

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**February 4, 2004**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 10:00 A.M., on Wednesday, February 4, 2004 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem David M. Unruh; Commissioner Tim Norton; Commissioner Carolyn McGinn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. John Schlegel, Director, Metropolitan Area Planning Department (MAPD); Mr. Bob Lamkey, Director, Division of Public Safety; Mr. Chad VonAhnen, Management Intern; Mr. Ron Holt, Director, Division of Culture, Entertainment and Recreation; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Ms. Jeannette Livingston, Contract Administrator, COMCARE; Ms. Annette Graham, Director, Department on Aging; Mr. Marty Hughes, Revenue Manager, Division of Finance; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Mr. Gary Gates, Shriner, North American Shire.  
Ms. Anne Maack, Child Care Association of Wichita/ Sedgwick County.  
Chief Judge Richard Ballinger, 18<sup>th</sup> Judicial District.

### **INVOCATION**

The Invocation was led by Pastor Mark McMahon of West Side Christian Church, Wichita.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, that Commissioner Sciortino was absent.

### **CONSIDERATION OF MINUTES:** Regular Meeting, January 14, 2004

The Clerk reported that all Commissioners were present at the Regular Meeting of January 14, 2004.

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**Chairman Winters** said, "Commissioners, you've had an opportunity to review the Minutes. What's the will of the Board?"

**MOTION**

Commissioner Norton moved to approve the Minutes of the Regular Meeting of January 14, 2004.

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

**Chairman Winters** said, "Next item."

**PROCLAMATION**

**A. PROCLAMATION DECLARING FEBRUARY 1 – 7 AS "BURN AWARENESS WEEK."**

**Chairman Winters** said, "Commissioners, it's our privilege to read a proclamation into the record and have your response to it.

**PROCLAMATION**

**WHEREAS**, severe burn injuries are the leading cause of death and injuries in North America, especially among young children; and

**WHEREAS**, every year more than 2 million people suffer burn injuries of some kind, and more than one of every three burn victims are children; and

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**WHEREAS**, approximately 75 percent of all burn injuries and deaths are preventable; and  
**WHEREAS**, the Shrine of North America and Shriners' Hospitals provide medical care totally free of charge to severely burned children; and

**WHEREAS**, the Shrine of North America and Shriners' Hospitals join with other burn facilities across the nation in recognizing the seriousness of this hazard and the urgent need to educate the public about burn prevention and fire safety; and

**WHEREAS**, it is fitting and appropriate to acknowledge the contribution of Kansas members of the Shrine of North America and to commend the Shriners for their continued support to the care for young burn victims;

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of February 1-7, 2004 as

**“Burn Awareness Week”**

in Sedgwick County, and do encourage all of our citizens to support pediatric burn services of Shriners Hospitals for Children and take appropriate precautions to protect their families from devastating burn injuries.

Dated February 4<sup>th</sup>, 2004.

Commissioners, that is the proclamation. What is the will of this board?”

**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.

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**VOTE**

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

**Chairman Winters** said, “We have Gary Gates and Merle Cannon and I see at least one other Shriner in the room that I don’t know their name, but gentlemen if you would come forward and introduce your photographer also and just please say a few words about the Shrine and your efforts in burn awareness.”

**Mr. Gary Gates**, Shriner, North American Shrine, said, “Our photographer, Norm Connelly, working the other camera, and Drew, one of your own from the building here wanted to make sure that we got this on record.

Merle Cannon and I are very happy to accept this proclamation on behalf of Midian. Thank you sincerely for the adoption and we do indeed take burn awareness very seriously as evidenced by the Shriner’s burn hospitals and the other work that we do for burn victims. Merle, do you have anything you’d like to say?”

**Chairman Winters** said, “Well, we certainly appreciate both of you being here and all the work that you do, throughout the United States, but it starts right in your home town. All things are local and the work that you all do is, when you start thinking about the free medical services that are provided to citizens all across the country, it’s a pretty remarkable thing that the Shriners are involved in. And so, we’re pleased that we could just take a few moments today to recognize you and the works that you and the local Shriners do. We just appreciate it very much.”

**Mr. Gates** said, “Thank you. Our pleasure to be here.”

**Chairman Winters** said, “Thank you. Madam Clerk, next item please.”

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**APPOINTMENT**

**B. RESOLUTION APPOINTING JOSEPH PAJOR (CITY OF WICHITA'S RECOMMENDATION) TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Mr. Pajor is ill today and will not be here for the swearing in. That doesn't preclude the fact that you can appoint him."

**Chairman Winters** said, "All right, in finding out that he was ill, does he want to be here or does he want us to go ahead and appoint him and he can get sworn in later?"

**Commissioner McGinn** said, "I don't think he has a choice."

**MOTION**

Commissioner McGinn moved to Adopt the Resolution.

Commissioner Unruh seconded the Motion.

**Chairman Winters** said, "We have a Motion and a Second to adopt the resolution appointing Joe Pajor to the Solid Waste Committee. Is there any other discussion on this resolution?"

**Commissioner Norton** said, "Just one, Chairman. You happened to go to the Solid Waste Committee the other day where we appointed everybody else to this new committee and I thought you might want to make a comment on that, that we have kind of changed the look of the committee and this was the last appointment to fill in the whole slot."

**Chairman Winters** said, "That's correct. There were a number of people absent from the meeting last week, so there's still some that need to be sworn in that County Clerk Don Brace will assist in getting the rest of them sworn in. We did reduce the size of the board. The board started out a smaller board in the mid-'90s. We increased it to over 30 and now we've lowered it back down to what I think is going to be a board that is going to be able to be, hopefully, more efficient, react quickly and they still play a very important role in assisting us in evaluating any kind of permits or any kind of grant requests that are going to go before the Kansas Department of Health and Environment. This Solid Waste Committee board is the first step in that process."

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So they did have their first kind of newly reconstituted meeting last Monday afternoon. I was there and I think they've gotten off to a good start. Commissioner McGinn."

**Commissioner McGinn** said, "Thank you, Mr. Chairman. I just wanted to so note in the record that Joe Pajor has been following this process since I think even before the '80s and has worked with the City of Wichita. I don't know if his title is Natural Resources or what, but anyway, well qualified to be here and I think it's of value to us to have his input."

**Chairman Winters** said, "All right, thank you very much. Any other discussion on this Motion? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "Next item."

**CITIZEN INQUIRY**

**C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING AN INFANT/TODDLER PROJECT, AND PRESENTATION OF AN APPRECIATION AWARD.**

**Chairman Winters** said, "Thank you. We do have Anne Maack. Anne, if you would come forward. We do have a time in our meetings where citizens can request, through the County Manager's Office, the opportunity to address the Board of County Commissioners. So this is the time in our agenda when we do that. Anne, welcome."

**Ms. Anne Maack**, Child Care Association of Wichita/Sedgwick County, greeted the Commissioners and said, "Thank you very much for our opportunity to speak with you this morning. My name is Anne Maack and I bring with me Annette Ardis and we represent the Kansas Infant/ Toddler project, which began in 1999, with the goal of increasing the quality of childcare for infants and toddlers. And recently they have conducted a study to assess the success of the project and that study is complete. I'd like to present you with its results today."

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This study was taken across the State of Kansas and had 200 randomly selected childcare settings that were assessed for their quality and then they were followed for a year to see what they were doing in that year and then at the end of the year they were assessed for quality again. And the purpose was to find out how many of those 200 were taking part in the projects of the infant/toddler initiative.

Those projects are primarily training and I bring Annette along because she attended our training, she attended our routine care for infants and toddlers training, in which she won as a door prize a toddler table so that it was the appropriate size for the children in her care and she attended a training called 'Culturally Sensitive Care' where she received books and posters. Am I right, Annette? So, these are the kinds of things that we were measuring, to see of those 200, how many took part.

And the report has bad news and good news. The bad news is that they found that quite a bit of the care that infants and toddlers are receiving in the State of Kansas was substandard and they also found good news and the good news was that the project really was having an impact. In fact they found in this project, in this study, that the primary predictor of quality in a childcare setting was the amount of training that a childcare provider received. And so we were pleased that we took that as our go-ahead to continue the good work that we're doing.

But I'm coming to you today because I thought I would want to bring those numbers a little bit closer to home for Sedgwick County and so I'll show you that, of the children that are in childcare in Sedgwick County, the majority of them are in family childcare settings, as opposed to centers and preschools, and I'm talking about the children between the ages of zero and four. So when I say family childcare I'm referring to homes such as Annette's where if they're run by an entrepreneur who runs this business in her home to take care of children.

There are two different categories of family childcare and one is registered and one is licensed. Now in the past the only thing that we could say about registered and licensed care was that registered providers are self-inspected, that they require two hours of training initially and then no more after that. Licensed family childcare providers are inspected annually, they are required 15 hours initially and five hours a year after that and that's about all we could say. But now that we have this study, we were able to actually see the difference in quality between registered and licensed homes, and I'll show what we found.

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This is the tool we use. It's called the environmental rating scale. It's a seven-point scale that gives a numeric value to the care that the childcare providers are providing for the children, on a scale from poor to excellent. And across the state, this is what licensed homes look like. They follow pretty much a bell curve, with a majority of the care being grouped here in the middle. So then we compared it to registered care, which I hope you can see from a distance, is really quite different and so to me that shows what a difference one evaluation a year, plus five hours of training can make.

So, given the information that I've shown you now, I'm wondering if you have any questions for me or for Annette?"

**Chairman Winters** said, "Well, I don't see any questions but I would make a . . . Oh, we have questions now. I would make the comment though of why this is still very, very important and interesting to us, because as we started, the story goes back to building a detention center, jail and opening it in 1998/ 1999 time frame and really deciding we need to do and be more active in prevention. And we didn't have to get very involved in prevention before we saw the time to work with young children is at the very earliest age or before birth.

And so we have been hopefully active in trying to promote them, so we appreciate your being here and I think we're going to be interested in seeing that report, if we could have a copy of that."

**Ms. Maack** said, "Absolutely."

**Chairman Winters** said, "And then we do have a couple of questions now. Commissioner Norton."

**Commissioner Norton** said, "Well, I don't know if it's really a question. It's just that I believe like Chairman Winters believes that the earlier we can get to infants and children, the better chance they have of having a good life, of being healthy, of learning and eventually staying out of our criminal justice system. I think that's some of the learnings we're having.

I had a chance early in my life, when I was a freshman in college, I came back to the small town I've worked in and was working in a Headstart program and that's not really infants, but it's early start for young children. It was the first year Headstart started, and ever since then I've watched that you know those early programs make a tremendous difference in young people's lives. I mean, as I tracked some of those early kids that I worked with that were four and five years old, every one of them ended up getting through high school, going on to college and it was interesting to have a chance to see that early in my life, that that does make a difference. So I applaud you for your work.

We understand that making sure that infants and children are healthy and happy and have good

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learning environments and safe environments is so very important to the future of our community.

I continue to advocate for both ends of the spectrum. We have to take care of our aging population and we have to take care of our youngest population and you know, if we do that, everything in the middle kind of falls together. So good work, we're very proud of the work you do and keep going."

**Chairman Winters** said, "We've got another question. Commissioner McGinn."

**Commissioner McGinn** said, "I just want to say thank you for the work you're doing. And then, I'm sorry we didn't have that up on the overhead, but if you could make us a copy and we could pass it around or something like that. So, thank you."

**Chairman Winters** said, "All right, thank you."

**Ms. Maack** said, "Thank you to the Board and we've appreciated your support in the past and as a token, we'd like to present Chairman Winters with our appreciation from the Infant/ Toddler Project. We believe that the work that the County is doing with Healthy Babies Program dovetails very nicely with what we're doing, especially since that's a referral program where we can actually tell new parents, 'Look, the little things, like the difference between registered and licensed, or the little things like the number of training hours make a big difference for your baby and so we're hoping that our two programs can dovetail that way."

**Chairman Winters** said, "Thank you very much. We do appreciate it and if we can be of help or assistance, please keep in touch with us in the future."

**Ms. Maack** said, "Okay. I'll put reports in your box."

**Chairman Winters** said, "All right, thank you Anne."

### **MOTION**

Commissioner Norton moved to Receive and file.

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

**Chairman Winters** said, “Anne and Annette, thank you very much for attending our meeting today. Next item.”

**PLANNING DEPARTMENT**

**D. CASE NUMBER ZON2003-00020 – AMENDMENT TO PROTECTIVE OVERLAY #87, AS ATTACHED TO CASE NUMBER ZON2001-00002, FOR SALE OF CONSTRUCTION SUPPLIES, VEHICLES AND EQUIPMENT ON PROPERTY ZONED “GC” GENERAL COMMERCIAL, GENERALLY LOCATED AT THE NORTHWEST CORNER OF HIGHWAY 254 AND 143<sup>RD</sup> STREET NORTH. DISTRICT #1.**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “Have a Powerpoint presentation but we’ll have to do without that, but I think that we can handle this without the graphics.”

When this zoning case was originally approved by the County Commission back in 2002, it was a zone change from Rural Residential zoning to General Commercial on what is approximately a 3.5 acre site at this corner. The protective overlay which currently exists on this site restricted the General Commercial uses that went along with that rezoning to limited manufacturing uses as they’re defined in the zoning code. The site also has in place a conditional use, which was also done in 2002, for the same 3.5 acre site that permits the current propane sales that are ongoing at that location today.

This request that’s before you today is to amend that Protective Overlay number 87 to allow the sale of construction supplies and vehicles and equipment, in addition to the current activities on the site. And if I had the graphic, I would show you that currently, on the site, there’s an old service station building that the applicant uses as his office and shop and that there’s a 44-foot propane tank from which he’s currently conducting his propane sales.

There are also storage sheds, trucks and other equipment on the grounds, and overall the site is very well maintained. The access to the site is from 143<sup>rd</sup> Street. It’s an all-weather, gravel surface on

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the site, with good access out to 143<sup>rd</sup> Street. The closest residence is about 1,200 feet off to the northwest. Another residence about 1,400 feet off to the north. All the other surrounding property is Rural Residential and is either used for large-lot residential or agricultural purposes.

At the Metropolitan Area Planning Commission meeting on January 8<sup>th</sup>, no one appeared in opposition to this amendment to the protective overlay and the MAPC voted unanimously for approval. We have not, since that date, received any written protests to this request.

A condition of approval that we're recommending is that you require the applicant to file for a lot split. This will allow him to clearly define the location and the size of the General Commercial zoning on the site. And with that, I'll be glad to answer any questions you might have."

**Chairman Winters** said, "All right. We will ask if there's anyone here in the audience, but does anyone have any questions for John before we do that?"

**Commissioner Unruh** said, "If this is the appropriate time, I'd just ask, it says also vehicle sales, is that construction vehicles or is that just general, automotive sales?"

**Mr. Schlegel** said, "I'm presuming that it is construction vehicles, but if that's important, I can find out for certain."

**Commissioner Unruh** said, "Well, the question is whether or not you're going to put up a general, automotive used car lot."

**Mr. Schlegel** said, "No, it is for construction equipment."

**Commissioner Unruh** said, "Okay. Well, I haven't received any calls on it either from any of the folks that live in that area, but I just didn't know if we were going to end up with lights and things like that. But if it's construction vehicles, that's a different matter."

**Mr. Schlegel** said, "Well, what we can do then is clarify that what you're doing is limiting this then to construction vehicles, if you do go ahead and approve this today."

**Commissioner Unruh** said, "Thank you."

**Chairman Winters** said, "All right. We're not required to have a public hearing today. That took place at the Metropolitan Planning but it is our custom to ask if there's anyone who would like to

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speaking to this case in the audience, because we do want to hear from citizens, so is there anybody in the audience who would like to speak to our Planning Department agenda item D? All right, seeing no one, we'll limit discussion to staff and the bench. Commissioner Unruh, this is in your district I believe. Questions or comments?"

**Commissioner Unruh** said, "Well, I'd make comment that we are in the beginning stages of trying to develop a K254 corridor coalition to study this type of development along there and so that we can have input on the front side of what's developed and I think it will be helpful, as I think this is going to be a very active area of development in the future, running from Kechi to the City of El Dorado in Butler County. But this looks like an appropriate usage and there's been no objection from anybody and 11-0 from the Metropolitan Area Planning Commission, so it seems an easy decision."

**MOTION**

Commissioner Unruh moved to approve the amendment, subject to a lot split within 90 days of approval of the amendment by the governing body, adopt the findings of the Metropolitan Area Planning Commission, direct staff to prepare an appropriate resolution, and authorize the Chairman to sign the resolution.

Commissioner Norton seconded the Motion.

**Chairman Winters** said, "And then that would include the 16 staff recommendations that were on the protective overlay. All right, is there any other discussion or comments? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "Thank you very much, John. Is that the only item you had today? All right, thank you. Next item please."

**NEW BUSINESS**

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**E. RESOLUTION CREATING THE SEDGWICK COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL.**

**Mr. Bob Lamkey**, Director, Division of Public Safety, greeted the Commissioners and said, “In a previous meeting, you heard a jail population and criminal justice consultant provide a report to you and a significant recommendation was the creation of a criminal justice coordinating council.

At that very same meeting, you directed that such a council be established and that’s what this resolution does. If I may, what we did was we created an initial cadre, based upon the consultant’s recommendations and the members, as we start this process are: the Chief Administrative Judge of the 18<sup>th</sup> Judicial District, the Chief Administrative Judge of the Municipal Court of the City of Wichita, the District Attorney for the 18<sup>th</sup> Judicial District, the head prosecution for the City of Wichita, the Sheriff of Sedgwick County, the Chief of Police for the City of Wichita, the Public Defender for Sedgwick County, the Director of Sedgwick County Department of Corrections, one member from the Wichita City Council, two members from the Board of County Commissioners, the Sedgwick County Manager, the Director of COMCARE of Sedgwick County and the Sedgwick County Director of Public Safety.

If you may indulge me, I think it’s important that the record show what the mission authority of this group is, and so I’m going to read from the resolution so it gets on record.

*The Criminal Justice Coordinating Council will study the Sedgwick County criminal justice system, identify deficiencies and formulate policy, plans and programs for change when opportunities present themselves. In addition, they will communicate and present planning, financial, operational, managerial and programmatic recommendations to criminal justice agencies and to the public policy entities with oversight over said agencies located in Sedgwick County. The Council will seek to provide coordinated leadership to establish cohesive public policies, which are based on research, evaluation and monitoring of policy decisions and program implementations. The CJCC will encourage the implementation of innovation corrections programs for adult offenders with the goal of reducing the need or of restricting the growth in detention bed facility space. Finally, the Council will, through a coordinated planning effort, review, evaluate and make policy recommendations in vital criminal justice system issues and take sure actions as necessary and consistent with the mission.*

Now we have a model already in this community and it’s Juvenile Justice of a committee and council, some of the same folks working together through this process. I am encouraged and pleased to say that all of these people participated in the study and are prepared to engage in what

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will be a very interesting, and challenging and difficult but I think a very rewarding endeavor. ‘

And with us today I think we've got Judge Ballinger, the Chief Administrative Judge of the 18<sup>th</sup> Judicial District and Judge Ballinger has accepted the mantle of leadership in this process. I will do the administrative portion, but he will be the Chair and provide the leadership. Judge Ballinger, do want to have an opportunity to visit with us?"

**Judge Richard Ballinger**, Chief Administrative Judge of the 18<sup>th</sup> Judicial District, greeted the Commissioners and said, "I want to express my appreciation to this Board and I say this with all sincerity. It has been a pleasure working with you all this last year. This is just one more step that I believe that you all have taken and just verifies your commitment to this community. It also is an honor that the courts . . . that you have allowed the courts to be a part of this solution. I do not envy your job. We will be making suggestions to you, but you all are going to have to make the decision. Criminal justice, as we have found out, is not simply putting people in jail, but also trying to find ways to prevent them from being placed in a position where they have to go to jail, preventative programs.

As our legislators modifies the sentencing guidelines and assists the courts in telling us what we can and can't do under certain circumstances, we more and more turn to the county for some of these programs that are mandated, and again, it just makes you all's job much more difficult, especially when they're not funded and you all are expected to come up with the money for the citizens here.

I do want to say and express my appreciation to Ellen House, the County District Court Administrator. She has also committed to assisting me and the judges in this endeavor. I'm also pretty excited, Judge Jennifer Jones, the Chief Administrative Judge from the City has agreed to be a co-vice chair for this committee, so she and her staff will be an integral part. The feedback, since it's very important that the city municipal courts and the district courts come up with these solutions, but we do have an outline, a starting place. I might also add Judge Clark Owens has also agreed to be a co-vice chair of this committee.

But with the members you've chosen, it's quite a bit of experience and knowledge and we will keep you all informed and I would encourage any of you all to contact me if you have any questions and it's a pretty exciting business that you've set out on."

**Chairman Winters** said, "All right, thank you. We've got a couple of comments here. Commissioner Norton."

**Commissioner Norton** said, "Well as we embark on this really important issue in our community, I'm encouraged that Judge Ballinger stepped up to take that leadership role. You know it wasn't too many years ago that we had some things that didn't work so well between the courts and the commission that co-housed in this building and today it's pretty nice to be able to say that our

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administrative judge is stepping up and partnering with us and taking a leadership role and doing it for the good of government in our community, and so I applaud you for that, judge. Because you know, as I took over Chair last year, we came into a time when we had to build some relationships and be sure we were all focused on the same good things for Sedgwick County and I think we're there. This is a good showing of just where we've come to and I applaud you for that and I don't envy your job taking this on too. I mean, we'll ultimately have to make some policy decisions, but you're going to be wallowing down in all the little details of how it gets done and hopefully you can lead the charge on these 15 people to do just that."

**Judge Ballinger** said, "Thank you, Commissioner."

**Chairman Winters** said, "Commissioner McGinn."

**Commissioner McGinn** said, "I just want to say thank you to you, Judge Ballinger, and also Judge Jennifer Jones and the others that participated in that process. I agree with what Commissioner Norton has said. We have come a long way and I think we're where we finally need to be. The people that are going to be on this council, sitting together and talking about criminal justice and the things that we need to do here in Sedgwick County together and just that work together I think is going to make a positive difference in this County. But sincere thanks to you, because I know you participated in the prior meetings and so did Judge Jones and many others and your input was certainly important. Thank you."

**Chairman Winters** said, "Commissioner Unruh."

**Commissioner Unruh** said, "Thank you. Well, I would also like to add my thanks to you and I'm very happy that we've started this process. I think it shows that we want to be forward thinking, as we address issues. I guess we don't have to change anything. You know, I guess survival is not mandatory. You know, we can just stay where we are and slowly implode, but this shows we're going to look at an issue, make a change and improve the system. And this particular step, in forming this council, shows that we want to have a collaborative effort in providing a way to address these issues and come up with good solutions and then apply them to get from the area of thinking about it to the area of doing something about it. So I think this is going to be good for our community and I appreciate the willingness of the whole court system to be part of this and I think that we're going to come up with something that's good for our community. So, thank you."

**Chairman Winters** said, "Thank you, Commissioner. I think it's just interesting and ironic, we had a couple of women here talking about infant/ toddlers and how we start at the very youngest and we're working in prevention programs and we're also working at the other end of the spectrum on how can we get out of this fill a jail/ build a new jail/ fill a jail/ build a new jail/ fill a jail. So, the task is not easy but I think this council is going to be a great starting place on some of the adult

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detention issues.

Commissioner Norton, another comment?"

**Commissioner Norton** said, "Just one final comment. As we look at this issue, and it's much broader than just the four walls of our county, I would hope that our legislative leaders and the state will also be very engaged in some of the recommendations we may make from our county that might change the face of criminal justice state-wide. As we look at the changing face of our state, where the state just doesn't look the same because of economics, because of rural and urban issues, because of the economy that just makes people really drop into the criminal justice system because it's hard times out there, we need to make sure that our partners at the state understand that they need to be a part of this too, because some of the things are legislative-guided and we won't control them, regardless of what we say here at the local level. So I guess my message is that I hope that all the partners, not just the ones that we've assembled in our county, but around the state will have the same care, custody and control of the criminal justice system that we're trying to have here locally."

**Chairman Winters** said, "All right, thank you. Well, Commissioners we have two parts of business we need to take. One, I'd like us to consider the resolution that creates the Sedgwick County Criminal Justice Coordinating Council and then I'd like us to take an Off Agenda item and appoint Chief Judge Richard Ballinger as the official chair of that board, then knowing that however he wants to configure the leadership, he can do that. Does that sound appropriate?"

**MOTION**

Commissioner McGinn moved to adopt the Resolution.

Commissioner Unruh seconded the Motion.

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

**VOTE**

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

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Chairman Thomas Winters                      Aye

**MOTION**

Chairman Winters moved to consider an Off Agenda item.

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

**OFF AGENDA ITEM**

**APPOINTING CHIEF JUDGE RICHARD BALLINGER AS CHAIR OF SEDGWICK COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL**

**MOTION**

Chairman Winters appoint Chief Judge Richard Ballinger as Chair of the Sedgwick County Criminal Justice Coordinating Council and that he can proceed to structure that leadership as he sees fit for that committee.

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

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**Chairman Winters** said, "Judge, thank you very much and good luck to the committee. Keep in touch with us. I'm sure, if you need to talk to us, there will be commissioners involved and engaged in the process, but thank you very, very much for your leadership on this effort. Ellen and thank you also.

All right, next item."

### **F. RESOLUTION AUTHORIZING AN AMENDMENT TO THE *SEDGWICK COUNTY CODE* RELATED TO THE BOARD OF COUNTY COMMISSIONERS MEETING AGENDA.**

**Mr. Chad VonAhnen**, Management Intern, County Manager's Office, greeted the Commissioners and said, "This resolution amends Sections 2-44 and 2-45 of the County Code and the Board of County Commissioners meeting agenda policy to coordinate this documents with the agenda process manual. It also adds a new section regulating the frequency members of the public may address the Board of County Commissioners to no more than once every fourth meeting. This will allow members of the public to address the Board, while limiting opportunities for people to pursue personal agendas in this meeting.

This has been reviewed by Legal and I recommend you adopt the resolution."

**Chairman Winters** said, "All right. I just have one question, perhaps for Legal. Rich, are there times where any of these requirements concerning addressing the Board of County Commissioners as a citizen could be waived, if the Commission so desired to waive them?"

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "Commissioners, this is just a policy and you can certainly waive it at your discretion."

**Chairman Winters** said, "So if a situation really came up that it was necessary to continue a discussion, we could waive it for meeting to meeting."

**Mr. Euson** said, "Yes, sir."

**Mr. Buchanan** said, "Mr. Chairman, if you please, I think it's important to understand also that this does not effect people's ability to comment at public hearings. If there's a public hearing, then this resolution does not affect their ability to participate in democracy in that way."

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**Chairman Winters** said, “All right. Well, I’m comfortable. You know, you can always think of an instance though, a citizen could come and then next week, or two weeks entirely different subject or a different issue has surfaced and they need a different discussion process. I think we’re just looking more at the same old, same old, same old every week is what we’re trying to address here. All right, Commissioners, any questions or comments?”

**MOTION**

Commissioner Unruh moved to adopt the Resolution.

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thank you, Chad. Next item.”

**G. AGREEMENTS FOR 2004 FUNDING OF DELEGATE AGENCIES.**

- 1. SEDGWICK COUNTY FAIR ASSOCIATION, INC. \$21,500**
- 2. KANSAS AFRICAN AMERICAN MUSEUM \$162,450**
- 3. WICHITA-SEDGWICK COUNTY HISTORICAL MUSEUM \$96,573**
- 4. KANSAS JUNIOR LIVESTOCK ASSOCIATION \$23,304**
- 5. WICHITA-SEDGWICK COUNTY ARTS COUNCIL \$13,500**
- 6. DERBY RECREATION COMMISSION \$25,000**

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**Mr. Ron Holt**, Director, Division of Culture, Entertainment and Recreation, greeted the Commissioners and said, "These contracts that you have before you outline the legal relationships between the County and the six agencies that we're funding under these contracts. These are agencies that we've funded for several years. The funding was adopted in the 2004 budget and these are renewal agreements and so, be happy to answer any questions, but would ask that you approve these funding agreements and authorize the Chairman to sign."

**Chairman Winters** said, "All right, Commissioners, you've heard Ron's report. What's the will of the Board on Item G? Commissioner Norton."

**Commissioner Norton** said, "Am I wrong or do these all come up during the budget time? Is that . . . I'm so far away, I'm not sure."

**Chairman Winters** said, "No, you are correct. These have all been discussed through the budget process, as we built the budget for 2005 and they were approved in the budget for this year and this is then the actual agreements with each of these groups, as to what we expect them to do and how we expect them to do it. So, this is a formalization of the agreements."

**Commissioner Norton** said, "I guess my question is maybe in the future could this not be put on the consent agenda as opposed to a regular item, since we've already hashed it out during the budget time and this is just firming up the agreements? Maybe that's a different approach."

**Chairman Winters** said, "Well, I think we could continue to have that discussion. I think it has some merit. Commissioner McGinn, did you have a comment?"

**Commissioner McGinn** said, "No."

**Chairman Winters** said, "Okay. Mr. Manager, did you have a comment?"

**Mr. Buchanan** said, "No, sir."

**Chairman Winters** said, "All right, Commissioners, what's your pleasure on Item G?"

### **MOTION**

Commissioner Norton moved to approve the Agreements and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thank you, Ron. Next item.”

**H. DIVISION OF HUMAN SERVICES.**

**DIVISION OF HUMAN SERVICES - COMCARE**

**1. AGREEMENT WITH BREAKTHROUGH CLUB OF SEDGWICK COUNTY PROVIDING A COLLABORATIVE SUPPORTED EMPLOYMENT PROGRAM FOR INDIVIDUALS WITH SEVERE AND PERSISTENT MENTAL ILLNESS.**

**Ms. Marilyn Cook**, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, “This item involves an agreement with the Breakthrough Club to provide support employment services to adults with a severe and persistent mental illness. The Breakthrough Club was a recipient of a grant from KRS, Kansas Rehabilitation Services, and COMCARE will be a subcontractor for this grant. The grant pays for two supported employment specialists at COMCARE.

You may recall that both COMCARE and the Breakthrough Club are using the evidence-based model for supported employment, as promoted by Dartmouth College. Core principles for this model include things such as rapid job service, an individualized approach to getting a job for these individuals, something we call follow-along supports, where the support employment specialists actually go onto the job with them to make sure that things are going well there and other strategies. There are also milestones for the program that have been developed and are part of the backup

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materials. And all of those milestones and outcomes ultimately involve a lessening dependence on the ARC counselors and staff and more independent functioning in the workplace.

We're requesting that you approve the agreement and would be happy to answer any questions you'd have."

**Chairman Winters** said, "Thank you. Commissioners, are there questions, comments? Commissioner Unruh."

**Commissioner Unruh** said, "Marilyn, could you give a couple of examples of the specifics of supported employment services? I mean, what exactly happens in that program?"

**Ms. Cook** said, "I'm going to tell you what happened in the past, so you'll understand how this is different. In the past, COMCARE and others in the mental health community tried to help people get employment. We focused on things like meeting in a group setting and helping people learn skills that they would need in a workplace, help them learn to fill out a resume, teach them how to dress on a job, how to interact with others.

This is a very, very different approach, which is what makes it an evidence-based approach and with the help of Dartmouth College there are several centers in the state that were selected as demonstration sites and COMCARE was one of them. And so we have hired employment specialists whose job it is to go out into the community and seek very individualized jobs for the clients that they're serving. In the past, what we would have done is maybe help them look on the Internet or look through the newspaper or be aware of job postings and want ads throughout the community and say, 'Well, you know there's a job at this fast food place, why don't you try there?'

Instead, there's a very rapid assessment that happens in this program, and rather than spending all that time up front getting someone as prepared as possible for jobs that are often very entry-level jobs. So part of this is what do you want to do. The employment specialists then go out in the community and meet with employers and say, 'I have an individual that really wants to work at your business'. Some consumers chose to disclose that they have mental illnesses. Others chose not to and they have that choice. We have found, through this evidence-based practice, they do a

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little better when they do chose to disclose that, but that's also not for everyone. So there's a very rapid job search, a rapid assessment. They're not spending months assessing someone's skills and abilities. And then finding jobs that interest people and we have had wonderful success with that and I think it's a model . . . I know it's a model that all the mental health centers throughout the state are going to soon adopt."

**Commissioner Unruh** said, "Do we stay in contact for follow up with these employers?"

**Ms. Cook** said, "Oh, absolutely. And I'm going to tell you, the hardest thing for these employment specialists has been . . . They are primarily trained in case management. So they have not been trained to initially in the past component of their job to approach employers saying, 'What do you think about hiring someone, I've got a candidate would do really well here', so the relationships with the employers has been one that they've struggled with and we've been looking at that. But once they have those relationships and once we do put all those follow-along supports and insure that people are successful at those jobs, that trust level on the part of the employer is really built. And so they'll say, 'You know, that one worked out, I'm willing to try another one'. And it's through those kinds of processes this is grown."

**Commissioner Unruh** said, "Well, good. That sounds like a great program and glad for those folks to be able to get a paycheck."

**Ms. Cook** said, "Yeah, they're loving it."

**Commissioner Unruh** said, "That's all I have, Mr. Chairman."

**Chairman Winters** said, "Are there other questions or comments? If not, what's the will of the Board?"

### **MOTION**

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

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Next item."

**2. NOTIFICATION OF GRANT AWARD FROM KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR FUNDING OF SCHOOL VIOLENCE PREVENTION AND SAFE AND CARING COMMUNITIES.**

**Ms. Cook** said, "This agenda items involves money that we are receiving from SRS. COMCARE has been receiving a grant award from the state since the year 2000 for violence prevention. The money was initially awarded following the events of Columbine in 1999 and during that legislative session some money was made available throughout the state for some projects.

For the first couple of years in that project, actually the first three years, COMCARE used the money to provide violence prevention services in two Wichita schools, Stanley and Lincoln Elementary. They used the Second Step curriculum in that. Last year, things got kind of haywire with the state when there were a series of allotment processes and reduction and then uncertainty, economically, about what the budget was going to be. So while it passed the legislative session that this money should still be awarded, no one in the state, and there are nine programs, got that money until late February, so it was really kind of hard to make a commitment to Stanley and Lincoln, knowing that it would be several months before we could even guarantee that payment would come.

So we chose instead to subcontract with Communities in Schools to do an evaluation of all of our school-based programs and see how we're doing, seeing if we need course correction and we've had a preliminary report back from Communities in Schools. We will be looking at it again to monitor our progress in the schools, to make course corrections if they're needed and we're finding some very interesting things as a result. So once this money got awarded again, again very late in the school year, we chose to use this money again to continue that evaluation process. Be happy to answer any questions."

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**Chairman Winters** said, "I guess the only question would be then after an evaluation process you hope to look at specific projects then?"

**Ms. Cook** said, "I think we are hoping to look at how we would expand and modify the services that we're providing the school. The preliminary results that are coming back from Judy Frick and her group are telling us. There are several things we were measuring. One of the things we were measured was attendance in schools, based on those schools where we have a full-time presence in the school with a clinician and two case managers, in some cases three case managers.

I've got to tell you, we didn't do as well on that as we wanted to, but we're also understanding as a result of this that a lot of that responsibility rests on the part of the parents, who were having a hard time getting themselves up and their children up. We have sent case managers to homes to wake children up in the morning, to get them to school and we're looking at there's got to be a better way to do that, so we didn't do as well in that as we had hoped.

Our kids involved in the program have done better academically. They're not all getting As, Bs and Cs, which were part of the goal, but the two I think more intriguing and important outcomes that we exceeded, not just met but exceeded, is the teacher's reports of how these kids are behaving in the classroom and even more importantly to me, what the parents are reporting in terms of the behavior at home and the kids involved in this program are doing much, much better behaviorally. They're calmer, they're not as angry at home and in school and I think that's very significant. So we're going to continue to look at that, see if there are ways to expand the school-based program, because I know USD 259 and other school districts in Sedgwick County really are needing help."

**Chairman Winters** said, "So this would really be like being able to broaden the services that Communities in Schools is able to deliver. And you know, I guess I was thinking about any of our prevention partners now that specifically are related to violence and violence in school. Instead of trying to reinvent something, is there any of those programs that we ought to just try to supplement them, or is that kind of what we've done in Communities in Schools?"

**Ms. Cook** said, "Well, this is separate, in a way, from Communities in Schools. Communities in Schools is not only an evaluator in this process for us, because they are well known in the schools and have those connections, but they also are very familiar with the program, the Campus Connections program. That's really what they're evaluating, our effectiveness in those eight schools. Not all those schools are schools that Communities in Schools are in. There are any number of things that are going on in the schools that at some point do need to be tied together."

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**Chairman Winters** said, "Okay, so the Campus Connections is still in place."

**Ms. Cook** said, "Right."

**Chairman Winters** said, "That's something that's still happening with that project."

**Ms. Cook** said, "Right, we're in eight school currently."

**Chairman Winters** said, "Commissioners, other questions or comments? Commissioner Unruh."

**Commissioner Unruh** said, "Well, I'd just make a comment that it's really too bad that we have to have a program like this where we have this problem with violence and things like that in school, but the fact is it's there, so if we've got programs that have . . . that we can measure them and get positive outcomes and change someone's life, I think that's a good investment, so I'm glad there are people who are skilled out there and that can do these things and interpret and evaluate and get the results that we want. But on the one hand it's too bad, on the other hand I'm really proud of the fact that we can be involved in this sort of a rehabilitation or whatever the right word is."

**Ms. Cook** said, "I would add, we do a lot of focus groups and surveying of teachers and school personnel and there is one elementary school which I won't mention the name of, but the principal, when we went to talk to her about how is it going there, said that there was a group of three little boys that she was sure . . . there are a lot of suspensions and expulsions believe it or not in elementary schools these days, but she was sure they were not going to make it into junior high because they were just on a path that was not good for them and these three little boys were involved in the Kansas Connections program. They had therapy in the school, there was intervention with the parents and they had case management, and those three little boys, three years later were, I'm not going to say model students but she could not get over the difference in their behavior. So the schools really are very appreciative of the ability to do that, to allow the teachers to teach, rather than be managing the behavior of kids."

**Chairman Winters** said, "All right. Thank you very much, Commissioner. Any other questions or comments? What's the will of the Board on Item H-2?"

### **MOTION**

Commissioner Unruh moved to approve the Grant Award and authorize the Chairman to sign all necessary documents containing substantially the same terms and conditions; and approve establishment of budget authority.

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thank you, Marilyn. Next item.”

**3. AGREEMENT WITH WICHITA STATE UNIVERSITY FOR ITS SCHOOL OF COMMUNITY AFFAIRS TO PROVIDE EVALUATION SERVICES FOR THE SEDGWICK COUNTY COMMUNITY CRIME PREVENTION FUND.**

**Ms. Jeannette Livingston**, Contract Administrator, greeted the Commissioners and said, “The contract with Wichita State University provides evaluation and consultation services for the Sedgwick County Community Crime Prevention grant program. Dr. Delores Craig-Moreland is the one that provides these services. Dr. Craig-Moreland has incredible experience and expertise in the area of juvenile justice and has provided similar services for the Juvenile Justice Authority grant program since its initiation.

This will be the second year that Dr. Craig has provided services for the County Crime Prevention grant program. Specifically, Dr. Craig assists with the development of an evaluation strategy. She analyzes and reports on program effectiveness. She updates the performance report for presentation to the County Commission annually. She assists in contract monitoring activities and provides professional consultation in the considering and development of new program initiatives.

Dr. Craig has provided invaluable assistance over the last year. It’s from her research that we’ve been able to effectively target funds to where they can make the biggest impact, as well as address gaps in services. The contract totals \$5,000 and that’s from the Sedgwick County Crime Prevention funds. The recommended action is for the Commission to approve the agreement and authorize the Chairman to sign. I’m available for questions.”

**Chairman Winters** said, “All right, thank you very much, Jeannette. You know, as I look back

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over the history of some of our prevention efforts, you look at some key touch-points that we made the right choice and when Juvenile Justice reform was first instigated, passed by the legislature and this money started flowing through this new channel, I remember the day Mark Masterson and I were saying, and Mark said, ‘We really need to get somebody involved with this who will have the status that we can say we have been evaluated. We have had assistance from somebody that others in the state or going to take as reliable source of evaluations and assistance.

And we said WSU were the folks to do that and started out with Dr. Cromwell out there and then got involved with Delores and I think that relationship with WSU has been one of the things that’s given our Juvenile Justice efforts a real credibility and credence in the state. I think it was a good thought that Mark Masterson had and give him credit for that.”

**Ms. Livingston** said, “I’d agree with you.”

**Chairman Winters** said, “Thank you, Jeannette. Are there any other questions or comments?”

**MOTION**

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

Commissioner Norton seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thanks, Jeannette. Next item.”

**DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING**

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**4. AFFIDAVIT PROVIDING SIGNATURE AUTHORITY TO SIGN APPLICATIONS, REPORTS, PLANS AND OTHER DOCUMENTS FOR SUBMISSION TO THE KANSAS DEPARTMENT ON AGING.**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "Today I bring before you an affidavit that the Kansas Department on Aging requires that all area Agencies on Aging across the state submit annually. This is to provide information to them about who in the organization's governing board is authorized to sign documents on behalf of the organization. This is a notarized affidavit of the chairperson of the governing board, which identifies the persons by their names and titles and positions who have been authorized by the governing board to sign documents on behalf of the organization.

This affidavit allows the chair or vice-chair to sign official documents, such as area plans, various program applications and notifications of grant awards. The affidavit would allow designated staff to sign various financial reports, cash requests, units of service reports and various other basic operating documents. We would request that you approve the signature authority and authorize the Chairman to sign."

**Chairman Winters** said, "Thank you, Annette. Commissioners, questions or comments? Pretty straightforward. What's the will of the Board?"

**MOTION**

Commissioner Norton moved to approve the Affidavit and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

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Chairman Thomas Winters                      Aye

**Chairman Winters** said, “ Thank you, Annette. Next item.”

### **I. GRANT APPLICATION TO BUREAU OF JUSTICE ASSISTANCE FOR ELIGIBLE FUNDS UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FOR FEDERAL GRANT YEAR 2004.**

**Mr. Marty Hughes**, Revenue Manager, Division of Finance, greeted the Commissioners and said, “For the past seven months, we’ve been working with the Sheriff’s Department and Justice Benefits Incorporated gathering and analyzing jail inmate data on incarcerated, undocumented aliens and jail financial data in anticipation of the opening of the 2004 State Criminal Alien Assistance program grant application period.

The Bureau of Justice Assistance web-based grant application period is now open and is ready to take applications from February the 2<sup>nd</sup> through March the 15<sup>th</sup>. We received notice this past Monday that congress appropriated \$290,000,000 for the 2004 program. This is up from last year’s appropriation of \$250,000,000.

All rules and conditions for this year’s program are the same as last year in regard to how to count the undocumented alien inmate days. The inmate must be incarcerated for four consecutive days. It must have been convicted of one felony or two misdemeanors. Justice Benefits Incorporated has taken this into consideration while developing the inmate data files to be submitted through the grant application process, the inmate data, as reviewed by the Immigration and Customs Enforcement of the Department of Homeland Security, to verify status through the funding allocation process.

Last year, our grant award was \$100,681 which covered 243 alien inmates, for a total of 14,579 inmate days. This amounted to about \$6.91 per inmate day reimbursement. That was the County’s compensation for last year’s grant program. I would ask at this time that you authorize staff to once again submit the required data through the Bureau of Justice Assistance State Criminal Alien Assistance grant application website for funding consideration for the 2004 program and I’d be glad to answer any questions you might have about it.”

**Chairman Winters** said, “All right, Marty. I only had two. One was how much did we receive and you answered that. And then I guess the other one is we still are confident, the Finance Office is still confident that working with Justice Benefits Incorporated is still the best way to accumulate this data and proceed?”

**Mr. Hughes** said, “I believe so. We’ve got a lot of benefit from them and for very little

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compensation. Last year, we didn't have to pay them anything because our award was below their baseline amount of \$179,299 and they provide a very good service to us, in that they . . . all this data that we provide them, they have to glean through and get the right information that needs to go to the Justice Department, so it's been very beneficial."

**Chairman Winters** said, "Okay, thank you. Commissioners, other questions or comments of Marty? What's the will of the Board?"

**MOTION**

Commissioner Norton moved to approve the Grant Application and authorize the Chairman or his designee to submit the web site on-line application; accept a grant award 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 Unruh seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thanks, Marty. Next item."

**J. RESOLUTION ESTABLISHING PARKING RESTRICTIONS ALONG THE OLD 83<sup>RD</sup> STREET SOUTH RIGHT-OF-WAY FROM THE 83<sup>RD</sup> STREET REALIGNMENT TO THE ARKANSAS RIVER, AND PROVIDING FOR ENFORCEMENT THEREOF. DISTRICTS #2 AND #5.**

**Mr. David Spears**, P.E., Director/County Engineer, Public Works, greeted the Commissioners and

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said, “This resolution will prohibit parking on the old 83<sup>rd</sup> Street South alignment immediately west of the Arkansas River, which is west of Derby. Since the river bridge was rebuilt and realigned several years ago, residents in the area have complained about people parking along the old approach alignment for the purpose of four-wheeling and riding ATVs along the river. This has created unnecessary noise and inconvenience for the residents. Access of emergency response vehicles to the residences is also obstructed when vehicles are parked along the old alignment.

This river should not be used for the purpose of riding recreational vehicles along the banks, as this will create erosion problems, which heavy rains and high water will only exacerbate. It is recommended that the resolution be approved.”

**Chairman Winters** said, “Thank you. Commissioner Norton.”

**Commissioner Norton** said, “Well, I’ve driven this area several times and one of the real problems too is dumping and trash that is thrown down at the end of that. It’s kind of a dead end street, where we’ve blocked it off where the old was and the few residents that live down there continue to have problems with people not only four-wheeling, but driving in there and dumping out their trash and everything. So hopefully . . . We’ve posted one of the big ‘No Dumping’ signs at the end of the road. Now some ‘No Parking’ will hopefully limit people to come in and out of that area, maybe discourage them from doing their four-wheeling and using that area and it will certainly be better for the citizens who have lived here for many, many years and you know, they knew the road was going to be changed, but they didn’t know they were going to have these unintended consequences when the road didn’t go by their property anymore. That’s all I have.”

**Chairman Winters** said, “Thank you. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you. David, what we’re trying to do is stop four-wheeling and stop trash? I mean, this resolution here says we’re stopping parking. Will stopping parking accomplish what we’re really after? I’m a little confused about what’s the goal of this thing.”

**Mr. Spears** said, “Well, about the only thing we can do to be enforced by the Sheriff is to pass this resolution and then it’s enforceable for the parking. And we put up the ‘No Parking’ signs and then if people can’t park along there, they can’t do the ATV thing.

Now the trash is a little bit different deal because they don’t park there very long for trash. They just go down to the end and come back, but we have one of the trash signs at the end of that, which says about the fine, what the fine is and that’s about all we can do.”

**Commissioner Unruh** said, “Well, I suppose this is a good, logical step in trying to control a problem that is disturbing the citizens, so I’m not opposed to it. It just seems like if four-wheeling

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is a problem, then we ought to make a resolution about four-wheeling rather than parking, but if this is a step to get there, then I'll be supportive of it."

**Chairman Winters** said, "Thank you. Commissioner Norton, one end of this bridge is in your district and the other end is in . . .?"

**Commissioner Norton** said, "No, I think it just borders on . . . I mean, across the river is Ben's district, but it's I think people from district five that may be coming over there, kids that come over and do the four-wheeling, so I think that's why . . ."

**Commissioner McGinn** said, "Why don't you just tell people to park across the river in district five?"

**Commissioner Norton** said, "And walk over? Ben is not here, maybe I could pull that off."

**Chairman Winters** said, "But you are familiar with this and you agree with this tactic then."

**Commissioner Norton** said, "I do. There's a constituent, Lynn Copeland, that lives right there and she's lived there for years, I've walked her property and truthfully it is . . . They're tearing up the banks down there. There's some drainage problems anyway and the four-wheeling is just confounding it, so I'm hoping that this will be part of the solution."

**Chairman Winters** said, "Okay, we're ready for a Motion."

**MOTION**

Commissioner Norton moved to adopt the Resolution.

Commissioner Unruh seconded the Motion.

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

**VOTE**

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

**Regular Meeting, February 4, 2004**

**Chairman Winters** said, "Thank you, David. Next item."

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JANUARY 29, 2004.**

**Mr. Jerry Phipps**, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the January 29<sup>th</sup> meeting of the Board of Bids and Contracts and there are two items for your consideration.

**1) MAINTENANCE FOR STORAGE AREA NETWORK- DIVISION OF INFORMATION AND OPERATIONS  
FUNDING: NETWORKING & TELECOM**

Item one is the maintenance for storage area network, Division of Information and Operations. It was moved to accept the quote from XIOTech Corporation for \$44,652.

**2) MOTOROLA RADIOS- SECURITY  
FUNDING: ENHANCED SECURITY**

Item two, Motorola radios for the Security Department. It was moved to accept the quote from Motorola for \$34,232.20 and this is off a joint governmental purchase state contract.

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

**Chairman Winters** said, "All right, Commissioners, you've heard Jerry's report. Any questions or comments and if not, what's the will of the Board?"

**MOTION**

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

Commissioner McGinn seconded the Motion.

**Regular Meeting, February 4, 2004**

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

**VOTE**

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

**Chairman Winters** said, "Next item."

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

- 1. Sponsorship of Frye Golf Classic in the amount of \$20,000.**
- 2. Plat.**

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

Southfork 3<sup>rd</sup> Addition

- 3. Order dated January 28, 2004 to correct tax roll for change of assessment.**
- 4. Budget Adjustment Requests.**
- 5. Payroll Check Register of January 30, 2004.**
- 6. General Bills Check Register(s) for the week of January 28 – February 3, 2004.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "You have the consent agenda before you and I would recommend you approve it, with the exception of Item #1, which I'd ask to be deferred for one week."

**Chairman Winters** said, "I think we're prepared to go on with the whole agenda, if you are? Everybody is prepared? Do I have a motion?"

**Regular Meeting, February 4, 2004**

**MOTION**

Chairman Winters moved to approve the consent agenda as presented.

Commissioner Unruh seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Is there other business to come before this Board? I do not believe we need an Executive Session today. Were we scheduled for an Executive Session?”

**Mr. Euson** said, “No, sir.”

**Chairman Winters** said, “All right. Well, this would be the time for ‘Other’ other business then. Commissioner Norton.”

**M. OTHER**

**Commissioner Norton** said, “I’d just like to comment a little bit about we had a working session on visioning on Monday and that was kind of the end product of the visioning meetings we had out in our districts, as we start the early beginnings of us having the dialogue to figure out what the citizens told us, how that applies to what we were already thinking and what course we want to set for the future of Sedgwick County in describing the best possible outcomes for 15, 20, 30 years from now. That’s all.”

**Chairman Winters** said, “Thank you. Commissioner McGinn.”

**Commissioner McGinn** said, “Well, I think of last meeting I hadn’t had my visionary meetings and are really just confirming much of what you all said, and that was people were very appreciative and very participative in this whole process. I think it’s maybe the start of something that I think they’d like to see periodically, every year or maybe every other year or something like

## **Regular Meeting, February 4, 2004**

that. But they were certainly glad that we wanted to know what they thought, so mine went very well.”

**Chairman Winters** said, “Very good. Commissioner Unruh, have anything?”

**Commissioner Unruh** said, “No, nothing more on that, except I would agree that these visioning meetings take a lot of effort on the part of our staff and a lot of folks were involved, so there’s a lot of energy put in it, but it’s worthwhile. So there’s a lot of energy put in it, but it’s worthwhile and appreciated by the citizens and I think productive and helpful for us. So, it’s been a good process.”

**Chairman Winters** said, “Thank you. Well that was the only real comment that I was going to make, I was still very pleased and happy with the meeting in district three and the positive input that citizens had. But again, I don’t think we can really thank our staff enough and Manager Buchanan, your staff has done an excellent job. It’s a lot of extra effort, work. The facilitators that went to all of the meetings were very helpful. The interns have done a great job of coordinating and analyzing things we’ve heard and they’ve cut down a couple of trees with the amount of paper that they’ve given us now about what we’ve heard, but I think the County staff has just gone above and beyond in helping the Commissioners communicate with our constituents. And so far, it’s been just an excellent process. Commissioner Norton.”

**Commissioner Norton** said, “Well, just to add onto that, I think it’s important for citizens to know that, just because we had those six meetings and we’re starting the process among ourselves, that it doesn’t end their ability to contact us, to e-mail us, to give us information. You know, we want to know what people are thinking and you know, we don’t have any idea that we have all the best ideas. I think we want everybody to be thinking about what the preferred future of Sedgwick County is and if you’ve got an idea, even if it seems a little out there, let us know, engage us because at some point we’re going to try to put all of it together and articulate the best future for Sedgwick County and we would like citizens to stay attached to that.”

**Chairman Winters** said, “All right, and we were on a delayed time schedule today, but we’ll be back at our regular time next week, 9:00. So, this meeting is adjourned.”

### **N. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:15 a.m.

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

**Regular Meeting, February 4, 2004**

\_\_\_\_\_  
**THOMAS G. WINTERS**, Chairman  
Third District

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**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:

\_\_\_\_\_  
**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2004