

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

March 17, 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, March 17, 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 R. Norton; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Jo Templin, Director, Division of Human Resources; Mr. Darryl M. White, Detention Lieutenant, Sheriff's Office; Ms. Irene Hart, Director, Division of Community Development; Mr. John Schlegel, Director, Metropolitan Area Planning Department (MAPD); Mr. Chris Carrier, Acting Director, Public Works Department, City of Wichita; Mr. Jamsheed Mehta, Traffic Engineer, MAPD; Major Robert Hinshaw, Sheriff's Office; Ms. Lisa Clancy, Assistant District Attorney; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Mr. Bob Lamkey, Director, Division of Public Safety; Mr. Jon Smith, Network Support Analyst, DIO; 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

Mr. Richard Drevo, 301 Wind Rows, Wichita, Ks.
Ms. Stella Hein, 355 Wind Rows, Wichita, Ks.
Ms. Alicia Lowery, participant, Hope Street Development.
Ms. Kathy Johnson, adult sponsor, Hope Street Development.
Ms. Terry Cassady, Manager's Office, City of Wichita.
Mr. Larry Henry, Maintenance Engineer, City of Wichita.
Mr. Chris Carrier, Metropolitan Area Planning Commission.
Mr. Dave Warren, Wichita Water and Sewer Department.
Mr. Trip Shawver, Board Member, Mediation Center of Wichita.
Ms. Naomi Adam, Past Director, Mediation Center of Wichita.

INVOCATION

The Invocation was led by Reverend Mike Bradshaw, Haysville Christian Church

FLAG SALUTE

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ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, February 25, 2004

The Clerk reported that all Commissioners were present at the Regular Meeting of February 25, 2004.

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 February 25, 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	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Next item."

CONTINUED ITEM

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A. PUBLIC HEARING TO CONSIDER WHETHER THE CITY OF WICHITA (CITY) HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR THE ANNEXATION IN THE AREA OF 151ST STREET WEST AND KELLOGG.

This item was continued at the March 3, 2004 Commission Meeting.

OVERHEAD PRESENTATION

Mr. Robert W. Parnacott, Assistant County Counselor, County Counselor's Office, greeted the Commissioners and said, "Again, as the Clerk referenced, this is a continuation of the hearing that was held two weeks ago. You'll need to reopen the hearing in a minute, but I just wanted to make a few comments for the record.

We did receive one complaint after that meeting. It was related to this area, however it wasn't related to the service plan. It was another issue of a city service, or a city concern that wasn't part of the service plan and the city has handled that, responded to that complaint I believe.

We did receive a packet of materials last week from the City, in response to a request from Commissioner McGinn and those were distributed to you as supplemental backup and I've provided a copy to the Clerk to keep with the records as part of this hearing.

Again, the purpose of this hearing, ultimately, is to make a finding whether or not the city has provided services in accordance with that service plan. The idea here is that the service plan is not necessarily a guarantee to the landowners that they're going to get all the services they set out. Obviously, developing and proceeding from annexation, budget concerns come into play and various other issues arise. So, the test is substantial compliance with the service plan, not necessarily literal compliance with every single point made in the service plan.

So, having said that, I guess I would recommend we reopen the public hearing, take any more evidence that you want to take, close the public hearing at that point and make the appropriate finding whether or not the services have been provided in accordance with the plan."

Chairman Winters said, "All right, thank you. At this time, we will reopen the public hearing and this is a continuation of the hearing that we had two weeks ago. So I would ask that anyone who

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wishes to give remarks, if they have new information that they wish to present that we would accept that, but if you have the same information, we already have had that, so there's no use for you to repeat that.

So at this time I will open the public hearing and ask if there are people here who would like to address the Board of County Commissioners on this issue. Is there anyone here with new information?"

Mr. Dick Drevo, 301 Wind Rows, Wichita, Ks., greeted the Commissioners and said, "And the only thing I have to present in regard to the water system in particular, in regard to the fire hydrant, is the plan that was given to me to take to our homeowner association by the City of Wichita, by their office and this being the grand plan that would bring a 24-inch pipe up Maple Street to our entrance, cross over and unite with the water district, if possible, and if not come across the street with an 8-inch pipe to a hydrant. This was going to be something that was not a petitioned item. This was something they said 'We will do for you'.

It's not by any means part of the grand plan, as I look at the grand plan as presented by the City. In fact, really I think we both know as you look at that, they can do just exactly what they did, and that is they can annex an area and quite frankly, when you read through that, there isn't anything they really have to do unless you petition and agree to pay for it.

But this was an item that, at discussion, was going to be done, and we're still without that fire hydrant and without that possible fire protection and that's all I had and if anyone wants to view it."

Commissioner McGinn said, "I'd like to see that."

Chairman Winters said, "Thank you very much. Do you need this back, sir? Is this your only copy?"

Mr. Drevo said, "No I don't."

Chairman Winters said, "All right, thank you. Is there any other citizen that would like to address the Board of County Commissioners?"

Ms. Stella Hein, 355 Wind Rows Lake Drive, Wichita, Ks., greeted the Commissioners and said, "My main thing that I want to say that most of the stuff that we'd already talked about was

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addressed last time, and I've got a written up statement, but the main thing I'm upset about today was we were told in the last meeting, two weeks ago, that Robert Parnacott and Terry Cassady, they were instructed by you to send letters out to the homeowners in our neighborhood to inform them that this meeting had been continued to March 17th. We never received any letters. I had ended up logging onto the Sedgwick County website Saturday to find out if this was still on topic and it was, it was on the agenda, so I had to contact homeowners to let them know and our association to try to let other neighborhood people know, because they did not fulfill this obligation and we still have the water, the hydrant issues that I just think need to be looked at, because if you can annex an area, raise the taxes and then still do nothing, even though you agreed to those things, with the negotiations, it just doesn't seem right that you can come in and do that, hold up nothing on the agreements you made with the neighborhood and then you can be annexed and that's the end.

You'd also addressed last meeting that if the services were not provided and if the neighborhood was still wanting to de-annex that there was a time limitation to de-annex if the neighborhood and landowners petitioned and they said it was two and a half years. I'd just would like some elaboration on that, what is necessary to de-annex, if possible."

Chairman Winters said, "All right, thank you. Well I'm working on the impression that notices were sent to all of the residents for the first hearing and that we would have concluded at the meeting two weeks ago if we had not have had time constraints and we really needed some additional information, had some time constraints. Bob, do you have anything to add to that?"

Mr. Parnacott said, "The statute did not require a second series of notices. We provided a notice at the first hearing. This is a continuation of that hearing. The statute again just doesn't require us to send out a new set of notices to people."

Chairman Winters said, "All right, thank you. Are there other citizens who would want to address the Commissioners? Is there any other citizen here who would like to address to Board of County Commissioners? The City of Wichita, would you like to respond?"

Ms. Terry Cassady, Development Assistance Director, City of Wichita, greeted the Commissioners and said, "I would just like to reiterate that the City of Wichita feels that it is in compliance with the requirements of the service plan. We had expressed that two weeks ago at the

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initial hearing. I provided a report of services provided and all action taken relative to the service plan to each of the Commissioners. Again, I would be happy to present that as oral testimony, if you would so desire. I would mention also, to dovetail with Mr. Parnacott's comment, the notices for the public hearings are sent out by the County, not by the City of Wichita. We do not send out notices for your hearings.

We do have senior staff here. We'd be happy to respond to any questions that the Commission may have or address any issues that you feel that need further discussion."

Chairman Winters said, "All right, Commissioners does anybody else need to see this map? Are we done with this map? Bob, can you take that off and turn the lights back up. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. I don't know for sure. Terry, I think it's of Bob Parnacott, but I don't think we addressed the last speaker's comment. Did this Board direct you to send out second notices for the conti . . . she's alluding that we had said send out another notice letting them know that the first hearing was being continued for two weeks. Is that in fact what . . . I don't remember us directing you to do."

Mr. Parnacott said, "That wasn't my understanding. I don't believe there was any direction to send out another round of notices. We had a limited response to the hearing. We only had a handful of people come from the Wind Rows Lake area. This is a rather large annexation area. We sent out hundreds of notices the first time around. So no, you did not specifically direct us to send out a second set of notices."

Commissioner Sciortino said, "That's fine, because I don't ever remember doing that but that was the direct question that was asked of us and I didn't think that had been answered. So, thank you."

Chairman Winters said, "Commissioner McGinn."

Commissioner McGinn said, "I think I'm going to have several questions for Mr. Warren. It has to do with water and fire hydrants. Thanks for being here. Help me understand, one, I don't know if you saw the map that he presented but I was trying to relate it to what I saw in the service plan, because I assume this is what the citizens received through the annexation and in just glancing, I guess I'm not seeing that on here."

Mr. Dave Warren, City of Wichita Water and Sewer Department, said, "That's not in the service plan."

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Commissioner McGinn said, “Unless that’s 135th. I guess it does say that, in the CIP, it includes the installation of a 24-inch water main along Maple, from 135th to 151st Street.”

Mr. Warren said, “That’s correct and it’s still the City’s intent to do that. That has not been done yet.”

Commissioner McGinn said, “Okay, all right. And I think the way the law reads is as long as you have good intentions of getting that done then I think that’s all we have . . .”

Mr. Warren said, “It may interest the Commissioners to know that the Water and Sewer Department recently completed lengthy negotiations with the Rural Water District for acquisition of the infrastructure, their pipes and other facilities in this area, and we’re now working out the detail of the sales agreement and the cut-over of that system to the City’s system. I’m hopeful that that will happen yet this year.”

Commissioner McGinn said, “Okay, and that was my second question, how does that transfer and that kind of thing.”

Mr. Warren said, “It requires a negotiated sale between the Rural Water District, under state law, between the Rural Water District and the City. That has occurred. The City began those negotiations within weeks after this annexation occurred. It just took a lot of time, frankly more time than we thought it would.”

Commissioner McGinn said, “Okay. And I don’t know if you’re the one to answer the fire hydrant question, but is there any legal requirement that you have, in a city, that you have to have fire hydrants every so many feet?”

Mr. Warren said, “No, there’s not. That’s a standard that is put forward by the insurance rating commission and it relates to how well your system rates on both the water system and how good a fire department you’ve got. But it’s not a legal requirement.”

Commissioner McGinn said, “So that would be my other question is, so throughout the whole City of Wichita you’re going to have different ISO rating and people will have various insurance . . .”

Mr. Warren said, “The City has, for all areas within it’s corporate limits, there is an overall rating given. There are areas that are within the center part of the City where there is not an existing water system or fire hydrants because it’s never been petitioned in those areas.”

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Commissioner McGinn said, "Okay. And that was kind of what I had questions about last week [sic]. And then the only other question I had, and I don't know if this is for you Dave, or not, but just the roads out there, are any of them township roads or county roads that we've annexed on both sides and did the City take the road?"

Mr. Warren said, "That's not mine."

Chairman Winters said, "Dave, I have a question for you, though."

Commissioner McGinn said, "Go ahead. And maybe somebody can answer my question in a minute."

Chairman Winters said, "Maybe if . . . We talked just briefly last week [sic], but there is a tremendous amount of activity between Maple and Kellogg headed west and you guys have changed the entire complex. You want to talk just a little bit about that. I mean, the water system in that whole area is going to be different five, ten years from now and it's different than it was five or ten years ago."

Mr. Warren said, "You're correct, Commissioner Winters, it is. We're in the process right now of upgrading our master plan for our water system. We expect to complete that master plan within the next several months, as a matter of fact. That's been a yearlong effort. One of the focuses of the master plan upgrade that we're doing right now is the area that you're talking about and the need for reinforcing the system out there. We've put in major pipeline infrastructure down Maple. We continue with that. There's major pipeline infrastructure going down 29th Street, going west, and that will ultimately form a big, major pipeline loop that will go around the west side of Wichita to improve service in that area. Additionally, we believe that there will be a requirement for some booster pumping in that area that's also going to be part of this master planning area, but you're very correct that that part of Wichita is changing and changing very rapidly."

Chairman Winters said, "And at one time, Sedgwick County was responsible for the West Sedgwick County Sewer District and we have made that transition of turning that system over to fit into the City of Wichita's system."

Mr. Warren said, "Right, and as you know we've also constructed new wastewater treatment facilities at 37th and 135th, which are part of the service area that's going out there. We're also in the process of selecting a site for a new wastewater treatment facility that will go somewhere in the

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vicinity of Mid-Continent, again in response to the growth and the changes that are occurring in that area.”

Chairman Winters said, “But I think over the next few years, I mean, this is near the Auburn Hills Golf Course expansion and in the next few years, I’m confident your system is going to continue to improve for everyone that’s in that area, I would suspect.”

Mr. Warren said, “We’ll have to.”

Chairman Winters said, “Yeah, just because of the growth that’s happening right next to all of these recently annexed properties. Okay, thank you. That’s all.”

Commissioner McGinn said, “And I’ve got one more question for him real quick and then I still want my road question answered. But on the annexation flyer I guess you send out or mail out, I don’t know if this is a generic one or it pertains just to this area, because it talks about the water, your water bill will go down and I’m assuming that means everybody is on rural water and when you go to the city it will go down.”

Mr. Warren said, “That is generic and it’s been our experience, Commissioner McGinn, that those people on rural water, once they get on the City’s water system and are obviously inside the City, customers do experience a reduction in their water bills.”

Commissioner McGinn said, “But do you have areas that are on private well, because their bill will go up because they don’t pay for water, other than paying for their well. You’re on a private well, you pay electricity.”

Mr. Warren said, “If they’re on a private well, even though the City may put in a water system, they’re not required to connect to the City’s water system. That’s a voluntary thing, again, as it is petitioned for those area.”

Commissioner McGinn said, “Okay, that’s what I needed. Thanks.”

Chairman Winters said, “All right, thank you Dave. Dave Spears, do you know the road answer issue?”

Mr. David Spears, P.E./ Director, Bureau of Public Works, greeted the Commissioners and said, “If you’re talking about Maple, we show that Maple has been annexed by the City out, going west on Maple, to about a quarter-mile west of 135th.”

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Chairman Winters said, "So that's still a county road then beyond that."

Mr. Spears said, "Beyond that still county. Then on 135th we show that all of that has been annexed by the city between Maple and Central."

Commissioner McGinn said, "And then, are there any township roads involved in any of this, or would you know?"

Mr. Spears said, "Those are the only two main roads that I know . . . anything else inside the subdivision would be township roads, wouldn't be ours."

Commissioner McGinn said, "Is there anyone from the City that wants to address that?"

Mr. Larry Henry, Maintenance Engineer, City of Wichita, greeted the Commissioners and said, "I believe Dave is right. On the main line roads, everything definitely west of 151st is still in the county. Now I'm not sure whether that's county maintained or township maintained. I think it may be township maintained but Dave might have a better idea about that."

What was annexed with this annexation was a portion of 135th north of Maple which we took over maintenance on and overlaid I think within about a year or so after annexing it, and the interior roads in the neighborhoods and they were previously maintained, I think, by the townships."

Commissioner McGinn said, "Okay. Well it's just an issue that I'm going to probably continue to raise. I've seen the map and it's not just the City of Wichita, it's other cities as well, where we take both sides of the road and we don't take the road and I think if cities want to take that tax base, particularly away from townships, they need to take the responsibility of the road. And so I hope, as we move down the road on these annexation issues, we're going to start seeing when cities decide they want to take the land and the tax base, that they also take the responsibility for the road. So thank you."

Chairman Winters said, "Mr. Drevo, if you have a point of clarification, I would take that, but we're not going to start a debate back and forth."

Mr. Drevo said, "I just wanted to clarify that the area, in respect to our area is west of everything that he's addressed. He's addressed everything back, but he really hasn't talked about the fact that annexation jumped across 151st Street another half a mile to the west."

Chairman Winters said, "All right, thank you very much. Larry, did you have anything else?"

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Mr. Henry said, "If I might, I might relate a little bit about the city's practice on annexing the arterials, because it is confusing. Typically, we try to annex the arterial roadway once there's pretty much annexed areas on both sides all the way through or through a majority of the area. And the reason for that is we don't want to have an area of an arterial that's annexed for half a mile and then you get into county maintenance for a quarter mile and back to the city and so on. So we do try to coordinate that so that we can annex those in larger areas and actually extend the city limits out and not have changes in jurisdiction back and forth.

And with some of the annexation that are either requested or started by the City there are some gaps that need to be filled sometimes before we can take the arterial in."

Chairman Winters said, "Okay, thank you. Are there any other public comments? I'm going to close the public hearing and limit comments to the Commission. Commissioners, do you have other questions or comments?"

Commissioner Sciortino said, "I just have a . . . Bob, were you going to once again let us know under what requirements we have to approve or deny? I mean, it's pretty narrow what we can use."

Mr. Parnacott said, "I can go back over that and then I would also, if you would like, can address what would happen in the case there would be a negative finding that they hadn't provided services, what happens after that. I think there may be an issue about what the procedure is after that. But in terms of your decision today, based on what you heard, what was submitted to you as part of the record, testimony you heard during the public hearing, and particularly the service plan and the schedule of services that are to be provided and I don't have the page number of the backup, but I'm sure you can find it pretty easily. It's the last page of the service plan, listing all the services and what timing they were to be provided and whether or not they were to be provided by petition or upon annexation. You have to determine whether the City has provided those services in accordance with the service plan, taking into account good-faith effort by the City to meet those requirements, substantial compliance with those requirements, which does not mean total or literal compliance but certainly substantial compliance that was done. So ultimately, those are the standards you should apply in making this determination."

Commissioner Sciortino said, "Okay. What about the argument or comment that this one individual made about somebody at the city said we're going to put in a fire hydrant."

Mr. Parnacott said, "It's outside the service plan. Because it's not contained in the service plan, your scope of review is limited to considering what the City said they were going to do in the service plan. The service plan is the official document."

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Commissioner Sciortino said, "Okay, I got it. So we can't use that as a reason."

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

Commissioner Sciortino said, "Okay."

Chairman Winters said, "Is that it?"

Commissioner Sciortino said, "Yep."

Chairman Winters said, "Commissioner McGinn."

Commissioner McGinn said, "I just want to say thank you to the City of Wichita. This was very helpful, having the service plan, and so as we go through this in the future it would be good to have this, along with the grid sheet that talks about the different things you had to address and where you were at in that process. So, I just wanted to say thank you for giving us this information and I hope we can continue to work on this road issue and understanding the criteria you go through and coordinate that a little better in the future. So thank you, Mr. Chairman."

Mr. Parnacott said, "Would you like me to talk about the two and a half year period?"

Chairman Winters said, "Yes, the de-annexation question."

Mr. Parnacott said, "If at the conclusion of one of these hearings, the County Commissioners would make a decision that the City has not provided the services in accordance with the service plan there is a two and a half year period following that that the City has to provide those services. At the end of that two and a half year period, there is not an automatic hearing like there is in this case. You would have to wait to receive a petition from a landowner claiming that the services were not provided, which would trigger your hearing requirement. You would then have to provide notice only to those landowners who petitioned, claiming that there were no services being

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provided. You would not have to again notice up the entire area, just the landowners who raised the issue and you would also notify the City, of course, of the hearing date and some taxing entities in the area, townships, etcetera since they might be affected by de-annexation.

You would have a similar hearing as you have here. You would take evidence as to whether or not the services have been provided. At the conclusion of that hearing, again you would be asked to make a finding whether or not the City did provide those services in accordance with their plan.

That doesn't necessarily end the enquiry. Even at that point, if you found that the City had still not provided the services, there are still some hurdles to jump. If the services were part of a petition process and the City was unable to provide those services, either because the petitions had not been submitted or because the petitions had been submitted but a sufficient protest had been raised against that petitioning, then you can't de-annex under those circumstances because that's not the City's fault. The City wasn't able to provide those services because the petitioning process failed.

Also, if the de-annexation would result of an island of de-annexed property surrounded by the City, you cannot order de-annexation in that case either. And finally, if you were to determine that de-annexation would have an adverse impact on the public health or welfare for either the City, the residents of the City, or the residents of the area subject to de-annexation, you would still not be allowed to order de-annexation. So, there are several hurdles to jump, even if you make a negative finding after two and a half years."

Chairman Winters said, "And that scenario would only start if we would make a negative finding today."

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

Chairman Winters said, "If we make a finding that they have substantially completed it, then that scenario doesn't even begin."

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

Chairman Winters said, "Thank you. Commissioners, are there other questions or comments?"

Commissioner Sciortino said, "Well, okay. I'll be the one that's sticks my neck out here a little bit. Given the fact that we're very limited in what we can use to deny this, I'm going to make a Motion."

MOTION

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Commissioner Sciortino moved to make a finding that the City has extended services as provided for in the service plan.

Commissioner McGinn seconded the Motion.

Chairman Winters said, "We have a Motion and a second. You have a comment?"

Commissioner Sciortino said, "Yes, I do. This problem isn't going to go away and this isn't just the City of Wichita, it's all of the 20 cities in the county. When they have unilateral authority to annex, the people being annexed really don't have much that they can say to stop the annex. My sense is that the people would prefer not to be annexed, but that isn't a reason that they can use, but it's still a feeling that they have and, you know, there has been some attempt at the state level to legislate something.

And I would just hope that all of the 20 incorporated cities would understand the emotions that a person is feeling, when they don't have any authority to stop an annexation, could there be some olive branch, some . . . I'm going crazy here, but just to make it more digestible to the citizens. They know they can't stop it, but maybe you could figure out that for the first year or the first two years all of the taxes collected in the area that you just annexed went to the benefit of just that area and maybe you sat around and visited with the associations and said, 'We're going to generate x number of dollars this year, we're going to spend it right here, how do you want it spent'. Just something that they could feel they're getting some immediate benefit, maybe it's a pocket park, maybe it's a street lamp, just something that they feel that they've got some input to make this medicine more digestible.

It's just a suggestion to all of the cities out there, because this isn't going to go away. It's going to come again and again. Right now, we can put the hammer down, we can force it but it still is going to leave a bad taste in people's mouths and I would just hope that there would be something that the cities could work out. Thank you."

Chairman Winters said, "Thank you. Commissioner McGinn."

Commissioner McGinn said, "Thank you. I agree with a lot of what Commissioner Sciortino said, and I think we do need to understand those folks' frustration. I know you have a lot of annexations that are just development and they're extending sewer and water and people are just grateful to have that. But we're also growing into some areas that, you know, are five-acre lots that they thought that they would be country forever and it's not just the City of Wichita, it's other cities as well.

And so it is my hope that all the cities will try to work with people in the future to help them feel like they're represented. They're very frustrated because those that are annexing them they don't

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get to vote for until after the fact. And so, they're very frustrated by the fact that they don't have an elected official that has any control over the situation. And there are things, just to step a little further to the side, there are some things going on at the state level right now because of all these annexations that are occurring, particularly here in Sedgwick County. So, I think if there's something that cities can do that makes people feel like they're a little more involved in the process, that they have a voice in the process and some kind of say, I hope our cities can work together to allow that.

We are growing together. Cities are going to continue to want to grow. I just think we need to do it in a way where people feel like they've got a voice in the process. Thank you."

Chairman Winters said, "Thank you. Commissioners, are there other questions or comments? We've got a Motion on the floor. Any other discussion or comments? Seeing none, call the vote please."

VOTE

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

Chairman Winters said, "Thank you very much. We appreciate all of you coming back today for the continuation of this hearing. We'll wait just a moment, while these people leave. All right, Madam Clerk would you call the next item please."

PROCLAMATION

B. PROCLAMATION DECLARING MARCH 29 – APRIL 2, 2004 AS “NATIONAL YOUTH VIOLENCE PREVENTION WEEK.”

Chairman Winters said, "Commissioners, I have a proclamation that I would like to read for your consideration.

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PROCLAMATION

WHEREAS, our youth should have the opportunity to play, learn and grow up in safe communities. The people of our country are concerned with the level of violence in our schools and communities; and

WHEREAS, the issue of school and community violence continues to be intimidating to all and inhibits the means for achieving academic and social success. Thirty-two percent of young people have been bullied at least once and twelve percent have been bullied five times or more in the past month; and

WHEREAS, the youth of our country are working to enhance the learning environment by helping to promote good citizenship and by making schools and communities safer and more secure; and

WHEREAS, youth all over Sedgwick County will participate in heightening awareness activities and will encourage the community to unite and support prevention efforts, to protect our most vital resources- our youth.

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim March 29-April 2, 2004 as

“National Youth Violence Prevention Week”

in Sedgwick County and encourage schools and communities to unite in action to ‘Build safer communities . . . peace by peace’.

Dated March 17, 2004.

Commissioners, what’s the will of the 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	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “And we have two people from Hope Street Development here. Would you please identify yourselves and tell us a little bit more about this proclamation.”

Ms. Alicia Lowery, Participant, Hope Street Development, greeted the Commissioners and said, “We’d like to thank you for your support in our efforts for Violence Prevention Week and if you have any questions you can contact us at 263-7325.”

Chairman Winters said, “All right. And who is the other person with you?”

Ms. Kathy Johnson, participant, Hope Street Development, said, “I’m the adult sponsor for our young people here.”

Chairman Winters said, “All right, very good. Commissioner McGinn has a comment.”

Commissioner McGinn said, “I just have a question. Can you tell us just a little bit about some of your main events that are going on?”

Ms. Lowery said, “Well, some of the things that we’re doing, we have a youth summit, which is just an open discussion about ways to prevent violence and just different alternatives for that. And we also have a press day, where we want to get out some information to the community about maybe some statistics on youth violence and things like that and some information and maybe places that they can contact, you know, in case a situation does come up.”

Commissioner McGinn said, “So are you focusing on just a certain area of our community or are you . . . do you have a way in which you’re getting this message out all over the city?”

Ms. Lowery said, “We’re trying to contact different youth groups to also partner with us, so that we can contact other people all over the city. Other than that, you know getting out our information through the presses support also.”

Commissioner McGinn said, “Okay, well great. I’ve seen a little bit on the news and some other

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things. You guys have been very active out there in the community in trying to get this message out. And so you and others are going to be the ones that makes a difference in our community. So thank you for what you're doing."

Ms. Lowery said, "Thank you."

Chair Pro Tem Unruh said, "Thank you all for coming. Madam Clerk, would you please call the next item."

RETIREMENT

C. PRESENTATION OF RETIREMENT CLOCK TO DARRYL M. WHITE, DETENTION LIEUTENANT, SHERIFF'S OFFICE.

Ms. Jo Templin, Director, Division of Human Resources, greeted the Commissioners and said, "I'm here today to recognize Detention Lieutenant Darryl M. White on his retirement on April 1st, after 19 years here at Sedgwick County.

Darryl has touched many lives, which is shown by the support he has today from Sheriff Gary Steed and Under Sheriff John Greene and many, many from the Sheriff's Office and Detention Facility that are here today to celebrate with Darryl his retirement."

Chairman Winters said, "Darryl, on behalf of the Board of County Commissioners we'd like to give you this certificate and we would also like to present you with this clock as a token of the appreciation of the citizens of Sedgwick County. When we do retirements, I think it's often to me, when we have good people in every organization but public safety is extremely important to our citizens. The Sheriff's Department, the Adult Detention Facility, I know that oftentimes that's probably not the most pleasant place to work, but I can assure you that the citizens of Sedgwick County want to have a safe community and it's people such as yourself that help us do that. And so for your years of service, we want to say thank you and we want to then just offer this token of our

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appreciation and we wish you the best in the future.”

Mr. Darryl M. White, Detention Lieutenant, Sheriff’s Office, greeted the Commissioners and said, “Thank you very much.”

Chairman Winters said, “Would you like to make a comment.”

Mr. White said, “No, that’s all right.”

Chairman Winters said, “Let’s have a round of applause.”

Chair Pro Tem Unruh said, “Okay, thank you. Congratulations, Darryl. Madam Clerk, would you call the next item please.”

NEW BUSINESS

D. CONTRACT WITH MEDIATION CENTER OF WICHITA TO PROVIDE MEDIATION SERVICES TO DISTRICT COURTS IN SEDGWICK COUNTY.

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, “The contract for your consideration today is with the Mediation Center. They provide mediation services to district, county and municipal courts in Sedgwick County as an alternative to litigation. The program is successful and cost effective in helping the people, courts and businesses of Sedgwick County. Approximately 300 cases are estimated to receive service in 2004. Cases are referred by the court, so they don’t have an exact number of cases they will be serving.

Funding has been reduced to \$8,000 in the budget for 2004, but we have had a longstanding relationship with this program. We have attendees here today from the Mediation Center who can answer questions you might have: Dennis McHugh, Naomi Adam and Trip Shawver. I’d be happy to answer any questions you might have or these people can certainly answer questions you might have.”

Chairman Winters said, “All right, well somebody give them a hard question. Welcome, Tripp.”

Mr. Trip Shawver, Board Member, Mediation Center of Wichita, greeted the Commissioners and said, “Thank you very much, Commissioners. I’ve got Naomi Adam with me and I’ve got Dennis McHugh. He’s our Irish representative today. And Naomi was telling me, she’s been up here 11 years straight, with your support to give support to the Mediation Center of Wichita and we’re going to be losing her this year. Her husband got a job transfer down to Fort Worth . . . I mean San Antonio, pardon me, and so this is her last year maybe unless we can coax her up here. But we

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certainly appreciate her support. She's been the director for several years. She's been on the board for years.

The Mediation Center of Wichita was established originally by the Wichita Bar Association to take care of a need to try to resolve things without going to court. And they set it up originally as the Neighborhood Justice Center and Naomi helped start that. We then changed our name to the Mediation Center of Wichita, which more adequately represented what we do.

And we provide mediation to the small claims court here in Sedgwick County and with our volunteer help, it doesn't cost the individuals anything. With our volunteer help, we take the place of about one judge, as far as the caseload. And those cases are very well resolved because the people come out satisfied. It's a decision that they made and it's a resolution that they made and so it's not a litigation and so we feel that that's good.

We also are in place, we train mediators every year to provide that volunteer service for the small claims court, but they also do other things. For instance, two weeks ago I got a call from a police officer saying that they had some neighbors that were having difficulties and would we mediate and I said yes and so next week we have a mediation set up to resolve that, which takes care of things as far as the police are concerned.

We established overflow for the domestic court for people who can't afford to pay for mediation. We help resolve that at a low cost. We've recently been involved with the probate court to also resolve things without litigation. Naomi has set up peer mediation in several of the schools to resolve conflict in the school system and she and I, along with some others, trained the neighborhood policing officers in conflict resolution to help them do their job better.

It was . . . I would love to offer our services with the question you all just came up with. I think Commissioner Sciortino and all of you were sharing the pain of when cities are annexing people and I thought you know, what a great place for mediation. If you all would just say okay, if you're going to do that, we're going to ask that you mediate with members of the community before we do that. It's not a binding thing. Mediation is strictly voluntary and it's a neutral, confidential situation but it does provide a forum, I think like you were asking for, for the parties to share their needs and their frustrations and it could be a place where they could maybe offer a sign or a waterfall or whatever. But that would be the appropriate forum to do it, and if you want to use us, call on us, we're there.

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I would like to say goodbye to Naomi. Any other questions?"

Chairman Winters said, "I don't see any right now. We'll have a comment or two I'm sure. Naomi, did you have something to say?"

Ms. Naomi Adam, Past Director, Mediation Center of Wichita, greeted the Commissioners and said, "I'd just like to thank you for your cooperation the last 11 years. We're going to see if I can let my little light shine in Texas. I'm going to have to brush up on my Spanish."

Chairman Winters said, "All right. Well we certainly do appreciate all the work that you've done. This is really taking a pretty small amount of money and leveraging it into saving, I think, a lot of money. So your services have been greatly appreciated. Commissioner Unruh."

Commissioner Unruh said, "Thank you. I just had one question. Can you quantify the number of cases you're able to mediate as a percentage of all the cases? I know you said that you thought you took the place of one judge in offloading those cases, but percentage-wise, what is it?"

Mr. Shawver said, "Percentage-wise, we do about a third of the caseload."

Commissioner Unruh said, "That are successfully mediated?"

Mr. Shawver said, "That are mediated and the success rate is what, running about 70%, something like that. We run 75% in the domestic court across the board. Probate court we running close to 100% but it's . . . you know, when you have to deal with people, to take them as you get them and some are more contentious than others, about a third of the caseload of the small claims court."

Commissioner Unruh said, "Well that's a good record. And just a comment about your offer to mediate disputes in annexation issues. I think the Commissioners are probably aware that we are working on an inter-municipal planning summit to work out a mediation process between different communities in the state . . . or in the county I mean, and John Schlegel has been very instrumental in developing a mediation process. So we believe in what you're doing in a little bit different arena and I think it's going to prove very successful in that effort. Appreciate what you do."

Mr. Shawver said, "All of our mediators are approved by the supreme court and our center, the

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Mediation Center of Wichita, is approved by the Supreme Court of the state to do just what you're talking about. So we would really appreciate the opportunity to help you with that."

Commissioner Unruh said, "Okay, thank you."

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

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

Chairman Winters said, "And Naomi, we wish you the best of luck in Texas. It's a big place, so don't get lost but we thank you for all of your work in this community over the past several years. Next item."

E. PRESENTATION REGARDING STREAMING VIDEO ON SEDGWICK COUNTY'S WEBSITE.

POWERPOINT PRESENTATION

Ms. Kristi Zukovich, Communications Director, greeted the Commissioners and said, "And we have good news here for you today. We're going to give you a short presentation and then a short demonstration of how we are making life a little bit easier for citizens of Sedgwick County and this

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is really a partnership effort between Sedgwick County Communications and Sedgwick County DIO to bring Sedgwick County e-video and we'll explain that a little bit more.

The purpose of Sedgwick County e-video is to utilize technology to enhance citizens' involvement in Sedgwick County government. And really I think what this program is doing really fits all of our county goals, because it's about partnership. It's about how we recognize our employees for their hard work and their creativity. It's about fostering communication with citizens and it's about allocating our resources differently to meet the needs of our citizens.

We started a year ago. Most of you know Commissioner Norton, when he was the Chairman, asked us to start this process of Around the County and do some filming. We used to do, several years ago, we did County on Camera interviews with the commissioners and we would use Channel 8 to help us do those programs. Well we kind of took that technology in-house when we had some reductions in funding and so we started the Around the County program last year in filming 15 or 20 minute segments with commissioners and other guests and we then used that as a partnership opportunity to use at breaks at our commission meeting, but also with the cities of Haysville, Bel Aire and Derby to help get that information out on their city cable access channels.

And so we said, that's one venue but we also have this whole website and Internet opportunity that we can utilize to get information out and how do we get the Around the County on the website or better yet, how do we get other things on the website that will help to enhance the citizens' knowledge of Sedgwick County.

We heard a speaker earlier today that talked about how she goes, she went to the website on Saturday to download the agenda and that's one way folks can find out what's going on with Sedgwick County government. We've also involved citizens, when we've had the on-line public hearings, where folks can come in and submit their ideas on our website and so this e-video is just one more opportunity of how we do an exchange of information, give and let citizens see what's going on at County government.

And so we will show you how we will use e-video now. One is the live broadcast of the County Commission meetings. Most folks know that we are live on KPTS, Channel 8 and we've used that venue because it allows the entire community the opportunity to see what goes on, but we also know that folks are working and so we need to offer rebroadcasts and we have had a partnership for a number of years with the City of Wichita to do the rebroadcast of our commission meetings on their Channel 7 on Wednesday evenings and Saturday, Sunday. But again that limits just to those folks who live within the City of Wichita or who can access that cable channel to see our commission meetings. So we intend to use the e-video as a source to show the commission meetings live and also the rebroadcasts and we'll get into the demo to explain that in just a few

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minutes, but these Around the County interviews as well. It's about giving citizens information, us being able to tell our stories about what's going on at Sedgwick County and how we use the website as a tool to do that.

On this demo that you'll see here in a few minutes, you'll see that there's a screen that looks like this, and on Wednesday mornings, folks right now who aren't tuning into Channel 8 can be tuning into our website, sedgwickcounty.org, and they will click in that area that says the commission meeting for today's date and they'll click on that and watch it, just exactly the same information that you're seeing on Channel 8 will be what we will see on our website, and so these meetings will be live on our website on Wednesday mornings.

The rebroadcasts of the commission meeting, that's what we call on demand, and that means whenever it's convenient for you, when you demand to see it, you will be able to go to our website and you can pull up any of the past meetings in this area, it's the archive area, and you'll be able to click on one of those meetings and you'll be able to look and to view the actual video footage of that meeting whenever it is convenient for you. We will generally have those available on Wednesday afternoons, as soon as the commission meeting is done and we get it packaged up so it can be placed out on the web, they will be available for citizens to view. So if they're not able to watch, sit down at Channel 8 on Wednesday morning but maybe Wednesday afternoons, that's when they can watch it, or any time.

You'll see that, as we go through the demo here in a few minutes, the rebroadcasts of the Commission meeting, we have each item is identified, each agenda item. So rather than having to sit and watch from the beginning to the end, or sit down in the middle of it like a television program might be on, you can pick which item you'd like to look at and when it's convenient. And you can click around. You may not want to watch the entire meeting. You may only be interested in one specific topic.

So what does e-video do for Sedgwick County? Again, it provides greater opportunities for citizens to see the work that Sedgwick County does. It shows how we're working for you, through our Around the County interviews. It helps us to tell our stories. It helps us to say, 'Here's what we're doing for you, citizens', here's how the EMS works. You'll remember last year, we did some Around the County on flu shots and told folks of the importance of flu shots and how you get a flu shot at the Health Department. We have talked about the Health Assembly and the survey and used that as a tool to get folks to understand what we were doing in the Health Assembly and how we needed their help in responding to the survey. We've talked with Ron Holt about Coliseum renovations and gave more information than maybe they would get on the 6:00 news in a two-

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minute segment and so we really use these as opportunities to tell our stories.

And it is about providing convenience. We use the phrase 'Watch it live or watch it later'. You can come to our website and you can watch the commission meeting live or you can watch it later, whenever it's convenient for you.

There's some other ways that we're looking to use e-video in the future and those are kind of internal efficiency. We know there are a number of departments who conduct training and they have folks who are spread out all over the community. We use the example of our EMS folks, they have a number of hours of continuing education training they need and so how can we video that training, put it out on our internal e-line and then let the folks, in their station, go to the computer and watch the video rather than having to travel downtown or travel to another training site. It just makes it a lot more efficient for folks to be able to get that training.

The other piece is about using this for internal messages. We know that we use our Outlook e-mail system to communicate a lot with the employees, to give them information about what's going on, whether that's employee benefits, whether it's changes in the organization, just kind of an opportunity for us to say, you know instead of typing them out, we could video tape and then let folks go see those when it's convenient for them.

This has been a pretty long process. It's not something that we've been able to do in just a matter or weeks. A lot of folks deserve a lot of thanks, and the Board of County Commissioners always have supported and you have talked about using technology and how do we use technology to be more efficient in the delivery of services. And it is about using technology for access and we appreciate your continued support and excitement of how we continue to provide opportunities for citizens to be engaged. And for Commissioner Norton for pushing us out there last year to get us going on this Around the County and then Commissioner Winters, who has continued that process this year and using this as a tool and embracing this as a tool of how we communicate with citizens.

And the County Manager has just kind of been back there. You don't see him back there behind me, but he's back and pushing forward with his finger each little minute and he has told this video team, that we'll address here in a few minutes, how much he loves this project. So if you don't think that's the pressure, when the Manager says 'I love this project, let's get it out there', it is a lot of pressure but it's been very good and we've all learned a lot in a very short amount of time.

Our video team is, these folks are all here and I'd ask them to stand. We have Joe Baughman, John Petersen, Tony Guiliano, Jon Smith, Rodney Horton, Richard Vogt and Jeff Piper. And most of these folks, with the exception of Tony, these other folks are from DIO so when we talked about partnerships, these are the folks that have helped to do the technology end. We can come in and give the ideas. They give the technology. Tony makes sure it looks right and that the logo and the

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slogan are on everything, to make sure folks know that this is an effort to show them how we are working for them. But you know, they all have their share of expertise that they've brought to the table to make this happen and I don't always understand their techno-lingo, which is probably a good thing, but they have been very, very instrumental in making this happen and getting this translated into a usable piece for the citizens so thanks to all of you folks.

Now I'd like to just walk you through a real short demo to show you how this works. We do have a little video camera on our front page of our Internet site and that's where folks will access and we'll kind of jump through that process. This is the screen that they will get to, and there's particular interest here is to remind folks that streaming video is a pretty intensive computer need. You know, sometimes when you do pictures, when you take your digital photography, sometimes that will slow your computer when you're trying to do things and streaming video is pretty much the same, depending on how powerful your computer is, how new your computer is, all of those are factors and so we really ask folks to, first time, kind of walk through and look at this troubleshooting guide, because we really want to make it a good experience for you and want you to make sure that can you do everything you can do on your computer that will make it a good experience.

So we have the minimum software and hardware requirements, so you make sure that that's all set. We talk about the media player, again these are the techno pieces to make sure it works right, but then also kind of some troubleshooting guide of 'Well, if you can't hear, if you can't hear the sound what should you do'. So lots of things in there that will help you walk through that. And of course we have the contact, we do want to hear folks' comments. We always want feedback and this is a continuing process, as we continue to move down the road and have more expertise, I'm sure it will continue to explode.

As we click here to view the Commission meeting live or to watch a prior meeting, again folks you'll see that this is the place where we'd go in if we were outside of this room and wanted to watch what was going on in the Commission meeting right now, this is where we would go. We're going to take you to last week's meeting though and just give you a short demo there and you can see that it gives you the total length of the meeting. We were here for three hours and 35 minutes.

This is the screen and it will instantly start playing and this is what folks see on Channel 8 when it starts the meeting but we're going to jump to Item A-2, which was a proclamation and you'll see that the agenda items are here on the right and it immediately jumps to that item. (*Video clip shown*). And if we wanted to jump down to the Division of Finance, (*Video clip shown*). And this allows folks the opportunity to pick and chose what they would like to see and what they would like to look at.

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I'd like to draw your attention to one other really cool feature of this and it's the search and it's the piece of 'Well it was in one of the Commission meeting'. You know we've all kind of done the 'What meeting was it on when we talked about the financial plan?' or 'When did we have certain proclamation?' and you can type that in. So we'll just type on 'financial' and you'll see it brings up what the meeting and you brings you right directly to that topic and you click on it and it takes you directly there (*Video clip shown*).

So you see, we have lots of opportunities and we have lots of ways of using this as a tool, not only internally. I know my office, one small piece of talking about efficiencies is we have folks who bring us a video tape and say, 'would you dub me a copy of a certain item?' or 'would you dub me a copy of last week's meeting?' and now this is just saving time that we don't have to dub those copies any more. We can send them directly, either internally to e-line or we can send them to the website and say, 'it's all available, you can watch it when it's convenient for you'.

So we are very hopeful that folks will take this opportunity and go to our website, go to e-video and use this often and make it a tool for them when it's convenient for them."

Chairman Winters said, "All right, thank you very much Kristi. I've got two quick questions. One is when is the start date? Is it up and running now?"

Ms. Zukovich said, "It is out there right now, so folks could be watching right now. They can watch it this afternoon. We made it all live yesterday and so our folks are . . . we've been doing some testing over the last month or so and it's out there."

Chairman Winters said, "All right. I guess I've got three questions. The second one is how far do our archives go back in meetings that are available for folks to watch?"

Ms. Zukovich said, "We have started, because actually . . . here's my technology. They're all going to cringe over here now. We're actually . . . this is all hosted on this Granicus Company. A couple of weeks ago, you had an item for you for bid board, it was for Granicus and they are the folks who are actually hosting all of the meetings, so we don't have to store that volume of the meetings. And so once they have that, you'll notice there were several that were up there that we do have because we've been in this testing pattern, but our intent at this point is to save about six months at a time. It is also, when you start searching through on the website, you'll notice that on the page that you would go to look at the Clerk's minutes there will be three options for you. It will have the agenda, the minutes and the video. So that's our intent right now. It may grow, as we continue to move forward, but that's our plan."

Chairman Winters said, "All right. And we were visiting yesterday. Do you know of anybody

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else in Kansas that has a system similar to this in local government?”

Ms. Zukovich said, “We do not believe there is anyone else in Kansas that is doing this in government at this time. We know, from Granicus, that was one of the things with their contract is that we got first in the state discount, through this type of software and we have kind of done some searching around and think that this is pretty unique for Kansas, so we’re pretty excited to be out there and moving ahead.”

Chairman Winters said, “All right. We have some other questions. Commissioner McGinn.”

Commissioner McGinn said, “You said unique to Kansas. What about the nation even, I would think?”

Ms. Zukovich said, “There are some other places that are doing this. We started learning about the Granicus because it’s really popular in California. A lot of the cities out in California are using this and other communities are using other types of technology and other types of software to get information out but it may not have all of that detail that we are providing.”

Commissioner McGinn said, “Well, I think this is a great tool for our community and it looks like it’s working very well. And you know a lot of times I’ll have people, they read the paper the next day about some heated issue and on a topic that’s important to them but that part isn’t in the paper. And so a lot of times I’m like ‘Well, you have to wait a couple of weeks and the minutes will be there’. So this is great, because they can go right there, right now.”

The other thing is, people that live outside of the City of Wichita, unless their own communities has a channel 7 and takes our video or whatever, you only get one chance to watch this and a lot of people are at work and so this is, I think, a great opportunity for people outside of the City of Wichita to engage and learn about county government. The question that I had is, and I was trying to look through your little troubleshooting comments you had up there, if you are not on high-speed Internet, has anybody tried that yet. I think about my rural route line and if you live in the country . . .”

Ms. Zukovich said, “I’m going to have Jon come up here to back me up, but this has been part of the testing and this was part of the whole process of things that we explored when we set about doing this is that we wanted to make sure that if it is going to be about access, how do we try to set it up where it really does provide access. And Jon Smith is our person who helps to make sure of

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that and he sent me a very good explanation and I'll probably mess it up so I'm going to defer to you to explain it."

Mr. Jon Smith, Network Support Analyst, DIO, greeted the Commissioners and said, "When we record the video, we create two streams. One is a high-speed stream for high speed Internet access and another is a very small, 39K stream, which should work on most dial-up connections."

Commissioner McGinn said, "So would they click . . . They'd have to choose one of those, or it will figure it out on its own?"

Mr. Smith said, "It's a single file with both formats in it and it should recognize that they're on a low-speed and pick the slower broadcast."

Commissioner McGinn said, "Well it's great. Good, I'm glad you looked at that. Thank you."

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

Commissioner Sciortino said, "Thank you. Well, a comment and a question. Well, Kristi spent about five minutes with me trying to educate . . . I think she went to the lowest common denominator to see if I could understand it and I picked it up right away. I mean, it was easy for me, which indicates it's real user friendly, for me to be able to pick it up and actually enjoy it.

One thing, I think I know the answer to it, but you were commenting one of the features is if somebody said, we'll pick a word that we all love, let's see, they said something about trash some time, you print the word and then you can go back. But when you printed 'financial' it only went to last week. Is that because we don't have everybody . . . what do you call that thing?"

Ms. Zukovich said, "We just have a limited amount of information in the archive."

Commissioner Sciortino said, "How far back . . . we're going to hold it for like six months, is that it. So after we get six months, somebody could look up 'financial', everything that was said about financial for the last six months will come up and we can pick and choose which video we want to use?"

Ms. Zukovich said, "It's what is currently in the archive is what it's searching through, so those are files that you'd search."

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "If I understand it correctly, it's only going to identify ideas on the agenda. It's not going to . . . if you give a speech

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about finance in the middle of a road improvement discussion, it ain't gonna . . .”

Commissioner Sciortino said, “Okay, but if the word finance or something was an agenda item five and a half months ago, it will show back up. It can't be that Kristi accidentally used the word or something. No, I understood that. So they can go back. That's great. I think that's fantas . . . It's a great service.”

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

Commissioner Unruh said, “Thank you. I don't have a question. Just to say that I'm extremely happy that this is very user friendly. I probably represent a lot of people who just don't get around real good in a computer, so your efforts to make this usable is much appreciated. And I say I think that this is really an important thing that we've done. In a lot of areas that the county is dealing with right now, there is a lot of interest, and it's difficult to get information out. So the opportunity for our citizens to get right to the County Commission meeting and have that form of communication, I think, is really important. So I'm happy that we've been able to do it. I don't know how you did it. I mean, to me it seems like the thing would go up in smoke when you try to do something this complicated, but anyway I want to express congratulation and appreciation to your group of experts for their technical capability in order to produce this product. It's a great thing. Congratulations.”

Ms. Zukovich said, “Thank you.”

Chairman Winters said, “Commissioner Norton.”

Commissioner Norton said, “Well I'm real proud of the group for putting this together. I know when we kind of started out with Around the County people said, ‘Boy, where is your studio’ and I said, ‘Well, you'd be amazed’. It's on the six floor of the courthouse, it's a little office room where they hung some curtains and put in a computer and some very smart people that understand that. We gave them a camera and we gave them a computer and they make us look pretty good. The truth is, technology helps, but it's about communication. It's about getting the word out to our constituents and letting them know that we're out front on issues, that we're not afraid to talk about it. That we want to show everybody that government can be open and honest and communicative and I think that's the message we're trying to send.

Now I challenge this group to look at the next levels that we need to look at and that's how do we,

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when we have a topic that we want to talk about, film a personal message that could go on my part of the website where, if I want to weigh in on something or talk to the community, they can click on Commissioner Norton and instead of seeing something in writing, they see me saying, 'You know what, here's what I think about this topic' and I'm going to send it out to people so they can understand it.

I think it's powerful. If you look at our Health Summit that we just did and we do filming that, now we can put that right on our web page and people can be there. Even if they weren't invited, they can see what we were talking about, what the issues are, the conclusions we came to and that it's not a mystery. The one obligation I think we have, as leaders in our community, is to not make government a mystery to the average guy because as I talk to people, that's the problem we have as politicians and bureaucrats is that we're doing everything in a vacuum and we don't really understand and you know, I think we do but they don't understand because they don't hear all the conversations and this takes it out to them where they hear what we're saying, what we believe in, what our values are and sometimes here at real time and sometimes here at a little delayed but at least they're getting the message. I'm real proud of the organization for moving this way. Now we need to think strategically about we've gotten this far, what is the next step, because we don't want to rest on our laurels. There's more work to do. Thank you, Kristi. I appreciate it."

Chairman Winters said, "All right. Commissioners, any other questions or comments? Do I have a Motion to receive and file?"

MOTION

Commissioner Sciortino moved to Receive and file.

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	Aye

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

Chairman Winters said, "Thank you to everyone who had a hand in putting this thing together. This is good stuff."

Ms. Zukovich said, "Thank you, Commissioners, for your support."

Chairman Winters said, "You bet. Next item."

F. PRESENTATION REGARDING INTELLIGENT TRANSPORTATION SYSTEMS.

POWERPOINT PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "Top of the morning to you, Commissioners. Sean O'Schlegel from the Metropolitan Area Planning Department. Everybody is Irish on Saint Patrick's Day. Given Kristi's presentation, it looks like this morning is shaping up to be your day for learning about how to better use technology to improve people's lives here in Sedgwick County. I hope you'll bear with me as I go through my presentation. This is a pretty complicated topic and there's been a lot of work done and a lot of work in progress and we're going to try to get you caught up on all of that. So I'm going to be downloading a lot of data from my files into your files as I go through this.

I want to stress that this is an overview. I'm going to be emphasizing that we're still early in the stages of planning and designing this overall Intelligent Transportation System and that we still have a lot to learn about the overall, eventual costs of building and operating an Intelligent Transportation System.

You will not be asked to make any decisions today. This is simply giving you a report, an update on where we are, status report. Although what I think I'll make clear, as I wrap up this presentation, is that you will have . . . there are some decisions that will have to be made over the next several months.

Here's what I'm going to be talking about in this presentation. I'm going to get you caught up on what is an Intelligent Transportation System. I want to refresh your memories about some of the work that's already been done, specifically the ITS strategic deployment plan. I'm going to spend a

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lot of time talking about partnering, because there's a lot of this going on and I think it's a good thing to be talking about. And in doing that, I'm going to talk about how we're going to be funding, the planning and design of the system and some of the projects that are about ready to bear fruit. I'll have a financial plan summary that I'll go over with you at the end and outline for you the next steps in this process.

Very briefly, what is an Intelligent Transportation System and you can see very uncomplicated definition that we've put up here. It's just allowing the integration of advanced technologies that are available to us today to improve how the traveling public gets around. And ITS can include a number of things, a number of different functional agencies are involved. I've just put some up there on the screen to illustrate as some examples. And ITS includes the systems that each of those functional agencies might be currently using. How we can potentially connect those up and the types of information that potentially they could be sharing that perhaps they're not sharing today.

The impetus for ITS is really driven by federal regulations. I don't want to dwell too much on that except to say that what the federal regulations, what the US Congress was intending in legislation and in the regulations that implement that legislation, was to encourage local units of government to take advantage of those technologies that are available and that can be used to benefit the traveling public and those benefits are many. I've listed out some of them here. Everything from helping to reduce congestion, improving people's productivity, so they're not waiting so long in traffic and at traffic lights, to reducing the need to add future roadway capacity. It's very expensive to build highways, improve arterials and so forth.

This effort started a number of years ago with the development of the ITS Strategic Deployment Plan. Some of you may recall this. This particular document focused on existing transportation facilities in Sedgwick County, both freeways and arterials. It documents the benefits that I just talked about and this plan has been serving as the guiding document for staff efforts ever since it's adoption back in 1998.

This is a list of the participants that took part in the development of that strategic deployment plan and I put it up here simply to emphasize the fact what the level of collaboration that is represented in that plan and that continues to occur today.

Just briefly, some of finding of that plan included a lot of good news about our transportation systems here in the Wichita area. Most congestion is due to incidents rather than just too much traffic. We have very little recurring congestion and that we have good emergency communications

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and incidence response coordination. And while those findings are very positive, it doesn't mean that we can't do better.

Some of the recommendations that came out of the plan, just very quickly, some of the things that have already been implemented are listed out on this particular slide. Freeway management system was recommended by the plan and I'm going to be talking about the creation of an advanced transportation management system, as I go through this presentation. And these are some of the recommendations that would be implemented by that advanced transportation management system.

Other recommendations are listed out on this slide. Most of these items are under development in one form or another and I'll be providing more details about each of these items, as I go through my presentation.

One of the most important outcomes of the ITS Strategic Development Plan was a memorandum of understanding that was developed among Kansas Department of Transportation, City of Wichita and Sedgwick County. And you can see the funding commitment that comes out of that memorandum of understanding up on the slide. It's a total of six and a quarter million dollars that were committed, shared 60/20/20 amongst the various agencies.

And it's important that you know about this and this is a reflection of the level of cooperation and collaboration that is going on and I think that part of the intelligence of an Intelligent Transportation System is the working together.

Ongoing coordination has been governed by these two committees, the policy committee and technical committee. These are all staff folks but it's been working pretty well.

We've been very fortunate to receive additional funding by means of earmarked appropriations. And this is a total of five and three-quarters million dollars that we have received in each of the past three fiscal years and so that brings the total to about twelve million dollars that's available for development of an Intelligent Transportation System.

Because of the funding that has been made available and the ongoing coordination that I've been trying to stress, we're now at a point where we can launch several ITS projects. These are the major ones that I've listed out on this slide, but I will outline for you, as I go through this, where we are on all the ITS projects at this time. And I want to stress that last line on that slide, that all parties must agree before we proceed with implementation of any of these projects.

Okay, now I'm going to go through the projects that we have about ready to bring on line. The first one is regional architecture, starting with this one because this establishes the basic framework for

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all of the Intelligent Transportation System projects that will follow. And as you can see, this is something that's required by federal law. The funding has been identified and the MAPD is the lead agency on this one. We are in the process of preparing an RFP for this and we expect to be out on the street in April with that.

Just to show you a picture of what a regional architecture might look like. This graphic is just meant to illustrate the concept of a regional architecture and how you try to tie everything together. It's meant to identify all the information needs of the local systems and the needs for sharing that information.

Next project is the Automatic Vehicle Location. Needs assessment for this has already been completed. Funding had been identified and utilized. The lead department on this was the Wichita IT Department. In this report, the needs assessment report that was completed by a consultant included recommendations for both emergency and non-emergency services.

Now of course the first priority for use of an Automatic Vehicle Location system would be the emergency services and a project is currently being scoped out for doing that and this has been a highly collaborative effort by both the City of Wichita and the county folk and KDOT.

Just very quickly, a picture of how that system might work, an Automatic Vehicle Location system would try to allow people in a traffic operation center to keep track of where all the vehicles are. The intent of the project is to equip some 394 emergency response vehicles with laptops that will be connected by means of a wireless system with the 9-1-1 center. The funding is available, showing up there a total estimate of this project right now is a 2.2 million dollars, and the respective staffs from city and county are working on the technical specification for the equipment that would be put in these emergency response vehicles. And procurement and installation will start as soon as the technical specifications can get worked out.

Our next project will be traffic signal system upgrade. Lead department on this is the City of Wichita's Public Works Department. The first step in this will be to do a needs assessment with some potential solutions. It's a planning study that should come up with a set of capital and operating costs estimates for the system. We have identified the funding for this and the City of Wichita is ready to go out with an RFP on this project in April.

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Just some real quick pictures on how a system like this . . . what you're trying to do is link up your traffic signal system with a central control facility so that you get better coordination of traffic lights. The City of Wichita has 380 intersections that they would be interested in having on this system and Sedgwick County has 35.

I've already mentioned advanced traffic management system. KDOT is the lead agency here on this project, because so much of this project is a freeway management system. This strategic development plan had recommended that this system be designed in three phases, so we've been proceeding in that direction. The design of the first phase of this will be the next step that will need to be taken. A traffic operations center is a key element of a advanced traffic management system and that work is already underway.

And just to illustrate the types of things that might be included in an ATMS, these photos are meant to show in this case a camera system on a freeway, on a freeway system, a control center that those cameras would be linked to, messages boards throughout the freeway system that would pass on information to motorists and that could be in a variety of different forms. If there's a major accident and you're trying to get people rerouted off of the freeway system onto the arterials so that they're not jammed up on the freeway. You might have a major event, let's say at the Kansas Coliseum, and you can forewarn people coming in, we'll say traveling south on I-135, that a major event is about ready to be let out and they should be aware of that.

Another very dramatic illustration of how this type of system might be used, this photo shows a message board in the southern California system and you may recall an incident that happened not too long ago where there was a young girl that was kidnapped from her home and they had a description of the vehicle and of the kidnapper. They were able to use these message boards then to alert motorists and they caught the guy pretty quickly as a result.

Another illustration of how these types of systems are used where there's a major accident and there's a need to close down the freeway for a time. These types of systems allow you to divert traffic to other routes. We are moving forward with the ATMS design. Funding has been identified and has shown up on this slide.

In addition, a portion of the money that is available of the twelve million dollars is available for Wichita Transit to try to link in with this Intelligent Transportation System. They have a number of ideas that they are working on in trying to get a project moving forward.

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This is the financial plan that's up on the screen before you. You have a copy in front of you, if this is hard for you to see. And just very quickly, what we've done is provided a current estimate of project costs. Some of the longer range estimates, for example for implementation for ATMS and of the traffic signal system are really just guesses at this point. We think they'll be relatively costly.

The MOU is a source of funding of about, as I said before, about six and a quarter million dollars and then we have these additional federal appropriations that we can bring into the mix for a total of about twelve million dollars. So you can see that to fully implement a system like this, we really don't have the funding available. That's why I'm stressing, at this point, that we really are just in the early planning and design phases of this. We will know better what things will cost, once we're able to do these initial planning and design studies.

I also want to stress that there will be recurring operating and replacement costs that come with any type of technology and we do not have a real good handle on those costs just yet, but that's what we're anticipating we'll learn, as we go through and complete these initial studies.

Next steps, we do have a deadline of September 2004 for obligating the three federal grants, so we're under some time constraints here. We're trying to move as quickly as we can to get these funds obligated so that we can take advantage of that.

So our immediate task, as staff from KDOT, City of Wichita and Sedgwick County is to get the plans for all these different projects into KDOT and USDOT to make sure that we can pass state and federal muster. As I mentioned, we are moving ahead with the RFP for the regional architecture project. City of Wichita is moving ahead with the RFP for the traffic signal system. There are city and county staff, people that are working to finalize the cost estimates and technical specifications for the Automatic Vehicle Location System and KDOT is moving ahead with hiring an independent project manager for the Advanced Transportation Management System.

Now you show have three handouts in front of you. One was a copy of this presentation. Also I think gave you a copy of the spreadsheet, the financial plan spreadsheet and then there's also an executive summary, that gives a general, overall view of Intelligent Transportation Systems.

I told you at the beginning, this was a lot of information. I'll be glad to answer any questions that you might have."

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Chairman Winters said, "All right, thank you. It was a good presentation. Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I think this is a great opportunity for us to improve traffic flows throughout the County. Just kind of a question I guess. You know we're starting to see the little camera or whatever it is that's kind of following the traffic. Are those, I guess, recorded video that, if there's an accident there too, that it would tell people . . .? No. I'm seeing Chris say no. Okay. It's just more of a motion kind of detector."

Mr. Chris Carrier, Acting Director, Department of Public Works, City of Wichita, greeted the Commissioners and said, "Those cameras that you're seeing at the intersections where we've replaced traffic signals lately, replace the loop detectors that used to be in the pavement that would detect when a vehicle was waiting to turn left or there was a vehicle there waiting for the light to change. All that is is a camera that does that detection now and that's all we're using it for currently. Could we use it for other things? Yes. Are we? No."

Commissioner McGinn said, "Okay. And is that cheaper then, to put that camera up than putting it in the surface?"

Mr. Carrier said, "Over the long term, yes ma'am it is, because we're always having to fix loops that break when pavement shifts because of expansion/ contraction and hot and cold weather and things like this and that solved that problem for us."

Commissioner McGinn said, "Okay. One other question, it's kind of tied to this, because my favorite intersection is getting off of 35 Highway to the south, turning left on 13th on a Sunday morning and sitting there for three minutes and we're the only people there. And my question is, do you, on some of those traffic signals, I know that I'm sure that's probably appropriate on a busy day, Monday through Friday, at a certain time. Do any of those change, like when we're not at the high time of the 8:00 or the 5:00 time or do they have to stay, at least to this date?"

Mr. Carrier said, "It depends totally on the individual traffic signal that's there. Most of our intersections have loop detectors that will detect when you're there and will change for you. Now, as I said a minute ago, those loops will break and they're constantly breaking and we're constantly having to go out and make repairs to those. When one of those systems, when one of those loops breaks, what happens is a lot of times a signal will go into an automatic operation where it's going to turn green every direction and go through its cycle, whether there's somebody there or not. It's just kind of a default mode. And that particular one, I'd have to look and see and I can't tell you how that operates right now."

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Commissioner McGinn said, "Okay, thanks Chris. I hope that we're doing everything that we can to make sure, as a county, that we meet that September deadline. I think this is a very good tool and way to take care of our traffic flows here in our community, so glad to see the progress. Thank you."

Chairman Winters said, "Thank you. Commissioner Norton."

Commissioner Norton said, "Well thank you, John. I think that's a great presentation and I'm glad you're here to explain this to us because I've heard other explanations and it wasn't quite as simple and down to earth, so thank you. Welcome Jamsheed for being here. You've been attached to this for quite a while, so we appreciate your hard work on that too."

On the traffic op center, that obviously is something that's coming up. Does it make sense to co-locate that with a new 9-1-1 EOC center somehow, because they're going to be so interrelated? Does that make sense?"

Mr. Schlegel said, "Funny you should bring that up."

Mr. Bob Lamkey, Director, Public Safety Department, greeted the Commissioners and said, "And that in fact is what the plan calls for. The Transportation Operation Center that will be staffed and manned by the State of Kansas to manage the arterials around Wichita will be co-located with our 9-1-1 Center, so we'll have the advantage of being able to see what they see and they can interact with our dispatchers to get public safety resources out to where incidents and accidents are happening."

Commissioner Norton said, "Okay. As I understand this, at some point we'll be able to control the signalization when there's a fire and we want to move an EMS vehicle, a fire vehicle through a corridor, we'll be able to control that corridor, the signalization so they can more readily proceed. Is that correct?"

Mr. Lamkey said, "I don't know if I can answer that question. Is there somebody that can?"

Mr. Jamsheed Mehta, Traffic Engineer, Metropolitan Area Planning Department, greeted the Commissioners and said, "As part of the signal system upgrade project, and that will be a different consultant study project, yes signal preemption planning will be part of the signal upgrade system. So for the most part, all the fire vehicle, Wichita, Sedgwick County's or EMS, they might have certain frequencies that will activate the signal ahead of them and give them a green. This is in addition to the fact that the citizens are going to hopefully move out of the way, but this does give them the extra speed to increase the delivery of service and reduce the response times."

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Commissioner Norton said, “Well, so many times I see them get the corridor they need but they still pull up to a red light and they slow down. They understand that somebody may not hear the siren or understand what’s going on, so they hit the brakes and kind of slow down to go through the intersection. This would give the advantage to green lights are going to be ahead of them, people are already stopped and you can move them through quicker. So, I think that’s going to be amazing technology. It’s going to give us the chance to be safer with our emergency vehicles and probably reduce the response time in many cases, because they do have these open, green light corridors that move them back and forth to get to their emergency.

I did have a question, and this is probably John, thanks Jamsheed. Technology is wonderful, but at some point there’s going to be a place where great technology meets terrible infrastructure. And my first case of that is the exit at 135 and 47th Street, as you move over to Broadway. The traffic backs up to around 235 every day. There’s no signalization, as you try to get onto 47th Street. I’ve complained about this forever. There’s a study at the state that already says there needs to be two signals there. This technology will not fix that until the infrastructure is fixed. How do we integrate talking about spending this kind of money, when one of the worst problems in my district won’t be fixed by technology unless the infrastructure is fixed first?”

Mr. Schlegel said, “Well, you’re correct. The technology can’t fix basic infrastructure needs that need to be improved on and all we can do is continue to try to program those types of capacity improvements into the TIF and the respective CIPs.”

Commissioner Norton said, “Okay. Just a statement that technology is great, we’ve seen that, but if the basic infrastructure isn’t there . . .”

Mr. Schlegel said, “Yeah, and this technology doesn’t replace those infrastructure improvements.”

Commissioner Norton said, “That’s all I have, Mr. Chair. Thanks.”

Chairman Winters said, “Thank you. Just a couple of quick questions. There were two committees mentioned, a policy committee and a technical committee. Who from Sedgwick County participates on those committees?”

Mr. Schlegel said, “Kathy Sexton, your assistant city manager [sic] and Bob Lamkey.”

Chairman Winters said, “All right. Commissioners, are there other questions or comments? What’s the will of the Board? Do I have a Motion to receive and file?”

MOTION

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Commissioner Norton moved to Receive and file.

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	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “And thanks to everybody who came in relation to this. John, it was a good presentation and we know there are lots of people involved in this whole issue. So, keep us advised. Thank you. Next item please.”

G. AGREEMENT WITH OTTAWA COUNTY, KANSAS TO PROVIDE HOUSING FOR SEDGWICK COUNTY INMATES.

Major Robert Hinshaw, Sheriff’s Office, greeted the Commissioners and said, “The contract that’s before you is a renewal of an existing agreement with Ottawa County for the housing of inmates from the Sedgwick County Jail. The only significant change between the prior agreement and this one is that they’re requesting that we maintain a minimum of 10 inmates in their care, and if so the rate will remain the same, \$30 a day per inmate. If we drop below 10 inmates per day, then the rate will increase to \$35. And that’s short and sweet and if you have any questions, I’ll try to answer them.”

Chairman Winters said, “All right, thank you very much, Robert. Any other questions, comments? Commissioner Norton.”

Commissioner Norton said, “Just a comment. It looks like we continue to have more . . . we’re starting to outsource a little more and continuing to be dealing with that problem, so it doesn’t look

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like it's going to go away. We're obviously going to have to make some tough decisions real quick, but the outsourcing of our inmates isn't going away any time soon, it doesn't look like."

Major Hinshaw said, "That's correct. As of this morning, this morning's count was 157 inmates housed out of county and earlier this week it was at about 141."

Commissioner Norton said, "Thanks. I have nothing else."

Chairman Winters said, "Thank you. Commissioner Unruh."

Commissioner Unruh said, "What is the capacity at this facility that we can access?"

Major Hinshaw said, "I can't answer for this particular facility. I know that we can house more than 10, probably 14 to 20. A lot of it depends on other agencies in Kansas and the federal government and Kansas Department of Corrections that may also be buying beds from Ottawa County. So it's a real fluctuating situation. For example, right now out of all the bed space that's available for contract in the State of Kansas, there's 90 to 100 beds left that meet our requirements here in Sedgwick County, where we would be willing to house inmates and that's all there is in the entire state."

Commissioner Unruh said, "Okay, but we are guaranteed ten here."

Major Hinshaw said, "That's part of the contract."

Commissioner Unruh said, "Okay, we're guaranteed at least 10 but we're required to take at least 10. We may take more if it's available."

Major Hinshaw said, "They'll take all we can up until that point and the key issue in the contract is if we fall below an average of 10, then they're going to charge us \$35 a day."

Commissioner Unruh said, "Okay, thank you. That's all I have."

Chairman Winters said, "Thank you. Any other questions? If not, what's the will of the Board?"

MOTION

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

Commissioner Sciortino 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	Aye
Chairman Thomas Winters	Aye

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

H. GRANT APPLICATION TO OFFICE OF THE ATTORNEY GENERAL, THE STATE CRIME VICTIMS' ASSISTANCE FUND FOR CONTINUED FUNDING OF A RESTITUTION COORDINATOR POSITION.

Ms. Lisa Clancy, Assistant District Attorney, greeted the Commissioners and said, "What you have before you is an application for the continuation funding from the Attorney General's Office, under the State Crime Victim's Assistance Fund of a restitution coordinator. This will be our fifth year that we're going on. The grant starts July 1st, ending June 30th of 2005. We just ask that you approve the application, authorize the Chair to sign."

MOTION

Commissioner Sciortino moved to Approve the Application 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 Tim Norton	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

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

I. AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCLUDE REPLACEMENT OF THE NOXIOUS WEEDS BUILDING ROOF.

POWERPOINT PRESENTATION

Mr. Pete Giroux, Senior Management Analyst, Budget Department, greeted the Commissioners and said, "Public Works has requested a CIP amendment to replace the roof on the noxious weeds building but first it might be helpful to do a quick review of the recently completed roofing study.

Facility Project Services worked with our architect/ engineer and a team of roofing experts to examine all of the county owned facility for condition and then to develop a long-term plan. You'll see those recommendations again, later in the year, in the Capital Improvement Plan request.

The top priority on that list was the noxious weeds building. I'm told that the pull down screws on the roof are actually deteriorated. The building was constructed in the early '70s. They've made numerous attempts to repair it but have been unsuccessful. We've had some minor mold problems. Of course we immediately remediated those.

Cost of replacement is estimated at \$46,800 and Public Works used operational savings at the end of 2002 and 2003 to provide funding for the project and the recommendation of the CIP Committee is that you approve the amendment to the CIP. Do you have any questions?"

Chairman Winters said, "All right, thank you Pete. Any questions of Pete? If not, what's the will of the Board?"

MOTION

Commissioner Unruh moved to Approve the CIP amendment.

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

Chairman Winters said, “Thank you, Pete. Next item.

Hold on just a second. We need to take an Off Agenda item. We need an Off Agenda item on the Sedgwick County Health Assembly.”

MOTION

Chairman Winters moved to consider an Off Agenda item.

Commissioner Sciortino 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	Aye
Chairman Thomas Winters	Aye

PRESENTATION REGARDING THE SEDGWICK COUNTY HEALTH ASSEMBLY

POWERPOINT PRESENTATION

Mr. Buchanan said, “Thank you for taking this off agenda item. It was our poor planning that caused you to do that, and for that Andy Schlapp, who is the project manager, is sorry.

I thought it might be helpful to review a little bit of what happened last weekend, last Friday and Saturday, we sponsored a Health Assembly: a Prescription for Health Citizens. This has been a culmination of a planning effort that included the survey and inviting guests to participate in this process.

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The assembly's purpose was to determine the community . . . help to determine what the community's expectation, obligation regarding public health has been. And so we framed the survey and we framed this process around that issue. When we talk about process, I think it's important to understand who was invited and how that all worked. We invited about 150 folks, 134 actually showed up. They were elected officials, including representatives from the state and the City of Wichita and other municipalities. Certainly there was appointed officials by the state, some cabinet seat, Secretary of Health was there. We had health care professionals from not only the hospitals and we had business members, just people in this community that care about this issue, certainly non-profit representatives, those folks who are in agencies that oftentimes provide health, health providers and just some regular citizens we invited to get their ideas.

The discussion focus was around four areas: access, prevention, health care coordination and vulnerable populations. They were delved in quite a depth Friday afternoon and Saturday. There were break-out groups Friday afternoon to talk about each of these areas and a lot of just great ideas came from those groups that will be presented to you in a written form by Wichita State University at a later date.

The themes out of this came . . . were several different things. One is coordination and collaboration and that was a big effort on how do we coordinate things and how do we collaborate in a different sort of a way and I'm going to speak a little more about that in a moment or two.

How do we communicate wellness and health lifestyles? One of the ways in which we can . . . it's easier oftentimes to get things with honey rather than vinegar and it's oftentimes a motivation factor for folks to understand that there are ways to be well and ways to be health without beating them around the head and the shoulders. Data collections and sharing, and again this ties into the coordination and collaboration. Prevention programs and of course we heard a lot about fluoridation.

The Assembly headlines, one of the process pieces was groups asked what would the headlines at the end of the day be about the Assembly and certainly one was, 'Sedgwick County Envisions Healthy Community' and you can read these, 'Sedgwick County Assembly Launches Community Health Future', 'County Commits to Healthy Lifestyles that Matter', 'Community Leaders Charter Course For Better Health Care' and of course we heard some others and there's always skeptics in the rooms, but overwhelmingly people were positive and excited and enthused about understanding it's a complicated, difficult, hard subject and it's going to take just a lot of hard work, step by step, getting us to the place that we want to be.

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Some of the success, if we had to say what were the successes, well it demonstrated how interested and how important it is to the community. People showed up Saturday, after the first day, there wasn't much of a drop-off. People did show up and were interested. People responded to our survey, 6,400 surveys were returned. They were engaged, 134 people stayed for both days. And certainly again I think one of the successes was how important your role was in this process. You sponsored it, you helped get the participants there. We had, because of your good efforts, we had 10 sponsors, including Wichita State University, the Kansas Health Foundation, Via Christi Regional Medical Center, United Methodist Health Ministry, KDHE, SRS Kansas Department of Social Rehab Services, University of Kansas Med School, Medical Society and Sedgwick County Preferred Plus. And when I say sponsors, I mean these organizations came to the table with people, but came to table with money too and that's the kind of partners we like, who want to share, so that was really important.

You saw a video that was very self-serving. We produced a video that was about our services that we deliver that was saying, 'These are the good pieces of work that we do in Sedgwick County', this is what Sedgwick County does, working for you and it was intended to do that and it showcased our services and we intend to use that on the streaming video and some other places. And finally the staff, the Sedgwick County staff who provided . . . who were the facilitators, who were the greeters, who were the logistics people and who were the resource folks all made a significant difference in the outcome of this process.

Well, what are the next steps. Well there was lots of, lots of talk about fluoridation. You and I both know that fluoride is an issue that needs to be addressed by people who own water systems. Sedgwick County doesn't own a water system and so it's a decision out of your realm of responsibility.

But what I've asked the Department of Health to do is to begin a whole campaign for a year talking about the need for oral health and how do we take, if oral health is such a big deal and I think it is, then what do we need to do to make sure we're healthy in that respect. And so there's ways in which we can get at the answer. Fluoride is one answer to oral health and there's other answers and so how do we go about making sure that citizens in Sedgwick County fully are cognizant of what needs to be done to make sure that we have good oral health. Debbie Donaldson and Dr. Frederickson are working with a group about how to make sure we provide dental care early for children in sort of a non-profit, as needed basis, and those kinds of issues are going to continue.

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We need to examine our mission a little bit at the Health Department. One of the things that was said by Dr. Uley, Paul Uley, was that the whole issue of coordination is really an act of resource discovery. Now those are just a bunch of fancy words until you start poking around in them. If you look at the services we provide for senior citizens in our Aging Department, you call up and say, 'My mother has a problem, she's so old, she's living alone' and the person at the other end doesn't say 'Well, we have a program a, we have a program b, we have a program c, is she a left-handed yodeler there's another program'. What we say is, let's do an assessment, let's figure out what's needed and then we provide a whole array of services. Some are private, some the customer has to pay, some we pay but it is a resource place for services. And so maybe the Health Department needs, in a different sort of a way that has never been done before, to start thinking about how we coordinate those sources by having citizens discover what resources are available. It's a different way of looking at it and I don't know whether that's the answer or not, but I do know that that's the question that we're going to be exploring for the next six months or more, to make sure we understand that.

And finally, the next step is establishing community discussions. We have committed and staff will put together a group of highly trained community discussion leaders, some facilitators from our staff who are willing to go to church groups, neighborhood groups, small city senior centers, wherever they need to go to engage citizens again in discussions about health issues so that we understand what their needs are, what their priorities are and how we can shape policy to make sense out of this.

So we've had the survey, we saw that information, that's going to continue to be analyzed. We're going to get a final report from Wichita State University on the Assembly. We have directed the Health Department to start putting together a plan for better oral health in this community by whatever we need to do to educate folks. We're going to examine the mission of the Health Department and see if this concept and idea that is used elsewhere makes sense and will that make a difference in people's lives. And fourth, we're going to engage citizens in this community with continued discussions.

So, all in all, I think it has been a great success. It's not a lot of just words. Now there's time for action and we're prepared to, this organization is prepared to start a whole series of steps getting us to think and change how we deliver public health. Thank you."

Chairman Winters said, "All right, thank you Bill. A good summary wrap up of the Health Assembly last week. I've not attended every Wichita Assembly but I've attended a number of

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them, and I really think this was the best that I've attended. The energy level from the participants was very high and the folks that were asked to participate I think they wanted to be there and wanted to be part of the solution. So it was a good group of people and the organization of the event went very well. Commissioner Norton."

Commissioner Norton said, "Well just some thoughts and I was going to put it under 'Other'. I'd forgot we were going to have a presentation today. Health care is important and it's important on a lot of different levels. First of all, as the Board of Health and the providers of public health in this community it's important because we want a well, healthy community. But if you take it further than that, it's important because of the economics of it. You know, health care if it doesn't work right, if people are falling out of the system, if government and public assistance has to help with that it comes with a price tag. And if business has to take care of it at higher insurance rates and people dropping out of the system, it's not good economic development wise for that to happen. So health care is one of those topics that we're going to have to address.

When I went to the National Association of Counties in Washington and sat at round table discussions, it was amazing how people across the United States went from subject to subject, but we continue to come back to the economy and jobs and health care. I mean, it didn't matter what else you were talking about, roads and bridges or water supplies or whatever, somehow we gravitated back towards business and health care and jobs. So it is important, we have an obligation, we're the board of health and this summit is really just the beginning, not the end. Hopefully, we've got many more hard dialogues we're going to have to have in our community. We had a lot of them at the summit with some pretty smart people, but now we have to take it back out to the filter of the community and make sure that we start working on something that one of the speakers said and that's cultural change. That we've had a culture of a Health Department that was designed in the '40s and '50s and now what will that look like in the year 2020.

I think wellness promotion is going to be a part of that and some of it has to do with public entities, like bike paths and walking trails and open space and promoting a healthy community. I heard a lot about coordinating councils or bringing small groups together and we have an Advisory Board of Health. I'm hoping that we can use them in a different manner to deal with some of the things we heard at the health summit.

And finally I think it's going to be incredibly important that we continue to have our ear to the ground and our eyes wide open, as we try to find best practices, either within our own community or nationally, as we look at the landscape and find other communities that are doing some things that we're going to have to attack very well and we copy them. There's no reason to reinvent the wheel, when there's great programs out there and best practices maybe in other communities and I think it's going to be imperative on our Health Department and our professionals and ourselves to keep our radar screens up, to look for those best practices and integrate them back into our

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community. It's a hard project that we've undertaken. I'm hopeful, with the best minds and political will, that we'll set on a course of making us the healthiest community probably in Kansas, but in the United States. Thank you, Mr. Chair."

Chairman Winters said, "All right, thank you. Commissioners, do I have a Motion to receive and file this report?"

MOTION

Commissioner Unruh moved to receive and file.

Commissioner Sciortino 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	Aye
Chairman Thomas Winters	Aye

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

J. PURCHASING DEPARTMENT.

1. RECONSIDERATION OF ITEM 4 OF THE MINUTES OF THE FEBRUARY 26, 2004 MEETING OF THE BOARD OF BIDS AND CONTRACTS: LARGE INTERMEDIATE 4-DOOR SEDANS – FLEET MANAGEMENT.

This item was deferred at the March 3, 2004 Commission Meeting.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "This item was deferred from the March 3rd commission meeting when questions were raised regarding specifications in the need for the size of vehicles as they related to the usage. You'd ask that the Sheriff be available for specific questions that you may have, and we have Sheriff's Office staff

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available today for any questions. The recommendation is to accept the low bid meeting specifications from Don Hattan, less trade-ins including manuals for a total of \$48,650. The recommended action is to improve the recommendation of this item and make a finding that surplus property is no longer required and authorize disposition of the same.”

Chairman Winters said, “Thank you, Iris. I had a discussion with Sheriff Steed and he indicated to me that, as he looked at this process, that there are a number of times that the Taurus size automobile would work for their department. So he, in my conversation with him, I think he was agreeable to that.

My question now though is if we change this to take other than the recommended action, should we go back and re-bid the whole process or should we just go ahead and take the recommended action and in any future purchases, the Sheriff will know that he has kind of our wishes and if he still agrees that the smaller size will fit the mission of the Sheriff’s Office, that he would do that in future buys.

So I’m kind of of the opinion that if we’re going to do something other than the recommended action, that we ought to re-bid the whole deal, because if the Taurus didn’t meet the specifications, I think that’s an issue.”

Ms. Baker said, “Commissioner, if I may, for the record the Taurus size fleet buy has expired. The next opportunity will be in the fall. In factoring in your decision, the Impala, the fleet buy for that size Chevy vehicle expires the 15th or 16th of April and then that opportunity won’t be available until the fall as well, when the new models become available. Just thought I’d share that.”

Chairman Winters said, “Thank you, that helps I think, because I was very pleased with the discussion with the Sheriff. I mean, he was more than willing to work with the commission and I mean, said that he would be glad to do this kind of reevaluation, so I was pleased with that comment. Commissioner Sciortino.”

Commissioner Sciortino said, “Well I also . . . The Sheriff also took it upon himself to visit with me personally on it also and he indicated, as you indicated, as you mentioned that the Taurus would be satisfactory. That the Taurus and the Malibu and those other kind of vehicles would actually work and there was some transitional thing about going down in size, that the wheel base hadn’t been taken into consideration and what have you.

And two things came out of that meeting from my position is one, I was impressed that we had a sheriff that really was able to internalized what we’re about to have to go through. That it does matter if you can find . . . I forgot who said it once, one of our federal legislators, ‘If you can save a

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million here or a million there, eventually you're talking about real money'.

To cascade that down to County, you can save a thousand here, a thousand there, pretty soon you're talking about real money. And I don't think I want to delay this and wait another six or eight months to bid it, not knowing what the new Tauruses are going to cost then, etcetera, how much more additional maintenance is going to be required on the existing vehicles now. I would be comfortable in approving this one, knowing that future ones are going to be looking at an automobile that would be less expensive and still do the job that he needs to be done.

And again, I just want to publicly thank the Sheriff's Department and it's my hopes, and I feel it will, that all department heads are going to understand that it's a whole new ballgame and it looks like this ballgame of tightening the belt is going to be with us for many years. This isn't something we're going to be able to magically cure. We weren't able to do it last year. We're not going to be able to do it this year and it looks like in the years out, in the foreseeable future, we're going to have to be very cost conscious and I thank the Sheriff's Department. That's all I have."

Chairman Winters said, "All right. Do we have a Motion to take the recommended action?"

MOTION

Commissioner McGinn moved to approve the recommendation of the Board of Bids and Contracts, make a finding that the surplus property is no longer required, and authorize disposition of same.

Commissioner Sciortino 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	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Next item."

2. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF MARCH 11, 2004.

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Ms. Baker said, “Commissioners, this meeting resulted in three items for consideration today.

**1) LIVESCAN MAINTENANCE & SUPPORT- JUVENILE DETENTION
FUNDING: GRANT FUNDED/ JAIBG TECHNOLOGY**

First item, Livescan maintenance and support for Juvenile Detention. The recommendation is the quote from Printrak International for \$31,120.

**2) BRIDGE IMPROVEMENTS- PUBLIC WORKS
FUNDING: GO BONDS/ SALES TAX**

Item two, bridge improvements for Public Works. Recommend the low bid from King Construction in the amount of \$496,865.50.

**3) CISCO EQUIPMENT- DIVISION OF INFORMATION AND OPERATIONS
FUNDING: NETWORKING & TELECOMM**

And item three, Cisco equipment for the Division of Operations and Information [sic]. Recommend the low bid from Insight Public Sector in the amount of \$45,136.40.

Be happy to answer any questions and recommend approve of these items as presented.”

Chairman Winters said, “Thank you, Iris. Commissioners, what’s the will of the Board?”

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Tim Norton	Aye
Commissioner Carolyn McGinn	Aye

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Commissioner Ben Sciortino Aye
Chairman Thomas Winters Aye

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

CONSENT AGENDA

K. CONSENT AGENDA.

1. **General Bills Check Register(s) for the week of March 10 – March 16, 2004.**
2. **Payroll Check Register of March 12, 2004.**
3. **Right-of-Way Easements.**
 - a. **Temporary Construction Easement for Sedgwick County Bridge Project 640-4-1868 and 640-2300, bridge on 87th Street South between 343rd and 359th Streets West. CIP# B-333. District #3.**
 - b. **Two Temporary Construction Easements for Sedgwick County Bridge Project 809-U-520, bridge on 87th Street West between 39th and 47th Streets South. CIP# B-360. District #2.**
 - c. **Temporary Construction Easement on the Sedgwick County Cowskin Creek Project. District #2.**
4. **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>
V03027	\$245.00	\$285.00
V20010	\$260.00	\$246.00
V03009	\$350.00	\$338.00
V03030	\$201.00	\$198.00

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V03010	\$650.00	\$650.00
V200109	\$350.00	\$114.00
V03029	\$251.00	\$325.00
V2020	\$625.00	\$625.00
V9901	\$447.00	\$426.00
V03031	\$299.00	\$221.00
V020017	\$679.00	\$679.00
V01044	\$315.00	\$243.00
V01064	\$326.00	\$328.00
V2030	\$183.00	\$205.00
V020019	\$428.00	\$430.00
V99022	\$153.00	\$124.00
V03011	\$438.00	\$506.00
V01061	\$436.00	\$436.00
V00026	\$81.00	\$101.00
V03028	\$313.00	\$301.00
V03012	\$281.00	\$204.00
V99021	\$127.00	\$133.00
V020002	\$223.00	\$246.00
V03017	\$325.00	\$310.00
V020023	\$550.00	\$550.00
V01060	\$380.00	\$392.00
V020029	\$332.00	\$333.00
V2029	\$221.00	\$200.00
V03013	\$144.00	\$148.00
V020021	\$315.00	\$344.00
V03018	\$256.00	\$219.00
V871020	\$308.00	\$308.00
V03014	\$276.00	\$290.00
V03006	\$584.00	\$625.00
V01038	\$180.00	\$193.00
V03024	\$248.00	\$243.00
V030016	\$214.00	\$218.00
V1048	\$348.00	\$368.00
V03007	\$545.00	\$274.00
V03004	\$265.00	\$310.00

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V01032	\$375.00	\$141.00
V01058	\$166.00	\$156.00
V2028	\$96.00	\$90.00
V03019	\$265.00	\$307.00
V020025	\$253.00	\$256.00
V03020	\$356.00	\$310.00
V020022	\$332.00	\$332.00
V03021	\$311.00	\$310.00
V01078	\$277.00	\$196.00
V01042	\$333.00	\$334.00
V020026	\$290.00	\$270.00
V99010	\$635.00	\$635.00
V93028	\$139.00	\$93.00
V03032	\$165.00	\$157.00
V03022	\$259.00	\$308.00
V03025	\$223.00	\$264.00
V01051	\$216.00	\$220.00
V200113	\$352.00	\$356.00
V01064	\$600.00	\$600.00
V03078	\$296.00	\$199.00
V03050	\$261.00	\$147.00
V03134	\$700.00	\$700.00
V03134	\$700.00	\$700.00
V03098	\$214.00	\$450.00
V03058	\$396.00	\$312.00
V03059	\$562.00	\$440.00
V03043	\$500.00	\$500.00
V03093	\$382.00	\$441.00
V99056	\$298.00	\$178.00
V2009	\$545.00	\$190.00
V2009	\$190.00	\$241.00
V03047	\$366.00	\$495.00
V03041	\$198.00	\$625.00
V01060	\$609.00	\$380.00
V010111	\$700.00	\$565.00
V871020	\$350.00	\$308.00

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V03074	\$700.00	\$425.00
V020002	\$269.00	\$221.00
V020016	\$218.00	\$238.00
V03007	\$545.00	\$274.00
V03086	\$426.00	\$163.00
V2078	\$233.00	\$487.00
V020051	\$325.00	\$535.00
V020051	\$535.00	\$469.00
V20102	\$365.00	\$126.00
V20102	\$126.00	\$129.00
V95119	\$204.00	\$192.00
V03015	\$137.00	\$140.00
V2060	\$288.00	\$248.00
V03065	\$466.00	\$525.00
V03077	\$509.00	\$185.00

5. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V04003	\$442.00	1	Stephanie Turner
V04004	\$640.00	5	William Favreau
V04006	\$358.00	2	Arc/Park Avenue
V04007	\$197.00	Harvey	Larry Harms
V04008	\$315.00	4	Valley Lodge
V04009	\$204.00	Butler	Brookside Cottages
V020074	\$240.00	Butler	Daniel Hunt

6. Order dated March 10, 2004 to correct tax roll for change of assessment.

7. 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:

Walker Estates Addition

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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 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	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Commissioners, we do need to have a short Executive Session, but before we do that, we’ll go into other business. Commissioner McGinn.”

L. OTHER

Commissioner McGinn said, “Thank you. I’ve been trying to follow what’s been going on with the Wichita Thunder, along with staff reports and what I’m reading in the paper and I’m not . . . I’m getting a mixed message for me. It is my understanding that we have worked very hard to lower our lease agreement even to the point of a subsidy and we have looked everywhere in this area to find a facility for the year that we’re not going to be here, even up into Salina and to try to figure out where they can play during the time that the Coliseum is being renovated and so I would just like some information on this, because I don’t think the paper, at least from what I’m hearing and what I’m reading, has been two different things. And so, could we have somebody?”

Chairman Winters said, “Ron is here and I think . . . and it may even take another discussion at a future meeting, but I think we do need to get our message out to particularly the Thunder fans that are in town wanting to know why we can’t make this happen and I think we need to share with them

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a little bit about what we've been about and how we got to where we are. So Ron, could you help us?"

Mr. Ron Holt, Director, Department of Culture, Entertainment and Recreation, greeted the Commissioners and said, "I have been involved with the discussions with the Thunder agreement for some six, seven weeks now, with basically with David Holt, the general manager here. When David first called, back in early February, late January he indicated that they needed a lower rent for next year to exercise the renewal option of the agreement. And we talked a number of times about what that would mean and what that would entail.

We also looked at how that agreement is constructed and why it's constructed that way and why it's laid out that way and has been for the last five years. Just quickly, the agreement has a base rent and then there's a rent credit. The base rent is \$6,400 for the '03/ '04 year. The year credit is 44 cent per ticket up to 3,000 tickets sold and then 58 cent for any tickets over the 3,000.

The agreement was constructed that way so that if the Thunder sells tickets, they then not only get an increased revenue from the ticket sales, they also get a decreased cost from the rent credit. Also then gives the Coliseum's income potential to be from those ticket sales, people in the building from concessions. And so that's the way that agreement has worked for the past five years. Now the real issue here is ticket sales over that five years down about 26-27%, so that becomes the real issue and the trend has been continually slight declines over the years.

We looked at what we could do to at least think about, to work with the Thunder and not end up with a subsidization of the Thunder operation out there. We ended up with a 3% reduction in the base rent, which was roll that back to the 2001/ 2002 base rent agreement for that year, which is back to \$6,200. And then we also agreed to lower the rent credit threshold, moving from . . . well, 44 cents for the first 2,500 tickets sold versus 3,000, and then one dollar for any tickets sold over the 2,500.

Again, staying in line with what the original agreement was, but also giving them an opportunity to have, if we can get even with the fans there now, give them some rent credit, some reduction through the rent credit, but also again, if they can increase attendance, to have a bigger impact on their rent, overall rent.

We've talked a number of times and then the issue came up, 'Well, let's move from talking about the rent costs to how long the Coliseum will be down for renovation'. When we first started the Coliseum project and we were talking to the technical teams about that, they were indicating to us seven, nine, ten months. After they got further into looking at what it will take to remodel the Coliseum, and we don't have a definitive statement from them, they're working on that and will get it to us, they have indicated to us that it looks like we're talking about 15 to 18 months.

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We asked again about a month and a half, two months ago for the technical team to really take a hard look at that and give us, as best professional estimate that they can and to give it in writing so that we could not only do our own internal planning, from a budgetary point of view, but also to work with the Thunder and other groups that we work with out there in the Coliseum. It's going to be the middle of April before we will have that.

I guess we were being pressured by the Thunder to have a statement from us about when the Coliseum and how long it will be shut down and at this point, to be honest with them and to be as fully full disclosure with them as we can, that we need to operate on the 15 to 18 months. That mean then that the Coliseum would be shut down for their '05/'06 season and that we agreed to do whatever we could to assist them. Not to find a place for them, but to assist them because they know what they need and they know what the business operations require and so rather than leading that, we did agree to assist that and in fact, we looked at the pavilions at the Coliseum to see if there were ways that we could put the ice floor in one of the pavilions and do seating there. And because of the way those pavilions are constructed, that didn't work.

We also, our folks at the Coliseum went over to the Ice Sports Wichita, the local ice rink here to look at how we might get additional seats into the ice rink and talked to David about that, and according to his review and analysis, they couldn't get enough people in there, even with the work that we would do to help get additional temporary seats in there, to make that work.

I've talked to David a number of times, and as you noted, he has . . . and we've talked about different venues not only in Wichita/ Sedgwick County but in this area that they might use and they've come to the conclusion that none of those will work for them, either getting the number of seats that they need and/ or the cost of getting ice and the facility operating to the point that meets their needs.

Then our discussions then have ended on, 'Here's the rent charges that we would need to, if you will, break even' and that is the 3% reduction, the change in rent credits. They also pay us a \$10,000 a year fee for what they call permanent dasher boards, and we did take \$5,000 off of that as an additional effort toward helping them meet their financial . . . what their stated financial needs for the operation in next year, with the understanding that we still have the '05/ '06 year up in the air until we get a better estimate from the technical team about how long the Coliseum will be

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down.

But it has been . . . we have been in discussions, both myself as well as the Coliseum folks, with trying to help the Thunder resolve their issues. We want to keep the Thunder here in the area. We want to do it though, as I've stated to David and as we understand what we're required to do to operate the Coliseum, we want to keep them though but not at the expense of subsidizing the operation."

Chairman Winters said, "Thank you very much, Ron. Commissioner McGinn."

Commissioner McGinn said, "I'll wait to hear from . . ."

Chairman Winters said, "Commissioner Sciortino, did you have something to say on this issue?"

Commissioner Sciortino said, "Yeah, I did. I think that you have done a yeoman's job in trying to address some of the legitimate concerns of the Thunder. The e-mails that we've been getting indicate that somebody is telling the fans in essence that we've not doing anything. I mean, we're taking a hard line, John Nath is too rigid. Your name was mentioned once. And I don't know who is doing that, but in the press various people have been quoted as basically we're not doing anything, so I'm very appreciative of this heads-up.

I'm not so sure had you come and asked us permission for all these big concessions, how readily we would have jumped in saying yes, but I think you've gone, in my opinion, as far as anyone reasonably should expect us to go for anyone that's wanting to use an enterprise zone such as the Coliseum and I personally thank you for the heads-up and so that's all I have."

Chairman Winters said, "All right, thank you. Commissioner Norton, did you want to talk about this subject?"

Commissioner Norton said, "Yes. Are there other lights?"

Chairman Winters said, "Just yours."

Commissioner Norton said, "Okay."

Chairman Winters said, "We have some other subjects we want to talk about, but let's talk about this Thunder."

Commissioner Norton said, "Well, I think the fans are passionate. I continue to get e-mails and

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phone calls and run into people out in the community. I think they're passionate. They're passionate fans for their team and they're passionate about the Coliseum and they're passionate about this issue.

I think Ron has done a wonderful job trying to mediate that. I think he'll tell you I've stayed pretty close to this issue and continue to try to ask for updates, just because citizens continue to engage me on it and I want to be sure we're doing what's the best public policy.

I did have some questions. How many season ticket holders are there, Ron?"

Mr. Holt said, "The latest number I have is 610 season ticket holders, which is down about 50% over the five year term of the agreement."

Commissioner Norton said, "Economy probably has something to do with that. So the ice rink that we think we could put maybe 1,200 to 1,500 seats in would certainly accommodate those passionate season ticket holders and some other fans, but we don't think that that could be worked out and be legitimate in keeping a business plan viable. Is that what I'm hearing?"

Mr. Holt said, "That's the feedback that I've got from Mr. David Holt is that that number would not meet their financial needs. And again, we've had that conversation. I have not tried to analyze his business plan or determine what he needs to make it work, but his indications are that those are not enough numbers to make it financially viable for them for one season."

Commissioner Norton said, "Well, that's a shame because that could keep the team here for that one season very easily. They wouldn't have to pay the extra cost for ice. With some inventive ticket prices and some concessions they probably could be just as profitable with the right business plan as they are with a few more people at the Coliseum. So that's a shame because I think that's a dilemma that they have.

Is it true that also the ice facility, if they used it, that they rent office space there in a City building, where the City of Wichita could give them concessions?"

Mr. Holt said, "I have seen that part of their business plan and they do pay the City of Wichita \$25,000 a year for office space in the Ice Sports Arena over there."

Commissioner Norton said, "And at approximately 30 games a year, if they could offset that rent down to zero, that's equivalent of about \$1,000 a game that they've saved right there."

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

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Commissioner Norton said, "I mean, not on the Coliseum's back but on just not having that rent, which is another public entity that could help out.

The other thing is if we do the whole project and we're still looking at the part about raising the roof, that's the last piece that we'll continue to think about which is the future expansion and extra seating. The jury is still out on how long the Coliseum will be closed down, if we don't do that one little portion. Is that correct?"

Mr. Holt said, "Yes, the question that we've asked that we need information on from the technical team is with the current plan, that is raising the roof, when would the Coliseum . . . and based on our current schedule, when would the Coliseum be shut down and for how long.

And then the other question is if we decide, in this review process, that we're not going to plan for the future and we're not going to raise the roof, what difference does that make in how long the Coliseum will be shut down. It's going to be the middle of April before we will have . . . they're working on that, but as you might well imagine, they want to make sure they can give us their absolute best review and analysis of that and I don't want anything less than that, as we talk to you and the public about what we're doing and as we work with other users of the Coliseum in scheduling events out there.

And so it's middle of April and by the time we work through all of that, it's going to be the first of May really before we're going to have a confidence level with the information they give us about that timetable."

Commissioner Norton said, "The final thing for me is on the rent subsidy, I've continued to try to watch that. I even advocate that maybe we need to rethink that, because as we talk subsidies, we give subsidies all the time. Any time we give money to groups, particularly that are in business, that is a subsidy. We do it all the time. This is an entity that we happen to deal with and have had a long term relationship, no different than some of the companies, and when we sponsor things like golf tournaments and those kind of things, those are subsidies. So, I'm not so sure that that subsidy work should be held in such disdain, when we do it in other places around the County already.

Now that becomes a policy decision, I think we need to say yeah or nay, I for one think that if we have to cave in a little bit, that may be part of our responsibility and we need to think that over, as a policy making board, and if we say no, then I'll certainly live with that. But that is nothing we've talked about at the Bench, to make a public policy decision, no different than we did when we gave IRBs to Raytheon or money to a golf tournament or other subsidies, which any time you give government money away, it is a subsidy in some manner. So I don't know that we've talked about that, addressed it as a policymaking council and this may be the time, maybe it's not. Maybe we

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need more information. I know the time is short, for a business trying to make their decision and for government to try to do what's right in the public policy arena."

Mr. Holt said, "It's certainly your decision to do that and if you'll indulge me, I'll just then offer an opinion. That becomes sort of a slippery slope and we're not talking about a one-time event. We're talking about events that happen over time and many of us still remember what happened to save the Wings campaign and all of the help that not only the public bodies but the community gave to that and then they still lost that, left I think a pretty sour taste in most people's mouth about that. But you're right, that's your call.

The only other thing I would say to you is we've been . . . and one of the reasons why it would seem that this has been somewhat one-sided in the reporting and I'll just offer, we have been very . . . I've been very reluctant

M. ADJOURNMENT

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

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CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2004