesn't work at the city because it's too easy on them, we need to keep arresting them, that will work'. Well, towards what? Well, at least they're off the street for the month they're in jail. They get re-arrested, they're off the street again for the third month, every other month at least. It's difficult to measure success. It's a tailor made fight to kill a six-pack on to argue about whether these things work or don't work, whether the city's got the perfect answer, whether you have the right answer in constantly just using the jail.

But one thing is for sure, most people don't believe the way the system currently works is ending or stopping or really impeding the drug problem. There are some people who think it keeps the lid on. Drug courts around the country, which have become a bit of a norm, I don't know about best practice, I think there's enough of them now in the bigger places to call it best practice but it's such a lose word that I don't want to do that, most people have decided that neither works the way we'd like it, but treatment combined with the threat of jail and a heavy supervision/ intervention by drug court is at least better than running in and out of jail with no treatment and a lot cheaper, a lot cheaper, tons cheaper.

Now people have got to get their heads clear about what they want to do about bad behavior, because if you ask John or Joe or Jane on the street whether they want to jail a drug user, they may very well say, 'Without question'. And then if you say would you like to raise your property taxes accordingly and give them the amount, you may find out they'd say, 'What are my choices?' And then if you say, 'Well, one of your choices is to come to court and get referred, with the prosecution held in abeyance to a treatment program and some folks will get out clean, some folks will just wear out the program and just leave and it will be a lot cheaper and your property taxes won't go up', most people say 'Yeah'. So it's the full choice that's needed.

Now there are a lot of opinions in your county about doing it or not doing it. One thing is for sure everybody agrees on, you don't have enough drug treatment. So if you're going to go drug court, it

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isn't free, but it's cheaper than using the jail to set up treatment programs and do this right. It's new money and it's going to be tough for you to pull it out of your pocket."

Commissioner McGinn said, "Can you expand a little bit on the mental health courts and how that's worked across the nation."

Mr. Kalmanoff said, "Well, it's a little bit the same. First of all, we need to acknowledge, and although I don't have a figure at my fingertips for the number of mental health, quote, folks in your jail, whether that's dual diagnosis, drug and mental health, whether it's a normal crime like . . . I don't want to say 'normal', not a drug or a mental health related crime, say like car thief, but it's by a person who has mental . . . you have a huge number of people who have mental illness in your jail. This is a national problem. Nationally, mental health was sort of pulled out from under the poverty element in our society starting in the '80s. And there are very few services and very few programs to keep people on their meds, to keep them functioning in society and they fall off the table into the criminal justice system because they're nuisances, they pester people, they make people really angry.

And so the jail has become the dumping ground, only your jail, which says it costs 65 bucks a day, and maybe even more when you amortize the building and all the related costs, is not the right place to handle these folks, in terms of having them not come back. And of course if your putting them in an expensive place and guaranteeing that when you let them loose they're going to come back, you're not really doing business correctly. Doing business correctly would say, 'Okay, we're going to hold the prosecution in abeyance for this action'. You pee-peed on a store front, which would be a good example of a mental health, public nuisance, public order offense. You know, or any number of thousands of behaviors that you can imagine and if you proceed towards mental health treatment, get stabilized on your meds and see this mental health service on a regular basis, three months or six months from now, we cut you loose from this prosecution, keep you out of jail, everybody wins. It's less expensive than jail. It's more likely to keep them out of jail in the future and it doesn't bury a problem in the most expensive hole."

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Commissioner McGinn said, "Thank you and I may have some more questions, but I want to hear from everybody else. Thank you."

Chairman Norton said, "Okay. Commissioner Unruh."

Commissioner Unruh said, "Mr. Kalmanoff, you said we could call you Kal."

Dr. Kalmanoff said, "Please."

Commissioner Unruh said, "Okay, thank you. Well Kal, it seems like the management program is a key to this whole thing. I mean, evaluate them and get folks in jail and out of jail and that sort of thing and you've talked about release matrix and continuation of sanctions and all those sort of things. A concern that I would have and I think many people might have is what's to insure public safety? I mean, right now we've got people in jail that we think belong in jail and if we put into place some of the suggestions you have, we're going to let a third or half of those people out, whatever the number is."

Dr. Kalmanoff said, "First of all, you won't be letting them out, you just won't be putting the same kind in that you are now but I understand your speech. What you mean is in effect a third of the people in there now wouldn't be in there five years from now."

Here's the issue. I don't want to turn it around and say, 'Explain to me, commissioner, how the current process of jailing somebody for a month or two or three in a year insures your public safety?' because I think it's a can of worms to ask the question that way. But I'll try to answer your question by first of all saying if 51% of your jail are misdemeanants . . . or minimum security, 73% are misdemeanants, we aren't really talking about crimes that involve public safety. We're talking about the people who we're really irritated with or are angry at and don't want that behavior to continue because it's antisocial or illegal. That's different than dangerous to your person. It's very important to make that distinction and then ask yourself, 'What is the jail accomplishing?'

Let's just take a shoplifter or a car thief even, these are serious things. I've got a car and you know, my wife's family owns a retail establishment. This is not trivial for people to steal, but what does the jail do to insure public safety when that person is punished in the jail? The person sits up in

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front of a TV for 30 or 60 or 90 days and eats your food and sleeps in your bed, perhaps loses their job and their family goes on Welfare, which you'll be paying. Perhaps without a job he's going to be more likely to go shoplift again, we can't tell. Without the opportunity for programs that deal with the issue of theft, because the jail is not able to sort of put those programs out at any high level, it's not a good place to do programs, we can pretty well see that you will be punishing the taxpayer but not getting public safety.

With a program that says, 'Hey, you're a shoplifter and you are going to spend the next 30 days, eight hours a day, picking up paper'. If you have a job and a family, we'll make you do it nights and weekends until you have repaid your debt to Sedgwick County, but we're not going to host you in our house, in our jail at 65 or 95 a day, the first day is probably a couple of hundred, in order to protect the public safety, because public safety isn't an issue here. It's much more to do with social control. So we'll have a system that isn't just jail or nothing. It will start off with a little control and go all the way up to jail, just like you do with your KICS."

Commissioner Unruh said, "Okay, thank you, that's helpful. Another question though, I mean, maybe taking the flip side, is that in one of your findings that you had was that 61% of the people arrested are released in the first 24 hours?"

Dr. Kalmanoff said, "Right."

Commissioner Unruh said, "It sounds like we're doing a pretty good job of not packing our jail. I mean, 61% in 24 hours, isn't that good?"

Dr. Kalmanoff said, "Okay, what's important is those are the people with money and you want to ask yourself, would you make a public safety sort, by sort I mean one group or the other, based on how much money somebody had. Drug dealers have quite a bit of money to work with. They'd be the first out. Their bondsman is standing by. Their ability to get out of jail fast is part of their business. So you have to be very careful when you look at that.

First of all, you're not getting them out. They are getting out on their own with money. Second of all, to the degree that they would have been assessed an excellent risk, such as Commissioner McGinn with 21 points, a house, a job, da-da-da-da, good risk to appear at trial, assessed objectively in a validated instrument. To that degree, which should they have been in there to begin with? They could have been in the foyer, right outside the jail, immediately screened, given the points, information verified and out in under 14 hours, in under 6 or 8.

We're trying to manage this so that the people that go in, it will cost a couple of hundred bucks to book them, although that figure isn't widely published, it is the most expensive day to book them in.

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Why should they be booked in if they're going to get right out again? And to sort, by that I mean the culling of who gets out and who doesn't is not based on danger to the community but rather on cash in their pocket."

Commissioner Unruh said, "Okay. Well, one other question and it's kind of skipping around here a little bit, but you say that the costs of these alternative programs are tremendously less expensive than jail. I mean, is there a way to quantify that at all? I mean, I keep hearing it said that this is less expensive, this will save money, the jail is too expensive and I understand those words, but is there a way to quantify it?"

Dr. Kalmanoff said, "Well, first of all, of course there is a way to predict the costs of both and our report has done a gross prediction of the costs of new jails at about 30 million for a 600 bed sort of tower but it's very difficult to predict even that. To predict what programs you'll use and how you'll hire and how big they'll be and how much they cost, down to a plan, is something you all need to do but it wasn't part of our scope. However, we did try to show that various programs would save jail bed days and be vastly less expensive. I'll give you a couple of figures to help.

One is it's typical for a probationer or other person supervised on pre-trial release or some other way supervised to cost between five and fifteen bucks a day to be supervised or oversee an electronic bracelet can be 12 or 15, often the inmates will pay for that, depending on the program, but just using those as an example. Treatment programs could be 25 or 30 a day, but still your jail says it's 65 but I believe if you put an accountant on it and prorated all the property and the bond and the interest and everything that went along with it, including pensions and costs and personnel running it, you would find that it's more than that. So it's vastly less expensive than a jail, because a jail just doesn't ever quit and be inexpensive. It's very expensive."

Commissioner Unruh said, "There are others who want to talk here, but let me ask just a couple of more questions. Are we breaking new ground with your recommendations? I mean, you've implied that are we just way behind? I mean, these programs or this type of a program you're recommending is used elsewhere successfully?"

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Dr. Kalmanoff said, "Oh, yeah. Let me try to answer the question as tactfully and as honestly as I can. In this case it's difficult to do both."

Commissioner Unruh said, "I've noticed that about you."

Dr. Kalmanoff said, "Say that again."

Commissioner Unruh said, "I said I've noticed that about you that sometimes it's hard to be tactful and honest at the same time."

Dr. Kalmanoff said, "The bottom line is that the developments of criminal justice systems around the country, in response to jail crowding and the enormous costs of jailing have been going on longer than they have been here and so the sort of solutions that work, the sort of best practices and norms that we talk about are more elsewhere than here. It would be wrong to say you're breaking new ground, unless you said 'Are we breaking new ground in this county' and then you would be breaking new ground quite a bit because you have somewhat of an underdeveloped system because you've had the luxury of having jail beds to rent or build all along and haven't had the economic problems that make you want to revise what it is you're doing."

I wouldn't call you a backward county, I wouldn't call you way behind the times because you have excellent people running excellent agencies. What's needed now is to have them all meet and take responsibility for the overall system's alacrity and distribution of sanctions in a way that makes most sense for the people you have, this was a population study. I don't know if that carries the message or not."

Commissioner Unruh said, "Yeah, I think so. I appreciate it. Well, I'll pause for now and let someone else ask questions."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Well, I'll try to be a little brief. I've got a question, a comment and a question. In trying to determine, Kal, a little more about the criminal justice coordinating council. You made the statement that the justice system lacks a coordinated, systematic plan. Would this be one of the responsibilities of this criminal justice coordinating council and would they play a major role in this whole implementation?"

Dr. Kalmanoff said, "Yes."

Commissioner Winters said, "The short answer."

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Dr. Kalmanoff said, "If you want me to elaborate I'll say in order to expand the jail, you want the police to be involved in the thinking as to what's going to be needed. You want the prosecution to be involved. You want everybody involved in everything in order to have a coordinated system. Still you have to maintain the independence of the judges, prosecutors and the sheriff."

Commissioner Winters said, "But that coordinating council will be very, very important."

Dr. Kalmanoff said, "Yes, yes and almost nowhere have I seen where a sheriff's department is saddled with the total responsibility of solving the problem. Everywhere I go where things are working pretty well, the county builds the jail, does the planning, there's a committee, a group of people that are all the agencies involved in the justice system and the sheriff is not holding the bag and asked to do everything."

Commissioner Winters said, "All right. Well, that kind of leads into part of my next question. You know we have, I believe over this past couple of years, we have an excellent working relationship with Sheriff Gary Steed and has been a person that we can talk to, work with, plan, strategize and he has been very open and forthright and we feel like we have a good working relationship. During this past year, when we had the budget constraints and problems and we really, I think, developed a closer relationship with the district courts and with the District Attorney's office. I mean, they both assisted in 'Okay, let's all pull together as a team'.

But sometimes, as a county commissioner, can you give us some I guess guidance, when we deal with district court judges and district attorneys who are lawyers and attorneys and have this insight into the legal system, I often feel like 'Well, I'm really a jail provider and perhaps I don't see the full depth of the legal ramifications of this decision or that decision' and thus feel like I'm in an awkward position in dealing with these people of legal authority. As a county commissioner, how should we feel like we're in that mix?"

Dr. Kalmanoff said, "Okay, well first thank your stars you've got Gary Steed and the district attorney and the judges you have, because I've been places, often were called into those places because there's a war going on between those characters. So thank your stars and you can get on line ahead of me but you can't shout louder about Gary Steed, because he's been wonderful with us. He's the guy, basically, that I see having called for this study. How many sheriffs who really do want, and he really does want more beds, will put it out in this frame to have it analyzed in this way for the public interest as a whole. You won't find very many, and I know a lot of sheriffs.

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The thing about how can the commission is a profound question and I'm a little bit . . . I don't want to tell you what to do in a sense, but you asked, so I'm going to and I mean it with all due respect. One of your number, one of your number should get to be really good at this stuff. At least one, could be two, sit on this criminal justice coordinating committee. There's recommendations in the report that I've talked to Bob Lamkey about of getting National Corrections in here with their PONI program, PONI, Planning for the Opening of New Institutions, which gets the entire community, not just the criminal justice community but the entire community involved in thinking about the assumptions of jailing and overall criminal justice system development and helps them move towards a plan that fits their particular county's values. We say in this report you need to sort out your values, keep the people in jail that you're afraid of, and do other stuff to punish the people you're angry at so that you don't punish the taxpayers.

The NIC PONI program and similar kinds of activities will educate any kind of commissioner, any citizen groups towards what these value choices involve and technicalities and in money and what they're done elsewhere. The PONI program stage two usually involves a tour. I think at least a few of you ought to go see 'Ten Systems' where major re-engineering of the system has already occurred, so that when you start thinking about how many beds you want to build and how you want to locate them and how you want to run them and what other programs you want to have to support the sheriff's custody requirements, you don't just have a few ideas, but you have some models that you've had a chance to walk the talk and really run around in, talk to commissioners, talk to people running the jail, talk to citizens. This is worth doing.

Again, it's now 8% of your county budget, the jail. If you do nothing but sit here and kind of wait, it will be 30% in 2025. That's not that long from now, 20 years from now, so one of you at least, if not two, should get really not necessarily worldwide experts but develop a lot of expertise compared to what you may have now on the whole business, because it's so big a percentage of your budget, and that is your area, providing, as you said."

Commissioner Winters said, "Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. I don't know if I heard you say this, but if you have this data, fine. If not, that's okay. What percentage of our current population has a City of Wichita address? Do you know what percentage that might be?"

Dr. Kalmanoff said, "Well, we could certainly find out, but I'm guessing in the 60 to 80% range. I

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mean, we have it, I just don't have it at my fingertips."

Commissioner Sciortino said, "That's fine. This is a question, I guess, of Mr. Euson. You know we've heard . . . first of all, you have enlightened us . . . or at least I'll just make it singular, myself a lot and I really do appreciate and this is very useful information because I don't think, sitting here, we knew all the different nuances. It's also very enlightening to me to find out maybe that we are a little bit behind the curve as to what other municipalities or counties have been doing to address this problem. But one of the things that you mentioned, and you've repeated it enough times that I sort of think you believe it, was trying to go to citations as opposed to automatic placing in jail and what have you. So Mr. Euson, do we have it within our authority to implement countywide citations, or do we have to hope for the municipalities voluntarily going along with our plan to have a citation for a DUI or whatever, do we need their cooperation?"

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "Commissioner Sciortino, I really don't know. I did not receive a copy of this report and I'm really just not prepared to comment."

Commissioner Sciortino said, "That's good. Well then, my second question to you will probably have the same response. I'm sort of thinking that's the reason why they're talking about this criminal justice coordinating council is to have the judges and the city officials and the city people, etcetera involved in it. Maybe they're trying to manipulate these people that if they're on this council and they're making recommendations, then their portion of the recommendation hopefully they'll implement on their city. Do you have the answer to that question?"

Dr. Kalmanoff said, "Well, I have an answer. I want to be careful not to interpret Kansas law on my feet when I'm not admitted to the bar here, but I'll just say this, in 1976, while working for the Oakland Police Department, I wrote . . . maybe it was '74, I wrote a policy on citation in lieu of release. Currently, more than half the states in the country have a statute with almost the same language. More of the rest of them than not has something similar throughout the localities. I want to just take a moment to describe what it would mean.

Currently, your police departments all have some kind of policy or procedure that says 'officer discretion' and defines the judgment of an officer and the latitude. You don't have to arrest almost anybody. It's always a decision about whether this person da-da-da-da-da, da-da-da-da-da, criteria. So a citation in lieu of arrest will just simply tighten that up so that a rookie cop on a midnight shift who gets angry at somebody cannot define your jail population level."

Commissioner Sciortino said, "Okay."

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Dr. Kalmanoff said, “And one last thing, the way they typically work is they say ‘thou shall not book a misdemeanor unless’: danger of a continuing crime, danger to evidence, danger to somebody, failure to identify, a list of sex crimes and two or three other things that are particularly onerous that you’d want to have somebody go to jail for no matter what and then a little box at the bottom that says ‘officer discretion’. He doesn’t fit any of these and he’s a misdemeanor and I want to take him anyway because I think he needs to go to jail but then I’m going to get my sergeant to sign and my reason for putting him in jail is going to be written down. That creates a tremendous burden on taking people to jail unless they need to go to jail.”

Commissioner Sciortino said, “And if I heard you right, the way that was successfully implemented in other areas was to get state legislation to get that?”

Dr. Kalmanoff said, “The way it was implemented the first time I ran across it is I wrote it, the police chief signed it and it became a general order of that department.”

Commissioner Sciortino said, “Within that particular city.”

Dr. Karmanoff said, “Right. To get it to be countywide, all the agencies in the county had to sign on it and have the same general order, which they did in the year that followed. And you’re correct in assuming that the criminal justice coordinating council will be an excellent vehicle for trying to jawbone that thing through. I’m currently working with the Chief of Police Association in another county with a lot of big cities to get everybody together to do the same.”

Commissioner Sciortino said, “Okay. Let me . . . I just have one other question, because you know we have different entities. The Sheriff is an elected individual, so is the District Attorney, so are state legislators, so are we, so are city council and the general trend, occasionally during an election process, is the ‘get tough on crime’ and ‘don’t do the crime unless you’re willing to do the time’. How are we going to reconcile and get these other electeds, including ourselves, comfortable enough in the public eye of this trend maybe to go to citations, get out of jail free pass, etcetera in light of the get tough on crime thing? How do we get past that?”

Dr. Kalmanoff said, “Okay. First of all, not easily. Second on all, by starting to talk about punishment instead of time or jail, because one of your big problems is you only have this one sanction, for the most part. It’s not that you have nothing else.”

Commissioner Sciortino said, “I like getting them out cleaning the street, as opposed to sitting there watching color TV.”

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Dr. Kalmanoff said, "I would assume your voters do the same thing and they're paying for the privilege instead of you paying for the three hots and a cot. So the idea is first of all the change in vocabulary as politicians, if you don't mind my suggesting it, to one in which you say let's quit punishing the taxpayers and let's start punishing the criminals."

The second thing is to your merchants when they say, 'don't cut that guy loose, he annoyed my customer, I want him in jail'. You say, 'Okay, we're going to arrest them' and they are arrested right at the scene by a police officer who drops them off six blocks or twelve blocks away or at the booking center because they're not needing to be in jail to discontinue the behavior, to not be a danger anymore that night, to destroy . . . da-da-da-da-da and they're likely to appear at their charges the next day. So you explain to people we're going to take them off your premises but we're not going to use our 65 or \$95 or whatever it is a night jail to house somebody that's going to be out anyway and isn't a danger. We're now going to punish them because shoplifters are going to get five days of picking up paper in the ditches, or 15."

Commissioner Sciortino said, "Thank you. That's all I had right now."

Chairman Norton said, "Other questions at this point?"

Okay, I just had a couple of comments and I'm not going to get deep into the report. I've got to tell you, I've tried to read it and I'm going to have to spend three or four more times reading it, because it's a lot of really compacted information with a lot of statistics and I don't know that I will ever be that expert. Somebody is going to have to be, but boy, at first blush, tough read to understand all the different things that go together to make this work."

Dr. Kalmanoff said, "Let me just interrupt you, sir. For those of you who don't want to try to get through this whole report, cover to cover, focus on chapter three."

Chairman Norton said, "And I have. That doesn't get me any further along, because you know I want to do my due diligence to understand what got you to chapter three. I think I have to do that."

Dr. Kalmanoff said, "The population study is in chapter two."

Chairman Norton said, "The thing I would say is I'm tickled that we're having this debate. It's out in public. I have to admire our criminal justice system who have come to the table to try to help us figure this out. You know it's not easy to be the elected officials that have to decide to build a jail and not be in control of anything else that has anything to do with it much."

I think it's going to be an ongoing dialogue. Now I know, from talking with the sheriff through the

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whole process he's still convinced we've got to build some beds and some of it pretty soon. And I think we have to engage in that dialogue. I would hope that Commissioner Unruh and Commissioner McGinn would continue to be our representatives, our voice and take on, at least for right now, that expert role to understand what we need to do.

There are some considerations that are going to be real tough and it doesn't always have to do just with the jail population and what we want to do there. Some of it has to do with economics and the money available. I mean, we're faced with some pretty tough decisions on budgets and now we're talking 24 to 32 million dollars to add onto a jail and what does that look like. So the ongoing dialogue has to go on. Certainly we're not going to make that decision today. I would implore the five of us, as commissioners, to continue to seek out the sheriff, who is a good partner with us, the District Attorney, our partners across the street and our partners in district court to come up with the best solution for our community, whatever that may be.

I think I'm convinced that part of it may be some building, but part of it may be this ongoing dialogue and some changes that will be systemic in the system that in some cases aren't going to be easy to get through all the people that have to make that decision. So, with that I will give it back to Commissioner Winters for our wrap up today and Commissioner McGinn."

Commissioner Winters said, "All right, well Mr. Chairman I think this has been a good discussion and I agree, it probably could go on and I'm sure it will continue, in some form or the other. I see Commissioner McGinn has some comments. I just wanted to kind of test drive a motion that we create this criminal justice coordinating council, as the first preliminary recommendation in action but I don't want to do that if others are still thinking and contemplating. But it looks to me like that's a group that's going to be very important and I would suggest that the Manager start assigning some staff to figure out what that would look like and I'm ready to do that, if there's other support for that."

Commissioner Sciortino said, "Do you want to hold off on that motion until we hear what Carolyn has to say?"

Commissioner Winters said, "Yes, I'll hold off until I hear what Commissioner McGinn has to say."

Chairman Norton said, "Commissioner McGinn."

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Commissioner McGinn said, “Well I would second that motion but that’s not why my light was on. I think this has been a very good report and part of why I think that is because there has been a lot of heated discussion and to me, that means . . . it says that we have to make some changes and change is not always easy, but the way I see it is that we can continue to build more jail beds or we can think about how we might do things differently as a county.

I certainly trust Sheriff Steed’s opinion about how we may need some more jail beds and I think that’s something that we’re going to take a very serious look at. But I don’t want to sit here five, seven years from now and having the same discussion again about building more jail beds. And so that’s where these other things that came out in this study, the light that was shown about lack of graduated sanctions in this community. The fact that we have an equity issue, I think that’s terrible. Those that have money get out of jail and those that do not have money are still sitting there and they may have the same offense or less. And so I think that is something that we seriously need to take a look at.

This is also just a guide. It’s not . . . it’s like our Metropolitan Planning comprehensive plan. It’s a guide about how we wish to grow in the community. This is a guide about how we want to take care of people who have offenses in our society here in Sedgwick County. And so how we want to tackle that. It also has suggestions for things that speak to the taxpayer. What are we willing to pay for and is it necessarily giving us the outcome that we want. And so I think Commissioner Winters’ suggestion about starting that coordinating council is an excellent idea to get started today and we’ll continue to have ongoing discussions about what things in here are palatable to our county and what things are not. Thank you.”

Chairman Norton said, “Other discussion points? We do have a Motion.”

Commissioner Winters said, “I’ll make that as a Motion, Mr. Chairman.”

MOTION

Commissioner Winters moved to that the Board of County Commissioners create the Sedgwick County Criminnal Justice Coordinating Council to lead the effort to improve

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our criminal justice system and that we ask the County Manager to assign staff to the effort and ask the council to report to the commission on a regular basis.

Commissioner McGinn seconded the Motion.

Chairman Norton said, "Any discussion?"

Commissioner Sciortino said, "Yeah, I have just something. I think it's going to take a lot of effort maybe, Bill, on your part or maybe all of us too because I'm going to be supportive of this motion, but in order for this council to be effective, we're going to have to have certain key people or representatives of certain key departments that will be willing to sit on it.

For example, if the City of Wichita says, no we don't want anything to do with it, well then we're not going to have a very effective council. I don't think that's going to be the case, but it will take us trying to do some good hard preliminary work to make sure that those key people are on this council. I am convinced right now, from what I've heard, that's going to be the key element as to whether or not effectively we'll be able to implement any of these good recommendations. So, I'm going to be supportive but I just think it's important we get some of these people for sure committed on the council."

Chairman Norton said, "Any other discussion?"

Commissioner Unruh said, "I just want to comment that I'm going to be very supportive of the motion. You know, it's a trite saying, if we keep doing what we're doing we're going to get more of what we've got and more of what we've got implies 30% of our budget is going to be spent on jail and I don't think any of us are going to be happy with that. I think the Sheriff is open to this and so this is a real good time to take the step to move forward and make some changes, so I'm going to be very supportive."

Chairman Norton said, "Certainly, this is a very tough issue, just to wrap it up, I'm willing to move it on to the coordinating council. I think that's a great first step, but I can tell you, one of my values will be to continue in our staff meetings, to make one of that our big topics for us to continue to talk, because I don't think we can be insulated. If we put two people on the coordinating council, the other three of us can't wait until we get reports back. We need to have a continuing dialogue about this as it moves forward, because I don't think we have years to wait to make decisions. I think we have a very short window that we need to ramp up, get some people working on it, get our experts to coordinate the information back to us so that we're all pretty knowledgeable on the tough decision we have to make. So, I guess for me it's going to have to be an ongoing dialogue at staff meetings and maybe a workshop just for us to really process and talk about and debate and invite

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the Sheriff and the DA to come and give their blush on the whole thing. With that, Clerk call the roll please.”

VOTE

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

Commissioner Winters said, “Mr. Chairman, I believe the Manager has a suggestion for how we conduct the rest of the meeting.”

Chairman Norton said, “Thank you, Kal very much and I’m sure there will be more questions and more ongoing dialogue as we get into the meat and potatoes.”

Dr. Kalmanoff said, “Okay. Thank you all very much and good luck to you.”

Mr. Buchanan said, “Mr. Chairman, this agenda took a little longer than we suspected. We have scheduled a time-certain reception. There is some business yet to be done. My recommendation to you would be to . . . and I know, sir that you have a commitment pretty soon that you need to take care of out of town. What I would recommend is that we skip to the end of the agenda, do the change of the Chairs, do that portion of the agenda, at 11:00 go to recess for the reception and reconvene here at a quarter till noon. I think there’s probably 15, 20 minutes of business and I know people, because of the lunch hour, will want to get out. Those who have agenda items are not to eat or drink at the reception and that will motivate them.”

Chairman Norton said, “Well, if it would be okay, I would like to make a recommendation. Do we need a motion to change or can we just move to that and come back?”

Mr. Buchanan said, “I think it’s your prerogative to skip.”

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Mr. Euson said, "I think you can just skip to that item, Mr. Chairman."

Chairman Norton said, "Well I will explain. I've got a flight out to Austin, Texas. I've been invited to a Communities in Charge symposium that talks about public health access and prescription costs and Project Access has invited me to be a representative of Sedgwick County to that and I think based on our ongoing public health dialogue that we're having, this was probably a good travel time to go and understand what other communities are doing on some of those important issues."

I would like to, if we're going to skip to that, to indulge the audience and my colleagues, if they'll give me five or six minutes to just reflect on my last . . . the last year, being chair, where we've gone and some of the challenges I think we've faced. I don't know if this is particular protocol that we've done in the past but certainly I think I would like to do it if I could, if you would indulge me.

When I became Chair, and I was honored by my colleagues to be able to do that for a year, I really reflected on what I thought was important, what were my values and what I wanted to communicate to the community and I think it's important when you articulate those things to the community, to yourself and to your colleagues that you have to go back and benchmark them later and say, 'Did I really meet those expectations, where did I fall short?', understand what I worked hard to do and I would like to do that today.

The first thing I talked about was articulating a shared vision and this is one of those tenets, those five tenants of leadership and hopefully, in some manner, I've moved forward the idea that we need to think strategically, that we ought to have a vision, we ought to know and help carry Sedgwick County into the year 2020 and beyond. And you know we're doing some visioning now. We've taken some bold steps in public health and some other areas, and so hopefully over the course of the year, all of us combined have worked to articulate a shared vision for Sedgwick County and I'm very proud of that.

The second thing I talked about was modeling the way and I've always felt that you know when you talk about being a leader and doing things it means that you step up to the plate and do the hard work of showing up at every meeting, enter into every dialogue, engaging the community at every opportunity and I have to tell you that I've tried very hard to make it to all of those meetings, to show up, to be there representing Sedgwick County at every chance. And I've got to tell you it is

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not easy to be chair and be a commissioner. I hold that in high regard because you do have to model the way to try to work harder than other commissioners.

I thought that it's important to encourage the heart, and when I say that, that's to make sure that we're civil. Make sure that we recognize the good work of our employees and recognize the good work of the volunteers in our community. It is extremely important that we form the foundation of good government and good organizational behavior and the one way you do that is let people know when they're doing a good job.

The next thing I talked about was empowerment and that's really a core value of mine, where you understand that you can't do everything. You may think you know a lot, you may think you have all the best ideas, but truthfully you rely on your colleagues, your employees, the community as a whole to hold you up and you give them the ability to go out and help you do the good job of government and hopefully we advanced that this year. I'm very proud of our organization. When you look at accreditations, if you look at the good work they've done in a tough budget year, you have to know that empowering this group was a good decision.

And finally, a good leader tries to be a change agent and certainly I hope that I fulfilled that because you know change is hard, change is unnerving, but in these tough economic times when it is tough to be in government, but you know what, it's tough to be unemployed. It's tough to worry about where your next meal is coming from. We have to think differently and hopefully I've advanced that a little bit this year.

Some of the things I've talked about that we would work on, and I won't go into all of them, but I'm proud that we touch-pointed them, we've solved a lot of them. The first was our budget and the fiscal condition. I applaud the manager and the staff for putting together a great budget in a tough year and you know what, we continue to work on it and we're going to get through this year relatively well. The jury is still out about next year, but for this year I think we've advanced good fiscal behavior in a tough economic time.

Health Department initiatives is the next thing I talked about. March 12th and 13th, we're going to have our Assembly. They surveys are on the street. We'll continue that dialogue and I'm hopeful that we'll come up with what the plan is, the vision for public health in the future.

The next thing I talked about was the solid waste plan and you know we've anguished over that for two or three years, but today we're a month or two away from making that . . . hopefully that final decision as to what that plans going to look like, what is the future of our solid waste disposal.

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I talked about the Coliseum upgrade decision and we've hammered through that, we've put it through the filter of the public and we're moving forward on that.

I talked about the jail expansion and that tough decision we'd have to make and you know we've got our first blush at what we're going to have to do there today. Certainly, we'll call on the Sheriff to be a great partner to help us with that over the next year, but very important.

I also talked about the future of Cowtown and the vision that Commissioner McGinn has for that and I think we've all really accepted and dialogued and talked about that one in staff meetings to move that along and I hope that will continue to be on Carolyn's plate, because I think it will be on mine as we move forward.

I talked about the Air Museum and the African American Museum and it troubles my heart that we're still debating those at a very low level. I think we hopefully can raise them up to a higher level, because I think they're so powerfully important to our community. I talked about economic development, workforce development and job creation and I'm proud to say that my colleague, Tom Winters and I, and Bill Buchanan and Irene Hart virtually made it to every GWEDC meeting this last year. We are very proud of our ability to connect on that important issue in our community, which is economic development, and we will continue to do that.

I talked about constituent communication and I'm proud to say that we've done a year of 'Around the County', we've engaged the community, we're outreaching to make sure constituents know what we're doing, how we're doing it, that we're seeking the higher ground by communicating honestly and consistently every day that Sedgwick County is working for you.

I talked about small town collaborations and I'm very proud that my colleagues, we had an ALARM meeting this Saturday and five of us showed up to be there with the mayors and the small towns to understand their issues. We've asked them to come to commission meetings and we've had five presentations from small towns to let them know that they're just as important as the 800 pound gorilla in determining the future of Sedgwick County.

I talked about the relationship with District Court, which has been strained in the past and I'm happy to say today I'd don't think we have any of those separations of understandings that we coexist in a building and we can play nice together.

I talked about strong City and County partnerships. I'm proud to say that over the course of the year that I held up my bargain to go across the street 52 times. There was a period there that I didn't go across the street at all for about three weeks but I felt that that was a time when maybe the City was dealing with some issues that they didn't need me in the middle of, but I made 73 trips across the street. I kept hash marks and I understood it was important that I could report back that I

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did what I said I would do.

I talked about expanding our voice at the state level and I think we've done that. I'm proud to say that the president of the KCCA, which is the County Commissioners Association, which I hope will advance us to have more clout at that level and certainly I will really work hard on the Kansas Association of Advisory Board to the Government Relations, which will bring together cities, counties and other areas and give us a state presence.

I talked about reviewing the technology plan and certainly we've continued to do that to try to understand where technology fits into our Sedgwick County community. It is such an expensive item and we need to continue to track that and watch it and make sure it's a good use of money.

I talked about engaging our advisory boards and making sure that they felt that their work was appreciated and that we understand what they're doing and I think we've continued to do that.

And then finally I talked about getting out into the community and making sure that the commissioners had a holistic view of what our job is because you may represent one district, but when you get elected you have to vote on things that effect every district and we did that several times. We went on a bus trip with Deb Miller that went all over the county. Some of the roads we saw were really good and some of them weren't so good.

So as I finish up, I felt that it was very important that I talked about the things that I described on my first day as Chair. I hope that I've done the good work of being the Chair and I will support our next Chair as best as I can. So with that, the next item, I will call that."

Commissioner Winters said, "Mr. Chairman, before we move on to the next item, I would like to take this opportunity, if you would stand, and on behalf of the Board of County Commissioners, we would like to present you with this plaque in recognition of your service as Chairman over this past year.

Your fingerprints are on many, many things that have happened over this past year. Your leadership has been very good. We've appreciated the extra work, the extra duty that goes along with being Chairman. So, on behalf of the Board of County Commissioners, please take our thanks and this plaque in recognition of that."

Chairman Norton said, "Well at this point, I would ask that we would move to Item K. So would you call that item please."

SELECTIONS

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K. SELECTION OF ONE MEMBER OF THE BOARD OF COUNTY COMMISSIONERS TO SERVE AS CHAIR DURING 2004.

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "If it's appropriate, I have a name I'd like to place in nomination."

Chairman Norton said, "I will open the floor for nominations for Chair for 2004."

Commissioner Sciortino said, "Well, I would like to nominate our colleague Tom Winters. Tom has shown me in the past that he's been very consistent in the way that he votes. I think that his conservative approach to how to spend taxpayers' money has been very well documented, but then he also has a compassionate side too and all you have to do is ask him a question about juvenile justice or what have you and he's in the front right there, trying to convince all of us that there can be alternatives to antisocial behavior if we had the courage to invest some money in prevention programs.

I have liked and kind of admired some of his completely out of the box approach to a problem and I think, maybe even given what we've been talking about here with this jail, I think this type of leadership and thinking could be very beneficial for all of us in 2004 and for those reasons and the fact that he gave me a quarter to nominate him, I'm very honored to nominate my colleague and my friend Tom Winters as Chairman for 2004."

MOTION

Commissioner Sciortino moved to nominate Thomas G. Winters for Chairman in 2004.

Chairman Norton seconded the Motion.

Chairman Norton said, "He gave me a dollar to second, but I will second that. Is there any discussion? We make a motion, we close the nominations and I have a second? Clerk, call the roll."

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, "Do we usually just do a voice roll or do we do a call roll for . . . since we've got."

Commissioner Sciortino said, "Or first of all, okay we've nominated him, we've seconded now we have to . . ."

Chairman Norton said, "We have to vote. Is that a voice vote or a roll call vote?"

Mr. Euson said, "You should go ahead and vote on the roll call for the nomination."

Chairman Norton said, "I have the nomination of Tom Winters for Chair for 2004. 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, "I'm going to finish up the nominations, but today we do have the traditional passing of the gavel. I would like to pass that on to Commissioner and future Chair Winters as we move forward into 2004. You've got my every confidence that you will continue the good work of government and continue to send the message that Sedgwick County is working for you. Congratulations, Tom."

Commissioner Winters said, "Thank you very much. Mr. Chairman, I would also like to take just a couple of minutes to make a few brief comments. I do want to thank you, Commissioners, for your confidence in being selected Chairman and I appreciate all the hard work that you've done in this past year and I anticipate that we'll do in the next year. Also want to say thanks to all the staff here at Sedgwick County. This has been a difficult budget year and all staff has just come above and beyond and we are truly doing more with less here in Sedgwick County."

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Each of you have been working on many special projects that you have special interest in and I would hope that each of you would continue to work on those projects. I think it's important for staff to know that there's a continuation of folks working on specific issues and I think it's good for the community to see a seamless transition on a lot of the things we're doing.

We've got three things that are coming up very quickly. We have started our visioning process, which we're really going to attempt to define who we are by bringing together members of our constituents from our districts to talk about different things. We're going to listen to these constituents. We're going to create a work plan and then we're going to set about doing it. So, we've all been engaged in a team effort. We've each got our district meetings planned, so that is going to happen very rapidly.

The health summit that is coming up in early March is going to be a day and a half of Sedgwick County Assembly, hosted by WSU. The public survey is out there. Again, we're going to listen to our constituents and see what they say about public health. This is an initiative of then Chairman Tim Norton, and Tim I would certainly want you to stay fully engaged and fully involved in that health summit. You have become our resident expert in that particular field and area and I certainly want you to continue on with the leadership.

The third area that is coming up very rapidly is solid waste. As many people know, we are in the midst of a re-discussion and a re-analysis of the solid waste issue. We're going to have a very important meeting here on a Wednesday morning agenda on February 11th to discuss that issue in depth and on our agenda of February 25th will be a decision making time. So, very quickly we will have that issue in front of us for decision and we will move forward from there.

There are several items that we need to keep our focus on. One of those is economic development, job creation. We've been fully engaged with the Greater Wichita Economic Development Coalition. Commissioner Norton and myself serve on that board. As you know, we are also involved with the REAP organization and have partnered with Butler County, Sumner County, Harper and ourselves, Sedgwick County in becoming the chief elected officials board for workforce development funds that come from the U.S. Department of Labor into our six-county region here in South Central Kansas. We are the fiscal agent for that group and are becoming more and more involved. There are other opportunities out there in workforce development with Kansas Technological Training Institute and the Wichita Area Technical College. Commissioner Unruh has become involved in that and we really need to make sure that we define the role that we see of Sedgwick County playing in workforce development that becomes so critically important to economic development.

A couple of other issues is the criminal justice issues. I think we had an excellent discussion this morning. The discussion and the real work is just beginning and Commissioner Unruh and McGinn, we thank you for your efforts that you've put in of bringing this report to the point that it

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is.

We're beginning the revising of the comprehensive plan. This Saturday we'll have our second inter-municipality planning summit, trying to help cities map out projected growth areas and again, we've all been involved in that and particularly Commissioner Unruh, as he certainly has some issues in his district that he is trying to help solve.

The quality of life issues are out there, Kansas Coliseum, the Zoo, Cowtown. Again, Commissioner McGinn has been working on that. Some of us are beginning to catch Commissioner Sciortino's theory of the Wild West attraction to the Midwest and I think we really have some opportunities there. Kansas African American Museum is still on the agenda that we need to come to some conclusions about.

When you think about the building projects we have in progress, we're going to make a tremendous addition to the juvenile facility. I think it's much needed and long overdue. We're doing work here at the courthouse. Kansas Coliseum is in motion. New 9-1-1 dispatch center is on the drawing board and we still are working with the Homeland Security project. We need to keep ourselves ready and attune for any kind of functional consolidation issues that can come forward. We're still willing, ready and able to talk about those.

Some of the areas that we just need to keep our eye on the ball with are again prevention opportunities in the juvenile justice area. We've got some tremendous programs going. We've got the Healthy Babies Inc. program out there that we know that every dollar we spend on the very youngest in the community will be dollars saved on problems that are created later. And we remember that 24% of our budget is spent on human services, folks that have developmental disabilities, mental health issues, aging issues, health department issues.

As we keep our eye on the ball too, we need to remember our Public Works and what a huge investment we have in this county. When you look at the roads and bridges that we have and all the other infrastructure, we've got to make sure that's there for future generations, because it's such a critical part to economic development and for the convenience of our citizens.

So, our agenda is going to be very long, complicated and difficult but I think it's going to be the kind of challenge we're ready to take. It's going to be the kind of challenge that staff is ready to help us take and so I'm looking forward to an exciting 2004.

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So, with that I believe the next item on the agenda is a selection of one member of the Board of County Commissioners to serve as Chair Pro Tem during 2004.”

Chairman Norton said, “Well, I’ll call that item.”

L. SELECTION OF ONE MEMBER OF THE BOARD OF COUNTY COMMISSIONERS TO SERVE AS CHAIR PRO TEM DURING 2004.

Chairman Norton said, “And at this point I would . . . Oh, Commissioner McGinn.”

Commissioner McGinn said, “Commissioner Norton, I’d like to nominate Commissioner Dave Unruh to serve as Chairman Pro Tem for the year 2004. I didn’t think of all these nice things like Commissioner Sciortino did to say about him.”

Commissioner Unruh said, “Not much to say.”

Commissioner McGinn said, “I know we’re running out of time but no, there certainly is and I can say it with great ease. It has certainly been a pleasure this past year to get to know Commissioner Unruh. He is a man with a great deal of integrity and high moral character and I have certainly enjoyed working with you on many of these issues and I know that you will serve our county very well in the position as Chair Pro Tem.”

MOTION

Commissioner McGinn moved to nominate Commissioner Unruh as Chair Pro Tem for 2004.

Commissioner Sciortino seconded the Motion.

MOTION

Commissioner Winters moved that the nominations cease.”

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, "I have a Motion on the nomination of Dave Unruh as Chairman Pro Tem. 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

Commissioner Sciortino said, "I thought for not having anything nice to say about you, she did a pretty good job."

Commissioner Unruh said, "She did an excellent job. Yes, I'm flattered."

Chairman Norton said, "At this point, I think we'll take . . ."

Commissioner McGinn said, "I had my light on for another reason. I know we're running out of time and I will try to be very brief. I just wanted to say thank you to you, past Chairman, Commissioner . . . whatever you are now, Tim, for this past year. You have certainly worked hard. I think you have showed us different ways to think about how we do business at the County. You've certainly helped me grow as a commissioner in looking at things differently and processes. You've brought a lot of great ideas and I think many of those ideas we are going to take forward. They've created great discussion and thought and I just think you've improved Sedgwick County government and I just want say thank you for your service."

Commissioner McGinn said, "Well, thank you. I appreciate that. Are we ready to recess now? We will now recess and do I have to give a time that we'll be back?"

Mr. Euson said, "I think that would be good, yes."

Chairman Norton said, "We will recess until 11:45 a.m. and return at that time."

The County Commission recessed at 11:10 a.m. and returned at 12:01 p.m. Commissioner

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Norton did not return after recess.

Chairman Winters said, “We’re back from our recess. Madam Clerk, would you call the next item.”

E. CONTRACT WITH HUNG TRAN FOR PURCHASE OF PROPERTY AT 700 SOUTH KANSAS COURT ASSOCIATED WITH IMPROVEMENTS AT THE JUVENILE COMPLEX.

Ms. Stephanie Knebel, Manager, Facility Project Services, greeted the Commissioners and said, “This agenda item requests your approval for the purchase of this third property out of six that will develop into additional parking for the juvenile complex improvement project.

The total cost of this acquisition is \$96,500 and that includes not only the cost of acquisition, but also relocation expenses. This expenditure is within the approved bond issue budget that’s been established. I request your approval and I’m available for questions.”

Chairman Winters said, “Thank you. Commissioners, are there questions or comments?”

Commissioner Sciortino said, “Just one real quick one, Commissioner. Is this within what we had budgeted to buy this particular plot for?”

Ms. Knebel said, “Yes, it is.”

Commissioner Sciortino said, “Okay.”

Chairman Winters said, “All right. Other questions or comments?”

MOTION

Commissioner Sciortino moved to approve the Contract and authorize the Chairman or his designee to sign all related documents.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh Aye

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Commissioner Tim Norton	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Next item."

F. DIVISION OF HUMAN SERVICES.

DIVISION OF HUMAN SERVICES – DEPT. OF CORRECTIONS

1. AGREEMENT WITH KANSAS BUREAU OF INVESTIGATION FOR IMPLEMENTATION OF THE PROJECT SAFE NEIGHBORHOOD PROGRAM.

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, "The Corrections Department Juvenile Field Services has been approved to receive a federal grant from the Project Safe Neighborhoods program. These funds are administered in Kansas by the KBI. We've been approved to receive \$91,360 to develop and operate a specialized program for juvenile offenders convicted of weapons charges.

The program will involve intensive supervision, specialized programming and treatment. The grant provides funding for up to 33 months or earlier, if funds run out. In our plan, the budget will operate for 24 months and that's been approved by the KBI.

The grant provides funding to support one intensive supervision officer position to perform these duties with this specialized caseload of juvenile offenders. I ask that you approve the agreement with the KBI for the program and I'll be happy to answer any questions."

Chairman Winters said, "Thank you, Mark. Is this a new deal?"

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

Chairman Winters said, "New money, new program."

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Mr. Masterson said, "New money, new program, yes."

Chairman Winters said, "All right. Commissioner McGinn."

Commissioner McGinn said, "Thank you. On the mental health evaluations, if I'm on the right page, 29. I'm trying to catch up from what I was looking at yesterday. I guess I was wondering, can you just give me a little more about how many we're going to be able to serve? I guess the mental health evaluations have six there."

Mr. Masterson said, "Yes. We're expecting . . . the target population here is estimated to be 20 juvenile offenders that will come through and be assigned to this program, and so only a portion of those would need mental health evaluations that might not have funds to pay for them and that's what this is for."

Commissioner McGinn said, "So we'll certainly be serving a larger population."

Mr. Masterson said, "Yes."

Commissioner McGinn said, "Thank you."

Chairman Winters said, "And so will this be a program in lieu of being in detention and maybe you said that again."

Mr. Masterson said, "It could be. I don't think necessarily it's geared that way. As somebody is charged and comes through the court and might be assigned to probation, this program will be available to gather those folks into a caseload and this is a higher risk group for future offending and provides some more intensive services and programming and close work with the District Attorney's Office and the police department for the intensive supervision and evenings and weekends to try to get them to turn around before that happens."

Chairman Winters said, "Okay. All right, any other questions or comments for Mark? If not, what's the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the Agreement, containing substantially the

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same terms and conditions as the Grant Application incorporated therein; authorize the Chairman to sign all necessary documents; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Winters said, “Next item.”

2. GRANT APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY FOR UNEXPENDED FEDERAL FISCAL YEAR 2001 FUNDS.

Mr. Masterson said, “The Juvenile Justice Authority has announced an application process for up to \$5,000 to aid local districts. The available funding is from unexpended balances of federal funds from last year. Before you is an application to bring Dr. Delbert Eliot to Sedgwick County to provide training on the state of prevention science.

Dr. Eliot is a professor at the University of Colorado, Center for the Study of Prevention of Violence. He’s a national expert on the evaluation of prevention programming. If approved, we propose organizing a morning presentation for key leaders to provide evaluation information on programs nationally that work and importantly, programs that have been proven through data not to work, and in those programs that don’t work, what is being done nationally to try to change components of them and that are under study to see if that makes a difference in their effectiveness.

The afternoon would be spent with providers of programs in our community to hear the presentation and to have an opportunity to discuss any programming issues they may be experiencing or want

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technical advice on.

Our plan is to schedule this presentation on or about March 30th of this year. The grant requires a local match of \$556, which is available in the budget. The Team Justice Advisory Board has approved the plan and recommends it to you. I'd be happy to answer any questions."

Chairman Winters said, "All right, thank you. Mark, this is the project plan that you and I had visited about just a few days ago of bringing in really a national expert on prevention. I would hope that we could really, in opening it up to some of the agencies in the community, that we could really some how promote this as Sedgwick County's seminar on prevention, juvenile justice, but somehow have Sedgwick County involved in the promotion, because I think there are lots of people that would like to come and hear an individual such as this as they look about their own programs. So, I would hope you could work with Kristi or someone to really get the most participation by the community and clearly letting the community know who is bringing this individual to town."

Mr. Masterson said, "We will do that."

Chairman Winters said, "Commissioners, are there any other questions or comments?"

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you, Mark. Next item."

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DIVISION OF HUMAN SERVICES - COMCARE

3. ADJUSTMENT TO THE COMCARE STAFFING TABLE TO DELETE ONE ADVANCED REGISTERED NURSE PRACTITIONER POSITION, BAND B329, AND INCLUDE ONE PSYCHIATRIST POSITION.

Ms. Marilyn Cook, Director, COMCARE, greeted the Commissioners and said, “For the past several years, COMCARE’s management team has been looking at our business practices in an effort to be more efficient and more effective in a time when there are budget cuts and diminishing financial support. We have been in the process of chartering what we call work groups comprised of individuals from our organization that are most familiar with particular daily functions that we’re looking at and then we asked them for recommendations, for strategies that make our work more efficient and more effective.

I’m going to give you a brief description of one of those work groups because it’s the background for this request that we’re making today to help you understand, better understand, the request. The work group that worked on this provided our administrative management team with some recommendations as to how we could make our intake process more accessible and timely and effective.

Earlier in the year, earlier last year around this time, we were scheduling between one to three, in some cases four weeks out when a new person trying to enter in our system was calling for services and at that time we were experiencing between a 40 and 50% no show rate for those folks when they finally did make it to our door, because they’d either gone somewhere else or changed their mind or whatever happened to them. And I have to tell you that the national average for no shows for mental health appointments is 30%, so while we knew 40 and 50% was pretty high, we also know that there is an attrition rate after someone makes that initial call, nationally.

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We also, in waiting this long for appointments, were not in compliance with our licensing regulations to say that we need to be seeing someone for a routine appointment within 10 working days. So because of those things we had the work group and they came up with a new intake process. And basically what that is, we redesigned our intake process, we didn't hire any new staff, we just repositioned staff. And in fact, those staff volunteered to be part of this process. Many of them, as we have found, are folks that help us put that process together, so they took some ownership while that was happening. And we have a team of clinicians and case managers and a nurse and one part-time psychiatrist that work on the intake team now and what this has done is freed up the clinicians who were seeing these intakes in the programs and experiencing this very dramatic no show rate.

Under the new process, we still ask people to call in, rather than walk in, because there are a number of folks, for instance, that need access to our sliding scale that need to bring in particular paperwork in to make that available to them, or if we're not on a provider panel we want people to know that and not walk in and be discouraged. But I have to say, because of the new process, we still have a couple of people that will call and say I'll be right there and then don't show up, a couple each day that that happens, but it's not impacted our productivity of the intake team because that team is there and they don't schedule appointments, they just see people as they come in, much like you would in a doctor's office. So I think we've been a lot more productive as a result of it.

And since mid-October when this started, actually November and December stats show that that team did 150 intakes, so they've been pretty busy. Monday, 16 people showed up for the intake process in a couple hours period of time, so they really have been pretty busy. The problem that we have is that we've had a bottleneck now in our system for psychiatrist time. About 60% of the people that approach COMCARE for services do need to be on a medication, so we're bringing them into the system in a timely way but then telling them, 'Gee, it's going to be an extended wait, we're recommending that you need a medication evaluation, but there's an extended wait'.

So what we are wanting to do is to . . . we had a vacant ARNP position, and Advanced Nurse Practitioner position. We're wanting to eliminate that from the staffing table and to make the psychiatrist full-time. Our hope is that he will be available to see folks pretty immediately. Someone that is in a crisis will still go to our crisis program, but see people pretty immediately for the first medication evaluation, maybe do one follow up if he felt they needed it and transfer those clients to either COMCARE or psychiatrists. In order to do this, we do need to amend our staffing table. I'd be happy to answer any questions you have on this."

Chairman Winters said, "All right, Commissioners, you've heard Marilyn's presentation. Any questions or comments? Commissioner Unruh."

Commissioner Unruh said, "Thank you. By making this staffing change then the wait time you

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said was how long, or we had experienced up to four weeks?"

Ms. Cook said, "Up to four weeks."

Commissioner Unruh said, "And in order to meet our certification or whatever we have to have that done within 10 days and this is going to solve the problem."

Ms. Cook said, "It should. There are times for specialty care and psychiatry definitely is specialty care, that every mental health center in the state is a little bit outside that 10 day for a routine appointment. But for the most part, we would certainly be in a better position to meet those regulations and standards, to have someone doing that full time."

Commissioner Unruh said, "And you don't anticipate that, after doing this, 90 days down the road we're still going to be faced with excessive wait times. This is going to be kind of long term?"

Ms. Cook said, "We shouldn't be. We're monitoring that process. In fact it's an agenda item on our management team today, because when we get into situations like we did on Monday when 16 people show up at the same time, that becomes a management issue so we should not get into a jam."

Commissioner Unruh said, "Okay. Thank you."

Chairman Winters said, "All right, thank you. Any other discussion or comments? What's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the adjustments to the COMCARE Staffing Table.

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 Tim Norton	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Next item. Thank you, Marilyn. Next item."

G. KANSAS COLISEUM.

1. AGREEMENT WITH FAST SIGNS PROVIDING ADVERTISING SPACE AT KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "Fast Signs is an agreement that is just like any other marketing agreements that we have. This is to function our signage and sponsorship program. You know, as the program evolves, there will be occasions when we're going to have to fill a hole until we find a new sponsor in a certain location. It is not our desire to have an empty sign in the Coliseum, nor is it our desire to have somebody have a free ride on this very beneficial program.

So Fast Signs has come on board. They will be manufacturing some things that will talk about our concessions offerings. We've talked to the Zoo and Cowtown, offering them free space so we could put it up there temporarily until we get another sponsor and it's an appearance thing, we want it to look very good. Fast Signs will then become the official sign maker of the Kansas Coliseum. We do that because we want consistency, we want it all to look alike and we want it to look good. We recommend approval."

Chairman Winters said, "All right, you've heard the report. What's the will of the Board?"

MOTION

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

Commissioner Unruh seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

2. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

Mr. Nath said, "Our report is in two parts today. The first part is the end of the month . . . or end of the year, with December 2003. And some of the highlights, we did our 11th Mid-American Flea Market with nearly 2,600 people in attendance. The Racecar Equipment Auction very, very popular this year. We think this is also going to feed the Park City Raceway because there are more sprint cars and more go carts being built in the community to participate. Nearly 1,600 people in attendance there. In addition, we also had seven hockey games and nearly 16,000 people in attendance for the month of December.

Which bring us into the end of 2003. We had a pretty good year. Attendance was up 3% over where it was in 2002. We had 19 concerts in 2002 and that was a very good year for us. We had nearly 722,000 people through the doors last year. Operating revenues over operating expenses were nearly \$350,000. This is un-audited but we also did very well financially last year.

Some of the highlights, we did several of the top ten concerts, like we always do. Toby Keith sold out, once again one of the most popular performers on the road today. We did our second Cher concert, sold out again, very good. And incidentally, we were partners with Clear Channel Concert on this show, for the second show so that worked out very, very well with us.

We also had Ringling Brothers, Barnum and Bailey Circus. Now this was up 45% over the way the show played three years ago, so we had a great turnout for that one. We also had the largest convention in the community. We had the Church of God in Christ Mennonite Convention in November and over 22,000 people attended that.

Coming up we have our annual Model A Swap Meet February 6th and 7th. Sesame Street Live, another annually recurring event, February 6th through the 8th. Sports Boat and Travel Show, and it's their 50th anniversary this year, 18th through the 20th of February. The Equifest will be back

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again the 27th through the 29th. That's the largest equestrian event in the state of Kansas. The High School Wrestling Tournament return the 27th and the 28th and we have two performances of the Royal Lipizzan Stallions on February 29th. If there's any questions, I'd be happy to answer them at this time. I'd like to remind you that this Friday, for the rodeo, we have our annual sponsor and client party, barbeque. Of course, the Commission is certainly invited but it's a good time to give back to those folks that help us all year long, especially the sponsors that we'd like to give them a little bit of a show and a little of a dinner and it's usually a good time. Again, if there's any questions, I'll answer them at this time."

Chairman Winters said, "All right, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Just one quick question, John. Compared to where you budgeted 2003 now to actual, ahead of budget, did we beat budget on revenue?"

Mr. Nath said, "We're under budget on revenues and that's because we had 13 concerts versus 19. However, we are over expenses, so as the concerts go up and go down, so do our expenses."

Commissioner Sciortino said, "So for clarification, your below the expenses that you had budgeted, which coordinates with being below the revenue that you had anticipated."

Mr. Nath said, "That's true. We didn't lose any money this year. We did fine."

Commissioner Sciortino said, "Okay, that's great, thanks. That's all I have."

MOTION

Commissioner Sciortino moved to receive and file.

Commissioner McGinn seconded the Motion.

Chairman Winters said, "We have a Motion and a Second to receive and file. John, I know some of us won't be there Friday night, but we will be out Saturday evening."

Mr. Nath said, "We have another party Saturday, yes."

Chairman Winters said, "We're having the opportunity to thank our advisory boards before the rodeo and then attend the rodeo, so we'll see you Saturday night. Are there any other questions on this Motion? Please call the vote."

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VOTE

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

Chairman Winters said, "Thank you, John. Next item."

H. MODIFICATION OF PLANS AND CONSTRUCTION WITH DONDLINGER AND SONS CONSTRUCTION CO., INC., REQUEST NUMBER TWO, FOR SEDGWICK COUNTY PROJECT 636-25, 26, RAILROAD GRADE SEPARATION AT 71ST STREET SOUTH (GRAND AVENUE IN HAYSVILLE) AND THE UNION PACIFIC RAILROAD. CIP# I-78. DISTRICT #2.

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item H is a modification of plans and construction for the railroad grade separation project in Haysville. During the design process we selected a site to provide dirt for this project. The requirement was 93,000 cubic yards for the shoefly and 65,000 cubic yards for the main line.

It has been determined in the field by visual inspection and extensive testing that the existing borrow site is not homogeneous and varies significantly. Lenses of clay and silt, not encountered during the field geo-technical investigation, make large areas of the borrow site unsuitable for use as structural fill.

We have been able to get 93,000 cubic yards from the site and we will continue to make every effort to utilize available acceptable material from that site in order to reduce the total cost of this requested change. The increase in the contract for fill material furnished by the contractor plus some other miscellaneous items amounts to \$598,726.57. I recommend that you approve the modification and authorize the Chairman to sign."

Chairman Winters said, "All right. Commissioners, are there questions? Commissioner McGinn."

Commissioner McGinn said, "Okay, so this is something that we hadn't anticipated in the budgeting process on this. Is that right as far as we had factored in this soil that was readily available, is that right?"

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Mr. Spears said, "Right."

Commissioner McGinn said, "Did we ask Haysville if they would share in the cost?"

Mr. Spears said, "Yes and they declined to do so. They feel like this site was done in conjunction with Haysville to dig them a detention pond and they may be making a park area or something like that around it, I'm not for sure but it sort of killed two birds with one stone. We had the consultant, he did ten random drillings around the site and based upon that, we anticipated that we would have enough dirt and enough of the right kind of dirt to do this. The railroad has real strict specifications on type and tests that it has to pass and what's happened is there's some good dirt but you get lenses of bad dirt and it contaminates the good. Even if you get 90% good with the backhoe and you come out and you have the bad with it. Well, then what happens, we made the contractor separate the dirt. With that, the complaint was coming well they had not anticipated doing that in the job and they were going to request a change order to stay down there and separate the dirt, which also would probably cause the finishing date to be extended from where we through it was, due to the lengthy time of the labor. And one of the key things that we need to do is get Grand Avenue back open again.

Let me continue a little bit. To answer you a little better, you asked did they want to participate in this and they feel like by choosing this site, you see the dirt that we got, original bid is \$2.10 a cubic yard from this site because it's close by. So they feel like that offered us a savings. We could have bid this all in the first place, contractor furnished, and got it at \$8.92 a cubic yard, which is what this is. So your savings from getting it from the detention pond is the difference between 2.10 and 8.92, which is \$6.82 cubic yard times 93,000, actually 93,406 yards is what we had as of Monday and that's a savings of \$637,000."

Chairman Winters said, "So by using Haysville owned property to get as much dirt as has been possible, there has been a savings of \$600,000."

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

Chairman Winters said, "And if we had to buy all of it from a contractor, we would have been talking about considerably more."

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Mr. Spears said, “That much more.”

Chairman Winters said, “All right. Commissioners, do you need more information about this item?”

Commissioner Unruh said, “I don’t need any more information. I just think it’s imperative that we do all we can to hit our completion date. I mean, this is a significant disruption to the merchants down there on Grand Street and you know, I know about some of those people that do business down there and they’re eager to have it done on time. So this is not costing us, in total, more money and I think that we should proceed.”

Mr. Spears said, “If you recall Commissioners, the project was estimated at seven million dollars. Two other bids were seven million. This came in at five million, and so even adding this on, we’re still 1.4 million dollars under budget.”

Chairman Winters said, “All right Commissioners, what’s the will of the Board?”

MOTION

Commissioner Unruh moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Chairman Winters seconded the Motion.

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

VOTE

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

Chairman Winters said, “Thank you, David. Next item.”

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I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JANUARY 8, 2004.

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

**1) 2004 INSURANCE RENEWALS- RISK MANAGEMENT
FUNDING: RISK MANAGEMENT**

The first item is 2004 insurance renewals for Risk Management. We recommend to accept the insurance premiums listed in the table for an estimated cost of \$796,323.

**2) SAP MAINTENANCE- ENTERPRISE RESOURCE PLANNING
FUNDING: ENTERPRISE RESOURCE PLANNING**

Item two, SAP maintenance for Enterprise Resource Planning Department. Recommend the expenditure with SAP Public Sector for a not to exceed value of \$221,000.

**3) CHANGE ORDER; COURTHOUSE MAIN ENTRANCE- FACILITY PROJECT SERVICES
FUNDING: CAPITAL IMPROVEMENT PROJECT**

Item three is a change order to the courthouse main entrance project for Facility Project Services. Recommend that you accept the expenditure for the change order with Eby Construction in the amount of \$45,000.

**4) CHANGE ORDER; MAIN COURTHOUSE RE-ROOF- FACILITY PROJECT SERVICES
FUNDING: CAPITAL IMPROVEMENT PROJECT**

And item four is the change order to the main courthouse re-roof project for Facility Project Services. Recommend that you acknowledge the change order with Buckley Roofing in the amount of \$15,241.

I have staff available for questions, as well as myself, and I recommend approval of these items."

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Chairman Winters said, "All right, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "Yeah, just real quickly, Iris on item number one I do see that it looks like our risk renewal insurance has dropped fairly dramatically from 2003. So I guess that's a positive. Is that true? Has it gone down?"

Ms. Baker said, "If you want some details, our Risk Manager can . . . It's gone down, but there . . ."

Commissioner Sciortino said, "Extenuating circumstances why it's gone down. We probably don't insure as many things. But I did notice, I don't know on each line item who Travelers was competing with for property insurance. I mean, did other people than Travelers make a bid on each of these items?"

Mr. Mick McBride, Risk Manager, greeted the Commissioners and said, "In most all cases, we did have two bids that we're looking at. Last year, in 2003, you see that Allianz was the carrier and this year you see that Travelers, we've switched those because it was about a \$25,000 difference in premiums."

Commissioner Sciortino said, "My point is we don't see what the other bidders bid. Normally, when we get a report like this, we see that for property insurance, insurance company A bid this, B bid this, Travelers bid this, we pick Travelers. We don't see what the competitive bids were. Why is that?"

Mr. McBride said, "Well, I always hate to use the term that that's what's been done in the past, but this is the report that was provided last year. I have that other information, I'd be glad to give that to you if you'd like to have that. We'll provide that."

Commissioner Sciortino said, "Not only would I like to see it, but I didn't know this was how we did it in the past. Usually, we get to see what the competitive bids are and I would think the public would like to see it. Maybe not."

Ms. Baker said, "We'll change our format on insurance."

Commissioner Sciortino said, "But I mean this is how we approved it last year, where you just told us who you selected?"

Ms. Baker said, "We go through a quoting process and then we take that low quote and we put it in a table and do prior year compares. That's how we've been doing it. We'll change that format."

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Commissioner Sciortino said, “Well, no I don’t know . . . I’m only one commissioner. I don’t know that I want to change everything that we’re doing. I just didn’t know that we had done that last year.”

Chairman Winters said, “Are you comfortable with moving ahead and then getting that information later?”

Commissioner Sciortino said, “Yeah, sure, absolutely. Thanks.”

Chairman Winters said, “If you could just get the other bid processes so we can take a look at that. Commissioners, what’s the will of the Board?”

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Winters said, “Thank you, Iris. Next item.”

CONSENT AGENDA

J. CONSENT AGENDA.

- 1. Agreement with Robert F. McIntyre, M.D. to provide psychiatric services to COMCARE clients.**

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- 2. Agreement with Eastminster Presbyterian Church for use of Fireside Fellowship Hall January 22, 2004 to hold a District #1 Vision Meeting.**
- 3. Lease Amendment for space used by the Assistant County Manager & CIO at 604 North Main, Suite G, Wichita.**
- 4. Amendment to the 2003 Capital Improvement Program to increase the entrance expansion project due to a change of conditions.**
- 5. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V03099	\$275.00	2	Village Green Apts.
V03100	\$536.00	5	Rental Properties
V03102	\$625.00	5	Leslie Dulac
V04001	\$334.00	Butler	VB Rentals
V04002	\$368.00	Butler	John Wilkinson

- 6. The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V020082	\$316.00	\$197.00
V03003	\$555.00	\$600.00
V94012	\$494.00	\$340.00
V2000	\$305.00	\$367.00
V03088	\$378.00	\$550.00
V020079	\$246.00	\$245.00
V020018	\$450.00	\$443.00
V03002	\$163.00	\$126.00
V200108	\$296.00	\$287.00
V02008	\$585.00	\$411.00

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V020008	\$482.00	\$309.00
V98004	\$188.00	\$189.00
V020087	\$607.00	\$582.00
V020006	\$600.00	\$455.00
V020080	\$213.00	\$235.00
V01036	\$333.00	\$332.00
V020010	\$257.00	\$280.00
V020005	\$303.00	\$304.00
V2009	\$545.00	\$545.00
V20144	\$147.00	\$98.00
V2002	\$255.00	\$251.00
V020014	\$319.00	\$323.00
V2012	\$148.00	\$163.00
V02001	\$332.00	\$331.00
V020002	\$255.00	\$269.00
V903005	\$500.00	\$500.00
V01041	\$523.00	\$534.00
V020078	\$200.00	\$167.00
V01094	\$90.00	\$242.00
V20010	\$185.00	\$000.00
V2001	\$182.00	\$174.00
V020091	\$290.00	\$193.00
V020011	\$426.00	\$474.00
V200120	\$234.00	\$227.00
V020009	\$241.00	\$264.00
V200116	\$350.00	\$355.00
V200115	\$199.00	\$265.00
V200114	\$182.00	\$166.00
V01064	\$600.00	\$600.00
V200108	\$287.00	\$312.00
V03134	\$643.00	\$700.00
V03134	\$700.00	\$700.00
V020008	\$309.00	\$447.00
V020027	\$524.00	\$530.00
V03046	\$301.00	\$232.00
V01061	\$500.00	\$436.00

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V01087	\$501.00	\$481.00
V99079	\$410.00	\$475.00
V03062	\$438.00	\$650.00
V94116	\$88.00	\$465.00
V03041	\$625.00	\$198.00
V010101	\$385.00	\$460.00
V03079	\$595.00	\$595.00
V95088	\$474.00	\$420.00
V01085	\$490.00	\$490.00
V01078	\$257.00	\$477.00
V030086	\$171.00	\$426.00
V03070	\$517.00	\$556.00
V03070	\$556.00	\$542.00
V020068	\$220.00	\$294.00
V020012	\$567.00	\$573.00

7. Plats.

Approved by Public Works. The County Treasurer has certified that taxes for the year 2003 and prior years have been paid for the following plats:

Marie's Meadow Addition
Holzman Addition

8. Order dated January 7, 2004 to correct tax roll for change of assessment.

9. General Bills Check Register(s) for the week of January 7 – 13, 2004.

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 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 Tim Norton	Absent
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “We’ve already completed the Items K and L. Is there any other business to come before the Board? Is there any other business that needs to come before this Board? Commissioners, are you ready to adjourn? Commissioner McGinn has a comment.”

M. OTHER

Commissioner McGinn said, “Thank you. There’s a lot of activities going on this weekend here in the Wichita/ Sedgwick County area and it’s because of a very special man in the history of our nation, and that’s Martin Luther King celebration and just wanted to announce some of the activities that’s going on.

Martin Luther King Multi-Cultural parade is at noon and it starts at WSU parking lot and goes to McAdams Park at 16th and Ohio. At 7:00 is the Welcome to the Village and the Northeast Wichita Awards at Wichita State University’s Hughes Metroplex and the admission for that is free. Both of those are Saturday events. And then Sunday night is the Kansas African American Museum’s event, which they have a wonderful variety . . . they have a great speaker and then they have music of course and some other things and that, I believe, starts around 5:30 but I’m not sure so you might want to call the Kansas African American Museum to get the exact time.

And then on Monday there’s an event again at the Metroplex and another speaker will be here and that is put on by the Ministerial Alliance and that’s also a great event and that begins at noon.”

Chairman Winters said, “Okay, thank you very much. Busy weekend. If there’s nothing else, anything else to come before the meeting? All right, this meeting is adjourned.”

N. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 12:35 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

DAVID M. UNRUH, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

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Don Brace, County Clerk

APPROVED:

_____, 2004