

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

February 18, 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, February 18, 2004 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem David M. Unruh; Commissioner Tim Norton; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Kathy Sexton, Assistant County Manager and CIO; Mr. Colin McKenney, Director, Community Developmental Disability Organization; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Mr. John Nath, Director, Kansas Coliseum; Mr. Mark Borst, Engineer, Bureau of Public Works, Mr. Jim Weber, Deputy Director, Bureau of Public Works; 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. Paul A. Miller, 430 Waverly, Wichita, Ks.
Ms. Margaret J. Miller, 430 Waverly, Wichita, Ks.

INVOCATION

The Invocation was led by Mr. Ashok Aurora of the Hindu Community, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, January 28, 2004
Regular Meeting, February 4, 2004
Special Meeting, January 20, 2004

The Clerk reported that Commissioner Sciortino was absent at the Regular Meetings of January 28, 2004 and February 4, 2004 and that all Commissioners were present at the Special Meeting of January 20, 2004.

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Chairman Winters said, “All right, Commissioners, what’s the will of the Board on the first two of those Minutes?”

MOTION

Commissioner Norton moved to approve the Minutes of the Regular Meetings of January 28 and February 4, 2004.

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	Abstain
Chairman Thomas Winters	Aye

Chairman Winters said, “How about the Special Meeting of January 20th? What’s the will of the Board?”

MOTION

Commissioner Norton moved to approve the Minutes of the Special Meeting of January 20, 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

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Chairman Winters said, "Next item."

APPOINTMENTS

A. APPOINTMENTS.

1. RESIGNATION OF JACKEE KLEIN FROM THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Commissioners, you've received the request in regard to this resignation and I would ask that you accept it."

Chairman Winters said, "All right. Commissioners, what's the will of the Board?"

Commissioner Unruh said, "Mr. Chairman, if there's no discussion, I would move that we accept the resignation, but I might take this moment just to express my appreciation to Jackee Klein for her many years of service to this advisory board. She's a valuable member and contributor and we'll miss her participation and the input that she made."

MOTION

Commissioner Unruh moved to accept the resignation.

Commissioner Norton seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

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2. RESOLUTION APPOINTING DR. ROBERT RAWCLIFF (COMMISSIONER UNRUH'S APPOINTMENT) TO THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.

Mr. Euson said, "Commissioners, this resolution would appoint Dr. Rawcliff to the vacancy that was just created. This is for a term to end in February of 2007 and I recommend you adopt the resolution."

Chairman Winters said, "What's the will of the Board?"

MOTION

Commissioner Unruh moved to Adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, "And Dr. Rawcliff is here. If you'd come forward, our County Clerk Don Brace will swear you into this position."

Mr. Don Brace, County Clerk, said, "Please raise your right hand and repeat after me.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Mental Health Advisory Board so help me God.

Dr. Robert Rawcliff, Member, Sedgwick County Mental Health Advisory Board, repeated the oath.

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Mr. Brace said, "Congratulations."

Chairman Winters said, "Dr. Rawcliff, we appreciate very much your willingness to serve on advisory boards and we want you to know that we think very highly of our advisory boards and take their considerations as a great deal of importance. And Commissioner Unruh has a comment."

Commissioner Unruh said, "I just also want to thank you, Dr. Rawcliff. I know that you're involved with our advisory board for our Public Health Board and now you've taken on this responsibility and you have your practice, so you're a busy person but I know you have a special interest in mental health issues and we welcome you to the board."

Dr. Rawcliff said, "I'll be honored and privileged to serve."

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

3. RESOLUTION APPOINTING THE HONORABLE CLARK V. OWENS, II TO THE CRIMINAL JUSTICE COORDINATING COUNCIL.

Mr. Euson said, "Commissioners, this coordinating council was just created a couple of weeks ago and this resolution would appoint Judge Owens to a four-year term as a voting member. I recommend you adopt the resolution."

MOTION

Commissioner Sciortino moved to Adopt the Resolution.

Commissioner Norton seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

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CITIZEN INQUIRIES

B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING A PETITION DRIVE TO PROMOTE RECYCLING.

Chairman Winters said, "Thank you. Commissioners, Paul or Margaret whoever is going to go first, it's time for you to come forward. This is a time on our Commission agenda that citizens can request to address the Board of County Commissioners and you're limited to five minutes and so please give your name and address and begin."

Mr. Paul A. Miller, 430 Waverly, Wichita, greeted the Commissioners and said, "I've been a citizen of Sedgwick County for 63 years and have a great interest in the welfare of the County. At the December meeting of the Waste Control and Recycling Coalition we had members asked, as they often do, what should we be doing, what can we do to try to get a little better handle on recycling and it was suggested that perhaps we should tell you commissioners that there's more than just a small handful of people, that there are a lot of people that want recycling and as a result, we decided we would launch a petition drive and see how many people would sign and show you what we are doing. We know that our members want recycling but we want you to know that there's a broader part of the community that wants this.

Our members took copies of the petition and they made copies of the copies, they drafted some of their own and when they took them out to their own neighborhood groups and churches and social groups they found that other people wanted copies, so they copied them and other people called us for copies and this thing just snowballed. It was just amazing to know what kind of response we really had and people still come in, they're still calling today.

We had two come in after 9:00 last night and we've had three come in this morning here at the doorway of the Commission, so I want you to know that people are really interested in this. I think if we'd had enough time and enough paper we could have had half the people in the county to sign this petition. I'm very serious.

Now some of you may know that the Waste Control and Recycling Coalition and Citizens for Recycling have been promoting this idea for well over 15 years in this community. The National Geographic took note of this some years ago and ran an article and rather than repeat what's there, I'm going to give each of you a copy of that article so you can see what they said about our recycling efforts in Wichita.

Actually, we were overwhelmed when we tried our first recycling, 15 years ago. We were

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absolutely overwhelmed with the response we got. When we started this petition, we were likewise overwhelmed. We had no idea that there would be so many people would be calling to tell us what they wanted. We look forward to the day when Wichita and Sedgwick County will join the thousands of communities that have an acceptable recycling program, a comprehensive program of diversion, which will extend the life of the landfill and benefit all of us. We always want to find some better way to not have to add more dumps to get rid of our trash. Thank you.”

Chairman Winters said, “Thank you, Paul. And I believe Margaret is here, so Clerk, would you call the next item please.”

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING RECYCLING.

Chairman Winters said, “Margaret, welcome to the Board of County Commissioners meeting.”

Mr. Margaret J. Miller, 430 Waverly, Wichita, greeted the Commissioners and said, “Thank you very much. We have quite a few people of our group here to support us. I don’t know if any of them asked to speak or not. It’d be nice to hear from everybody.

As you know, perhaps as well as I do, maybe better, trash continues to be an increasing problem for Sedgwick County and even for the entire country. Many communities have realized that any effort they can make to reduce trash will extend the life of the landfills. Furthermore, many communities do not want another landfill because they leak and pollute water supplies and that’s what happened to Brooks of course, which is still I think leaking and polluting.

Recycling makes sense because then we can conserve our natural resources and we can go into that at some length, but I don’t have time in five minutes. Kansas statutes include the following policy statement, which I want you to take note of. This is quotes: ‘Encourage the wise use of resources through the development of strategies that reduce, reuse and recycle materials’. That’s in the Kansas statutes. Recycling is an accepted way of life in many large and small communities. Such jewels as Portland, Seattle, Minneapolis and Milwaukee are recycling up to 50%, 50 % of their trash.

In Kansas, such places as Colby, El Dorado, Hays, Lawrence, McPherson, Nemaha County, Newton and Winfield are recycling over 30%. Now those are places we all know about, and that’s

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according to the Kansas Department of Health and Environment. But according to the Wichita Eagle Sedgwick County is recycling only 3%. There are different ways to count it but that's one way to count it, that it's 3%. Now that is just really pitiful, isn't it. With the interest, as demonstrated in our petitions, Sedgwick County could easily approach some of these other communities, if our leaders would lead.

Our neighbor Omaha is doing an outstanding job of waste collection of a cost of \$5.35 a month per customer. This is for separate garbage and recycling pickup, whereas we pay, as the morning paper said, \$15 to \$17 a month, without any recycling pickup. According to Marty Grate of Omaha, that city is receiving, and this is a very important point, \$400,000 a year from Weyerhaeuser for the materials that are taken up, in this whole city of Omaha, and taken to Weyerhaeuser for disposal, which they recycle all that stuff and they then pay back to the city \$400,000 a year. Now that pays a big share of recycling from the sale of those recyclable materials.

When our landfill had to close in 2001 after a five-year extension, the County Solid Waste Committee submitted a plan that included six main points: curbside pickup of recycling, banning grass and leaves from landfills, charging for waste pickup by size or weight and that's sometimes called pay as you throw, building a new and better hazardous waste facility, banning construction or demolition waste from landfills and building a transfer station. Now the last three have been implemented, but the first three, which are really more important ones of curbside pickup, banning grass and leaves from the landfills and charging by size or weight have not been implemented. But this plan was submitted about six years ago by the Solid Waste Committee and I'm sure you all have copies of it and you can start from there. You don't have to start all over, fortunately.

I attended Commissioner Unruh's vision meeting last month and learned that nearly every focus group mentioned recycling when it came to the item of handling solid waste. That, plus our petition drive, should be a clear indication to you that the citizens want recycling. That's my time."

Chairman Winters said, "That's all right, take a few more minutes."

Ms. Miller said, "Okay, I just have a couple of more sentences.

There are thousands of examples, all over the country as I mentioned earlier, that show recycling can be done. We have some good markets here too, such as Weyerhaeuser, Kamen, Wood Recycling Composting Center and several that buy all kinds of metals. And we've been working on this quite a while and we would like to help you with some ideas. So let's do it. Did I tell you my name and address at the first? I can't remember."

Chairman Winters said, "Yes."

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Commissioner Sciortino said, “Well that significant other of yours mentioned it.”

Ms. Miller said, “Anyhow, I’m still Margaret Miller and I live with Paul at 430 Waverly and we’ve lived together for 62 years now.”

Chairman Winters said, “Paul, if you just want to hand those to Commissioner Norton there and he can distribute them down.”

Ms. Miller said, “And thank you very much.”

Chairman Winters said, “All right. Those are all of the petitions that you have?”

Ms. Miller said, “As Paul said, we’re still going strong. We can keep going and I think we can get many, many more, get half the people in the County.”

Chairman Winters said, “Well Paul and Margaret, thank you very much for being here. I know there are some people here who have come to support you in making this presentation. Could those who came to support Paul and Margaret, would you please stand if you’re here to support Paul and Margaret in their efforts. All right, thank you very much.

I see a few lights on, so I’m sure we’ll have a couple of comments. I want to, one, just again thank you for your continuing efforts over all of these years, from back in the beginning of having the recycling trailers sitting in the parking lots at the Walmarts and the Sam’s Club and however many years ago that was, 15 or so, and really bringing this to the forefront of the community.

There are a number of ways, again, to count recycling and numbers and tonnage and I would admit that probably on the individual homeowners side, we are probably certainly not near where we could be. I do think it’s an important number to remember though that when Brooks Landfill closed, the tonnage that was being disposed of at Brooks Landfill has now been reduced by about 20% as going through the transfer station. So there is at least some diversion that is happening, but again I would agree its probably not as good as it could be and as accessible perhaps for the homeowner as it should be. We have several comments. Commissioner McGinn.”

Commissioner McGinn said, “Thank you, Mr. Chairman. I too want to thank Paul and Margaret for being here today and others that I recognize out in the audience. And those individuals here in our County staying true to the cause of recycling and continuing to remind us to keep it on the table

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and figure out how we can implement it in our community. And I think that's going to be the challenge for all of us. I think we all believe in recycling. It may be at various levels, and so we're going to have to figure out how we implement it into our community.

And you know another thing I think that is interesting a lot of times it's just reported what the cost of recycling is and there certainly is some kind of costs but when it has to do with the hauler coming by the house and picking it up, I've seen in other communities, in Fort Collins where their price didn't go up and it was because of the competitive forces and so therefore they had a good transition in their community and I hope that we can too as well.

And then the final thing I want to say is I appreciate Margaret bringing up the fact that reduce, reuse and recycle is important to this state and I think it's important to this County as well and it goes to the fact that whether we use our own local landfill or someone else's, we owe it to future generations not to fill it up right away. Let's prolong the use of a landfill wherever it is. And anyway, again thank you for continuing this effort and bringing it to our attention and I hope, within a few weeks, we're going to get into some good discussion about how we implement it. Thank you."

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

Commissioner Sciortino said, "Yeah, thanks, Mr. Chairman. Rich, I guess I got a question of you. Margaret pointed out something that was in an Eagle article that I really believe in and I think they were showing that in areas where cities franchise, your cost of disposing of your trash dramatically drops and oftentimes free curbside recycling is part of the package. I think that's what you were referring to, Margaret, the 17 or 18 dollars in Wichita with no free and the other one there.

Do we have a legal ability, do we have the right, since Wichita has been reluctant in initiating franchising of the pickup of trash, do we have the right to say we'll just do it for you? I mean, can we go into a city and order them to franchise?"

Mr. Euson said, "Yes, we do have the right through our solid waste plan but cities have their own independent right to franchise and the county has its own statutory independent right to franchise. But I think, through our solid waste plan, we could cause cities to franchise in a way that we wanted them to franchise. Does that answer your question?"

Commissioner Sciortino said, "Yeah, it does. It's just I can envision that being just a big can of worms trying to usurp the authority of an incorporated city. Okay."

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Mr. Euson said, "But we do that through the solid waste plan anyway. For instance, in our solid waste plan we mandated transfer station and we caused cities to use that as a disposal option."

Commissioner Sciortino said, "Thank you for that. I've got two other things. The first thing, I think it's important for everybody to know is what the Chairman has indicated earlier. We have done a lot in this reduction of trash. I mean, Brooks closed, what, two or three years ago. The population of Wichita/ Sedgwick County has been growing, more industry. You could assume that had nothing been done, the 1,500 tons a day should have grown to maybe 1,600 tons a day but yet it's dropped to 1,200 tons a day and that's, I think, because of some things that the county has already implemented and that's pretty dramatic.

I agree with the Chairman, the number of individual residents that are recycling voluntarily right now is pretty dismal. I could argue that \$4.50 is a pretty reasonable amount to charge a resident that might want to recycle to drive a truck by your house twice a month, pick up your recycled goods right at your curb and dispose of them in an environmentally sound manner is a pretty reasonable amount. If you consider asking anyone else to do anything for your house, they won't even leave their office for \$5, let alone get to your house for \$5.

And we might have to decide that people won't do it voluntarily and just take some punitive action and make them recycle or at least make them pay for it, regardless if they recycle or not and then allow them to participate. My problem with that is I've got many senior citizens have called me, not liking that idea because they say they already recycle, they can't afford the \$4 or \$5, so they're taking it to Dillons right now and disposing of it and they think it's unfair that we would charge them for something they're already doing. So this is something we're going to have to debate back and forth, and I think you're going to find this commission is very willing to look at, very hard, and see what programs we can implement that would assist this program.

But Bill, aren't we already . . . what are we doing right now that helps reduce waste?"

Mr. William P. Buchanan, County Manager, said, "In anticipation of this meeting, we did some work and we received reports from the transfer stations and the latest information is we have about 1,700 tons a day in the waste stream, and I'm rounding these numbers. But about 20% of that goes to construction and demolition, C & D landfills. Much of that tonnage is then recycled or reused in another fashion. Another 10% of that is either household recycling, and again of course we could do better in that area, and composting or people just using the mulch on their own lawn and we've seen a decrease in that.

So we're . . . the current numbers in the last several reporting periods would indicate that we are . . . have reduced the waste stream about 30% and we . . . if you recall correctly, this commission set a goal of 40% and of course we all know that the last margin to get to the goal is always the hardest

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part, but I think that's attainable."

Commissioner Sciortino said, "Do you have any feel for the amount of waste, like you're saying right now . . . and I could get that. I'm glad you did. Had nothing happened, we would be at about 1,700 tons a day."

Mr. Buchanan said, "That's what is currently, from all that we can tell through the recycling, through the C & D landfills and the transfer stations."

Commissioner Sciortino said, "It's 1,700 tons a day and going into the landfill . . . or the transfer station is 1,200."

Mr. Buchanan said, "Exactly."

Commissioner Sciortino said, "If we were able to get 50% of the household recycling, how much more could we reduce the waste stream?"

Mr. Buchanan said, "I don't know. Someone knows."

Commissioner Sciortino said, "Okay, that would be an interesting number, because I'd like what percentage of the households recycling effort, is that another 2 or 3% of the overall waste stream, etcetera, because that's our goal, reduce the amount of trash, not a number of households recycling, but how much impact could it have on the reduction of the waste stream. That would be an interesting number. That's all I had."

Mr. Buchanan said, "We'll get that for you."

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

Commissioner Unruh said, "Well thank you. I don't know, after this discussion, how much new I will add but I just want to express my appreciation to Paul and Margaret for their efforts in this area and for being here and organizing this petition drive and I know that it was referenced that these folks here are supporters of Paul and Margaret, which is good, but I think they're really supporters

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of the recycling effort first of all. So we understand where your heart is and what you're wanting to accomplish and your comments about 'the leaders need to lead' did not go unnoticed. It stung a little but we heard you and we're going to take this seriously and try to come to a resolution of this whole issue that's good for this entire community. So we are hearing you. Your efforts are not for naught, but we're going to seriously look at it and appreciate what you've done.

When we see examples of what's happened just recently in Kansas City, Missouri where they've initiated a program and by the end of the year they hope to have 100% of their households recycling and it's a pretty burdensome plan, I think. There's no flexibility to it and so we want to try to get something that maybe achieves that same result but is not so burdensome. But I guess that's just a lot of words to say thank you for being here and we're paying attention. That's all I had."

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

Commissioner Norton said, "Well I appreciate the efforts that have been made to keep the recycling, reuse on the table. There are some comments I have though, for as I listen to my vision groups I have to tell you, the number one issues were job creation and economic focus and if you look at that, that's where we put a lot of emphasis in this last year is trying to figure out that piece. The truth is, you know trash is being picked up. You have the ability to recycle if you want to. It's something we'll have to work on and we're getting close to making that decision. The truth is, everything has been floating a little bit, just because we're trying to decide on resolving the issue on the landfill and once we get that done, which is coming to a head real soon, I think we'll ramp up pretty quick on yard waste bans and recycling programs.

The truth is, for me, most of this was about economics. I continue to hear from many of my constituents that, you know, it is about the money. It is about just more fees being layered onto people that are out of work, that are on fixed incomes, that are working poor and everything that we can do, economically, which was the number one issue that I heard about in my visioning meetings, is job creation and things that effect people individually, economically are important to watch. And making people pay for something they might not use didn't make sense to me. So the economics have to be right and I don't know what that is going to end up looking like. I think our final decision on whether to stay with transfer stations or go to a landfill may effect that a little bit. I don't think the five commissioners have taken this lightly. I think we've sweat bullets, as the policy makers, on this decision. But it's no different than many other decisions that we have to make. They aren't easy.

I have to tell you, I have people whispering in one ear about recycling, but I've got three e-mails this morning that said landfill, go with the landfill, it's okay, we want that because it's going to lower costs. Well if you listen to both sides, they don't particularly mesh and somewhere we'll figure that out. I think we've got the right attitude to try to do it. You know, we haven't rushed to this. It's been like a three-year dialogue that at least I've been on the Commission that we've

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continued to try to figure out what the final resting place is. The truth is, for me, when we got off on recycling advertising, we were spending a quarter of a million dollars a year and it made us feel better, but I don't know that it got us any results and I think we're about results, not feeling better about something we've done that just looks good. Looking good is not as important as actually getting results and I want to be sure that we get the best results for our community.

Keep fighting the good fight. Recycling and reuse will be part of the mix, I know that it will, but we've got to make some huge policy decisions. If you look at what's happening, I just read an article about New York City. You know what, they're scrubbing their recycling efforts. It got to be a huge subsidy and it wasn't working. And they were a model program 20 years ago and today they're saying 'You know, it doesn't work anymore'. Well we don't want to go down a path and have to scrub it. We want to do the best thing for our community. I think recycling will be a part of it, but we've got some major big policy decisions before we ever get to that. Keep up the good work but we appreciate it and we will lead, I guarantee you."

Chairman Winters said, "Thank you, Commissioner. Commissioners, I'd like to have a motion to receive and file the comments of both Paul Miller and Margaret Miller."

MOTION

Commissioner McGinn moved to Receive and file both reports.

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, "Paul and Margaret, we have received your petition. We do respect your positions as really being the drivers of the recycling community and so thank you for being with us today. Commissioners, I'm going to move down to the podium for the next item, so if you'd give me just a moment to move down there."

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

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NEW BUSINESS

D. PRESENTATION OF CERTIFICATES RECOGNIZING EMPLOYEES WHO SERVED ON THE 2003 TECHNOLOGY REVIEW COMMITTEE.

- 1. GREG FABER, DIVISION OF INFORMATION AND OPERATIONS**
- 2. TIM KAUFMAN, DIVISION OF HUMAN SERVICES**
- 3. TERRY PARHAM, SHERIFF'S OFFICE**
- 4. ANNE SMARSH, TREASURER'S OFFICE**
- 5. KRISTI ZUKOVICH, COMMUNICATIONS**

Ms. Kathy Sexton, Assistant County Manager and CIO, greeted the Commissioners and said, "Many of you know, that for six years I have also served as the chair of the Technology Review Committee, which is an internal group of county employees attempting to promote the use of technology within county government, within our departments, to improve our county services and also what we do is we develop the technology priorities of Sedgwick County. Essentially, reviewing all the plans and projects of all departments, determining which are the priority ones for funding and proceeding to get those projects underway.

Several outgoing members of the Technology Review Committee are with us today to be recognized for their time and effort. You all know them in their real jobs and we'll introduce them here in a second. They took on the Technology Review Committee, in addition to all their other responsibilities and worked late and did what they had to do to make it happen. So I thank Chairman Tom Winters here for being here also to recognize the employees.

First is Greg Faber of the Division of Information and Operations. Greg is a key person in our technology services team and has served our committee faithfully. Next is Tim Kaufman from the Human Services Division. Tim has served a couple of years on the committee and he too has served as well, always had that insightful comment or question, Terry Parham from the Sheriff's Office, Anne Smarsh, Deputy County Treasurer, Chief Deputy County Treasurer, I think I said that wrong and Kristi Zukovich from our Communications Office."

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Chairman Winters said, "All right, thank you. I would just reemphasis from our perspective, we do appreciate this extra effort that these people have participated in an activity that's very important to the whole organization and it's above and beyond the regular duties, so it's appreciated by us very much. Thank you, Kathy."

Ms. Sexton said, "Thank you, Chairman."

Chair Pro Tem Unruh said, "Okay, thank you. Madam Clerk, would you call the next item please."

E. AMENDMENT TO RESOLUTION ESTABLISHING HOLIDAYS TO BE OBSERVED BY SEDGWICK COUNTY IN 2004.

Ms. Sexton said, "What you have before you is a change to our county holidays for 2004. You may recall that in May of 2003, you approved a list of 10 holidays for county offices to observe in 2004. Today's action actually replaces that, adding one additional holiday, which is December 31st, 2004. That's the day that we would recognize New Year's Day, 2005. Typically, this would be a 2005 holiday, but because New Year's falls on the weekend, we're taking the holiday on the Friday the 31st rather than on the following Monday. So we needed to just do this technical change. It's not adding any kind of cost or any extra days for county employees. It's just merely putting the day off in the calendar year 2004 rather than 2005."

Chairman Winters said, "Thank you, Kathy. Everyone understand this? Do I have a Motion?"

Commissioner Norton said, "I guess I have a question."

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

Commissioner Norton said, "Would that be perceived as getting less days off the next year for employees and getting one extra day this year?"

Ms. Sexton said, "It could be perceived as that, Commissioner, but essentially we have 10 county holidays a year and because this one is on the cusp, this year we'll have 11, next year we'll have 9."

Commissioner Norton said, "Okay, that's all I have."

Chairman Winters said, "All right. Do we have a Motion?"

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MOTION

Commissioner Norton moved to Adopt the Amendment to Resolution.

Commissioner Unruh seconded the Motion.

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

VOTE

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

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

F. DIVISION OF HUMAN SERVICES.

DIVISION OF HUMAN SERVICES - CDDO

1. RESOLUTION AUTHORIZING DIRECTOR OF COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION TO ENTER INTO AGREEMENTS FOR USE OF ARK VALLEY LODGE MEETING ROOMS.

Mr. Colin McKenney, Director, Community Developmental Disability Organization, greeted the Commissioners and said, “The first item I have for you this morning is a resolution which would allow the director of the Community Developmental Disability Organization to enter into agreements for use of the new meeting rooms at the Ark Valley Lodge facility.

As you’ll remember, making the Ark Valley Lodge available for community groups has always been part of the planning process. This resolution would indeed allow the Director of CDDO to enter into agreements in a timely manner with community groups to utilize the two meeting rooms in the building. The room is already booked pretty heavily during business hours, so community use is primarily going to take place during evenings and weekends. Because the building is not otherwise staffed or operated after business hours, a use fee is part of the agreement to cover extra

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utility costs and staff time associated with making these meeting rooms available.

You have a copy of the resolution and also the proposed use agreement before you. I recommend your adoption of the resolution and would stand for any questions.”

Chairman Winters said, “All right, we have a couple of questions. Commissioner McGinn.”

Commissioner McGinn said, “Thank you. This is mostly for like outside groups that want to be able to use this facility. If commissioners or staff that belong to other committees outside, but related to the organization, they can use it, it’s available.”

Mr. McKenney said, “Eventually, there will come a time when we have difficulty drawing the line between external community use and the partnerships that we currently make meeting space available for. We’re hopeful that it won’t be very difficult to make that decision, but yes, all county departments, associated groups that work with them, in our case all of our affiliated service providers would continue to use these rooms for governmental purposes without having to pay that use fee.”

Commissioner McGinn said, “Well I’m glad we’re getting this policy. I know we need something in place and I know that it seems like every time I get an e-mail, there’s more and more meetings going on over there. So, anyway, a great facility. Thank you.”

Chairman Winters said, “Commissioner Norton.”

Commissioner Norton said, “When I talked to Debbie Donaldson about this, one of the things I’d be interested in, if we’re going to rent it or lease it to someone other than part of our own organization or a provider, that we get an e-mail, some kind of a notification. At least I would like that, just so I know who is coming and going in one of our facilities. Not that I don’t trust you, but I think we might want to know that information and maybe other commissioners wouldn’t but I know on other things that we do, we’ll get a notification.”

Chairman Winters said, “Well, I think that might be good for at least a while, maybe not forever because I know that . . . I mean, I don’t need to know everybody that’s in the Extension building over a period of time, but I think the Ark Valley Lodge meeting room and conference room is becoming so popular that a lot of people are wanting to use it and taking advantage of it and I mean, it’s a . . . you think about downtown, central location, meeting place, have parking, I mean this

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place has hit the jackpot and it's, I think, going to be very well used in the community. But I guess I would agree that maybe here for a few months I would be interested to know what kinds of groups are using the facility and meeting there, but I'd hate to set that in some kind of motion that from now for the next fifty years the commissioners would have to be advised every time someone wants to meet in the lodge. I don't know that we need that."

Commissioner Norton said, "That would be okay. I just think it's important that we kind of know what's going on over there."

Chairman Winters said, "Well, I have met over there several times and have a regular scheduled committee meeting going on over there and it just works out very well for folks. Commissioner Sciortino."

Commissioner Sciortino said, "Thanks, Mr. Chairman. Rich, that just triggers another thought of mine and I guess it's been maybe a potential concern that we've had in the past. But do we have the right to deny someone the ability to . . . or an organization the ability to have a meeting because we think it's not . . . like the KKK decides they want to have a meeting there, it's a legitimate organization, they're willing to meet all our requirements, are we kind of then trapped that we have to let them meet, or how does that work?"

Mr. Euson said, "I don't know that I can answer that off the top of my head but certainly one consideration, you would have to reasonable . . ."

Commissioner Sciortino said, "No, Colin has to be reasonable."

Mr. Euson said, "Colin has to be reasonable. There are some constitutional rights involved. Certainly, one of the things that would be a consideration is that the use would some how or another interfere with our tax exemption and we certainly need to be cognizant of that. In other words, the tax dollars require us to use the building exclusively for governmental purposes and you need to make sure that that's followed."

Commissioner Sciortino said, "So you'll work all that out with Colin, as far as . . ."

Mr. Euson said, "We will confer with Colin on a regular basis to make sure that the constitutional rights are protected."

Commissioner Sciortino said, "Okay, thank you. That's all I had."

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Chairman Winters said, “All right. Commissioners, good comments, but again I think this is very good meeting space in downtown Wichita, good location, good access and Colin, I guess you’ve heard from our discussion, we’d kind of like to be kept involved. We don’t need to be in the day to day discussions, but we’d really like to see how the community is reacting to this meeting space.”

Mr. McKenney said, “Be happy to keep you informed.”

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

MOTION

Commissioner Unruh moved to Adopt the Resolution.

Commissioner Norton seconded the Motion.

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

VOTE

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

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

- 2. RESOLUTION AUTHORIZING DIRECTOR OF COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION TO ENTER INTO CERTAIN CONTRACTS AND AGREEMENTS WITH COMMUNITY SERVICE PROVIDERS.**

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Mr. McKenney said, “The second item is similar to the first, in that it grants additional signature rights to the Director of the Community Developmental Disability Organization, in this case to sign agreements that do not require direct payment from Sedgwick County.

There are several reasons why we’re requesting approval of this resolution. There have been circumstances where a provider’s ability to bill for services have been delayed because there was no affiliation agreement in place. For our smaller providers, who are already counting upon reimbursement for services previously provided, adding a couple of weeks to the process to have an agreement formally approved by the Board of County Commissioners can be quite a hardship for them.

Also, various providers go through the affiliation process presently just in case they need to bill Medicaid for services provided. Because these providers are long-term partners of Sedgwick County, we do allow them to affiliate and process all of that paperwork, but the process is sometimes really unnecessary. Passage of this resolution would allow us to affiliate only at the point at which they would actually provide services and our services didn’t want to bill the Medicaid system.

All agreements would continue to go before the Physical and Developmental Disabilities Advisory Board for their approval and all agreements that require direct payment from Sedgwick County to the provider would continue to come before the Board of County Commissioners. I request your approval of this resolution and would stand for any questions you may have.”

Chairman Winters said, “Commissioners, are there questions or comments? Seeing none, what’s the will of the Board?”

MOTION

Commissioner Sciortino moved to Adopt the Resolution.

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

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Chairman Thomas Winters Aye

Chairman Winters said, "Next item."

**3. AGREEMENT WITH HEART OF CARE AGENCY, LLC TO PROVIDE
 DEVELOPMENTAL DISABILITY SUPPORT SERVICES.**

Mr. McKenney said, "This agreement with Heart of Care is a good example of the item I just mentioned. This is an agreement where Heart of Care would like to receive direct payment from Sedgwick County in the event a client of theirs is funded with state funds that flow through Sedgwick County or county mill funds.

The agreement would allow them to both bill the Medicaid system and receive direct payment. Basically, it's a reimbursement for services contract in all other cases where Sedgwick County payment is not required. This perspective affiliated service provider has already made a presentation to the Physical and Developmental Disabilities Advisory Board and has been approved for consideration by you. I would request your approval of this agreement and authorize the Chairman to sign and be happy to stand for any questions you may have."

Chairman Winters said, "Thank you. Commissioners, are there questions on this item? Seeing none, what's the will of the Board?"

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

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Chairman Thomas Winters Aye

Chairman Winters said, "Next item."

4. **AMENDMENT TO AGREEMENT WITH STATE OF KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO PROVIDE COMMUNITY START-UP FUNDING, EXTENDING THE TERM OF THE AGREEMENT AND ALLOWING UTILIZATION OF REMAINING FUNDS.**

Mr. McKenney said, "This agenda item requests your approval to expend funds already received from the State of Kansas to support start-up costs of individuals leaving intermediate care facilities for persons with mental retardation and also state hospitals.

Presently, through the prior agreement, we fund individuals \$1,200 for new housing costs, rental deposit and that sort of thing. As I indicated, we already have the funds from the State of Kansas. We don't presently have an agreement that allows us to expend the remainder. The original agreement amount was \$160,000. Of that, we've expended about \$112,000 during the first year of the agreement. I request your approval of this agreement, authorize the Chairman to sign and would stand for any questions you may have."

Chairman Winters said, "All right. Commissioners, questions or comments on this item? Seeing none, what's the will of the Board?"

MOTION

Commissioner Norton moved to Approve the Amendment to Agreement 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, "Thanks very much, Colin. I think you're done. Next item."

DIVISION OF HUMAN SERVICES - COMCARE

5. CONTRACT WITH WICHITA PSYCHIATRIC CONSULTANTS, INC. TO PROVIDE IN-PATIENT PSYCHIATRIC SERVICES.

Ms. Marilyn Cook, Director, Comprehensive Community Care, greeted the Commissioners and said, "You have before you a renewal of a contract with Wichita Psychiatric Consultant group to provide services to COMCARE patients or clients who are hospitalized in Via Christi Psychiatric In-Patient unit at the Good Shepard campus. Dr. Paul Murphy, this is his group and he and two Advanced Nurse Practitioners working for him make rounds daily on these patients in the hospital, including doing histories and physicals on them, doing assessments and diagnosing those with new admissions, stabilizing patients while they're there, working with the discharge planning staff at that facility, taking call for the patients during the day and then working with COMCARE and hospital staff to arrange for discharge planning services for them.

The contract also includes having Dr. Murphy and his staff do psychiatric consultations at other hospitals in town, such as the Via Christi system. They do consultations both at St. Francis and St. Joe in the medical units there, for instance when someone has overdosed and might need to be transferred to the Good Shepard facility and they also do that at Wesley. We are requesting that you approve the contract and I'd be happy to answer any questions you might have about it."

Chairman Winters said, "All right, thank you and I just assume by this being a renewal, you're satisfied and happy with the performance that they're delivering."

Ms. Cook said, "We are. Mr. Lear, who is our medical director, and I meet with Dr. Murphy once a month and we talk about how it's going. Dr. Murphy has also attended occasionally our medical staff provider meetings, so he feels connected with that group as well. And Dr. Lear also then attends, as our medical director, the section meeting at the Good Shepard Campus, so we're pretty involved in knowing what goes on there and very happy with his services."

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

MOTION

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

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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."

6. AMENDMENT TO AGREEMENT WITH DIANE OVERSTREET, MOT, OTR TO PROVIDE OCCUPATIONAL THERAPY CONSULTATION SERVICES.

Ms. Cook said, "This item is an amendment to last year's agreement with Diane Overstreet, who is a Registered Occupational Therapist who works with clients both in our children's program and our CSS program. The agreement is being amended to increase the cost of the contract by \$1,221 to accommodate the total number of hours that were provided for necessary services. We're requesting that you approve this amendment."

Chairman Winters said, "Thank you. Commissioners, do you understand this article and have any other questions? Seeing none, what's the will of the Board?"

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

7. AMENDMENT TO CONTRACT WITH JOB READINESS TRAINING, INC TO PROVIDE SERVICES TO ADOLESCENT MENTAL HEALTH CONSUMERS.

Ms. Cook said, "This is also an amendment to the contract from last year with Job Readiness Training company who provide psych-social and job readiness skills and services to adolescents that we refer to them. The amendment covers up to 25,974 hours of services at the contract rate. We requesting that you approve the amended contract as well."

MOTION

Commissioner McGinn moved to Approve the Amendment to Contract and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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Chairman Winters said, "Next item."

8. PROPOSAL TO CITY OF WICHITA FOR ADMINISTRATION OF SPECIAL LIQUOR TAX FUNDS.

Ms. Cook said, "This item involves a response to the RFP for our addiction program to continue to provide administration of the Special Liquor Tax Funds. The staff at Addiction Treatment Services, specifically Mariann Fountain and Judy Addison have been administering this since the year 2000. It's been a really nice, collaborative effort between the City and the County. What this involves is monitoring and refining outcome based measures for the publicly funded programs in town, who get money from this program.

They oversee the financial management of the contracts. They also develop requests for proposal when requested to do so and they convene monthly meetings of the Liquor Tax Coalition. We're requesting that you approve our response to the proposal."

Chairman Winters said, "All right, thank you. Commissioners, you've heard that. Any other discussions, questions?"

MOTION

Commissioner Norton moved to Approve the Proposal and authorize the Chairman to sign all necessary documents, including a proposal award agreement containing substantially the same terms and conditions as this Proposal.

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

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

G. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "We started off 2004 on a really good note. A lot of recurring, yearly shows that come back and visit us year after year. We start with the U.S. Weapons Gun and Knife Show, over 5,500 people attended this edition. We do four of these a year with the U.S. Weapons. We had the RV show come back again, over 9,000 people in attendance, they were up significantly, very happy with the turnout.

Tornado Alley, we had a paintball tournament last summer if you recall and they came back again in January, had over 400 teams, had a great time. They're coming back again in June. We do that in our equestrian building. U.S. Hotrod Thunder Nationals, always a very much anticipated show. It's billed as a real thrill show this year. They had some extreme motorcycle stunts and actually the Monster Truck drivers provide a little more excitement when one of the drivers took a turn just a little bit too fast and rolled his truck in the middle of the Coliseum floor. Of course the crowd went wild and they absolutely loved that.

Then we went into the Wrangler Pro Rodeo. It's almost like going to a boxing match in watching the hockey game. That's what you look for. Wrangler Pro Rodeo, we were up again for the second year in a row, with both attendance and revenues, very much a fun event, all the favorite rodeo events with the bull fighting and the bronc riding. The official rodeo cowboy dance after Saturday night's event had 1,000 people attend and we just had a good time. The band is Against the Grain and we also provide a little extra excitement with the mechanical bull and as the night goes on, the folks stay on just a little bit less time. It's a real good time, it last till about 2:00 in the morning, we had a good time. Rounding out the month we had six hockey games, almost 17,000 people total in attendance.

Coming up of course we have the Sport, Boat and Travel Show this week. We have the Mid-American Auto Racers Auction, Trade Show and Swap Meet on the 21st. The Eque-fest returns on the 27th and the 29th and you realize that is the largest equestrian event in the state of Kansas. We have the State High School Wrestling Tournament the 27th and 28th and two performances of the Royal Lipizzan Stallions February 29th and don't forget Yanni returns in concert on March 12th. If there's any questions, I'd be happy to answer them at this time."

Chairman Winters said, "All right, thank you John. Looks like a very active calendar of events.

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We would say thank you on a couple of occasions. One, for hosting Sedgwick County Commissioners and our advisory boards for rodeo evening. We appreciate your hospitality and a number of people did stay around. It was kind of a bad weather night, so we had a little less attendance that night, but a number of people did attend the rodeo and had a good time.

And then appreciate your hosting last Saturday morning the REAP organization and the Sedgwick County Association of Cities as they hosted some legislators at the VIP room at the Coliseum and that worked very well. And I've had a couple of comments since then saying that they thought that that was just a very good event, so we appreciate your hospitality for the Commissioners a couple of times. Commissioner Norton."

Commissioner Norton said, "I'd be interested in a little bit about the state wrestling. Is that a one-year contract now or have we resolved that?"

Mr. Nath said, "It's still a one-year contract, Commissioner and that's because every other position in the state would love to have the event, it's a great event, and there's a lot of sentiment on the board that why not spread it around a little bit. Logistics get to be a problem, how do you put all the classes together and still have the hotel rooms in these other locations to handle all the people that are coming. But it's a one-year agreement this year and we're going to go after it again. This is an event that we think is important, that we think is very important to our community, but I can't fault anybody else for wanting it either, because it is a good event."

Commissioner Norton said, "Have we considered having a grand marshal and maybe having our own Dave Unruh become the grand marshal. You know, he was a college wrestler, well renowned."

Commissioner Unruh said, "Yeah, you can work on that. I'm sure that will be a great enticement for them to come back."

Commissioner Sciortino said, "He was in the heavy weight division too at one time."

Chairman Winters said, "All right, thank you very much Commissioner. Any other question or comments with John? If not, what's the will of the Board on this item?"

MOTION

Commissioner Norton moved to Receive and file.

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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, "Thank you very much, John. Next item."

H. PUBLIC WORKS.

- 1. RESOLUTION AUTHORIZING ESTABLISHMENT AND ENFORCEMENT OF A SPEED ZONE ON 375TH STREET WEST BETWEEN 15TH AND 23RD STREETS SOUTH IN GRAND RIVER TOWNSHIP. DISTRICT #3.**

Mr. Mark Borst, Engineer, Bureau of Public Works, greeted the Commissioners and said, "Item H-1 is a resolution to reduce the speed limit on 375th Street West for one-half mile south of 15th Street South and the reduction will be from 55 miles an hour to 40 miles an hour. This is at the request of the Grand River Township officials and they have agreed to install and maintain the proper signing and I'd recommend that you approve the resolution."

Chairman Winters said, "All right, thank you Mark. And again, Grand River Township has requested this and you believe it's appropriate to move forward."

Mr. Borst said, "Yes."

Chairman Winters said, "All right, thank you. Any questions or comments?"

MOTION

Commissioner Sciortino moved to Adopt the Resolution.

Commissioner Norton seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

2. RESOLUTION ESTABLISHING SPEED LIMITS FOR ALL COUNTY MAINTAINED HIGHWAYS AND PARTS OF HIGHWAYS WITHIN SEDGWICK COUNTY, AND PROVIDING FOR ENFORCEMENT THEREOF. ALL DISTRICTS.

Mr. Borst said, "Commissioners, this resolution establishes speed limits on all County maintained roads and highways. There are many changes to this resolution from the previous 2001 version. Most of these changes involve strictly city limit descriptions, through annexations for Wichita and the other small cities in the County.

The other significant change that we have in this year's proposal is that all the connecting links to the County highway system in the cities under 5,000 will no longer be listed in this resolution. We do not have the statutory authority to regulate the traffic inside these cities and in talking with County Counselor's Office it was thought that this should be taken out. It doesn't change any of our maintenance obligations, as far as our statutory maintenance obligations on these highways. All it does is it means that the cities need to make sure that they have the ordinances in place for the speed limits that they want within the cities.

The only two changes where we had actual speed limit changes are on 63rd Street south, between Hydraulic and K-15. This one involves where we're going from two-lane rural to four-lane curb and gutter, which would be an urban section and the final speed limit, once that project is done, would be 45 miles and hour. It would be a reduction from 55. And the other one is on Hydraulic from K-254 up through 53rd Street North. This one is a cooperative effort with Park City. They've annexed a half mile in the middle of this section. They want a 45, so we've done a 45 on both sides of it and that eliminates the potential for us to have a 40 south of 254 in the city, us have a 55, the city have a 45, the City of Park City, and then us have another 55 mile an hour zone. The whole

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one and a quarter mile stretch would go to 45. I would recommend that you approve the resolution. I'll answer any questions."

Chairman Winters said, "All right, thank you Mark. Questions or comments of Mark? If not . . ."

MOTION

Commissioner Unruh moved to Adopt the Resolution.

Commissioner Norton seconded the Motion.

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

VOTE

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

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

3. AGREEMENT WITH RUGGLES AND BOHM, P.A. FOR DESIGN OF STREET IMPROVEMENTS IN PRAIRIE CROSSING ADDITION. DISTRICT #3.

Mr. Jim Weber, P.E., Deputy Director, Bureau of Public Works, greeted the Commissioners and said, "In Item H-3, we're requesting your approval of an agreement with Ruggles and Bohm for engineering design services and construction staking on the Prairie Crossing Addition street project. The cost of this work will not exceed \$25,800. All cost of the project are to be paid by the

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benefited properties through special assessments and we request your approval of the recommended action.”

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

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, “Next item.”

4. AGREEMENT WITH PROFESSIONAL ENGINEERING CONSULTANTS, P.A. FOR DESIGN OF STREET IMPROVEMENTS IN SUNCREST 2ND ADDITION. DISTRICT #2.

Mr. Weber said, “In item H-4 we’re requesting your approval of an agreement with Professional Engineering Consultants for engineering design and construction staking services on the Suncrest 2nd Addition street paving project. The cost of this work will not exceed \$28,500 and again all costs are to be pay by the benefited properties through special assessments and we request your approval

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of the recommended action.”

Chairman Winters said, “Thank you. Commissioners, questions, comments? What’s the will of the Board?”

MOTION

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

Commissioner Unruh seconded the Motion.

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

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, Jim. Next item.”

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

Mr. David Spears, P.E., Director/County Engineer, Bureau of Public Works, greeted the

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Commissioners and said, "Item H-5 is a modification of plans and construction for the Haysville railroad grade separation project, designated as I-78 in the Capital Improvement Program. There will be an increase of \$38,690 to bore and encase a 12-inch water line across the UPRR main line. The existing 25-year-old line was damaged by construction equipment. The water line is owned by the City of Haysville. They failed to flag this particular utility during the design phase of the project and apparently were unaware of its existence. We do intend to bill Haysville for the total amount of this change order. I recommend that you approve the modification and authorize the Chairman to sign."

Chairman Winters said, "All right, Commissioners, questions or comments? Commissioner Norton."

Commissioner Norton said, "Does Haysville already understand that they will be billed for that? Did that come up in meetings and everything?"

Mr. Spears said, "Not yet, sir. It . . . we did this with a modification so that it would be faster. If they actually repaired the line, they would have had to go out for bids, advertised and this entire deal shut down the whole project for like four weeks because this line was under pressure, water went everywhere, then they found out there was no encasement under the railroad, the railroad became very upset and it's just something that we had to do in a very quick manner."

Commissioner Norton said, "Okay."

Chairman Winters said, "Okay, thank you. Other questions or comments? If not, what's the will of the Board?"

MOTION

Commissioner Sciortino moved to Approve the Modification of Plans and Construction 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, “Commissioner Norton.”

Commissioner Norton said, “Just a comment, before Dave gets out of there. As we see the . . . I talked about this the other day in staff meeting, as we see the rail corridor kind of struggling in the City of Wichita, I think it’s important to note that the County, the state, the feds moved ahead on this particular project, which is part of that rail corridor and the money is there it’s getting done and I’m pretty proud of the County for moving this forward and being aggressive on it, because the City of Wichita is pretty well struggling with their rail corridor and that’s going to be pretty tough for them, when it finally does happen. I think we’ve seen that train traffic is really starting to pick up again and it will even get worse as the economy gets better and by the time they really get theirs off the ground and moving, this one grade separation will be done and I think that’s a good thing. So, just a comment, thank you, Mr. Chair.”

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

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF FEBRUARY 12, 2004.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, “The meeting of February 12th resulted in two items for consideration today.

**1) VIDEO BROADCASTING/ PUBLISHING SYSTEM- DIVISION OF INFORMATION AND OPERATIONS
FUNDING: MANAGER’S EQUIPMENT RESERVE FUND**

The first item, video broadcasting/ publishing system for the Division of Information and Operations and Communications. Recommendation is the low proposal from Granicus to execute a contract subject to final terms for a first-year cost of \$29,928.32, with annual license and maintenance costs of \$15,000 per year as long as we have the product.

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**2) IP PHONES- DISTRICT COURT/ FACILITY PROJECT SERVICES
FUNDING: CAPITAL IMPROVEMENT PROJECT**

The second item today is IP phones for the District Court and Facility Project Services. Recommend the low bid from Insight Public Sector for \$54,303.65. Would be happy to answer questions and recommend approval of these items.”

Chairman Winters said, “Commissioner Sciortino. I’m sorry, Commissioner Norton.”

Commissioner Norton said, “Oh, no. That’s still left on.”

Commissioner Sciortino said, “I’m just a little confused on the number one item. I’m trying to get the math to add up and subtract. Is it costing us \$29,928 plus the 15,000? Is that what we’re agreeing to?”

Ms. Baker said, “Yes.”

Commissioner Sciortino said, “Okay.”

Ms. Baker said, “\$15,000 is actually \$750 a month, on-going costs, and then once every year there’s a \$6,000 fee for licensing.”

Commissioner Sciortino said, “Okay. So the 15,000 is number two and number four combined. Is that correct?”

Ms. Baker said, “Correct.”

Commissioner Sciortino said, “And then . . . but what is the . . . ?”

Ms. Baker said, “The 29,000?”

Commissioner Sciortino said, “Yeah, what is that?”

Ms. Baker said, “The 29,000 is actually the initial cost of the product, which is \$20,928.32. The final monthly maintenance cost, whenever that might be, of \$750. Once this is implemented it will take about 30 days to get it in, once it is implemented \$750 a month and then in December, for next year, we’ll have a \$6,000 license fee due.”

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Commissioner Sciortino said, "Okay, I'm not going to try to get all these things to add up but Accounting has already looked at it and the figures add up. That's fine, okay, that's all I had."

Chairman Winters said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you. I guess I'd like somebody to explain to me what this is for, what are we going to use it for? I just . . . have we had this before in the past? Is it replacing something?"

Ms. Baker said, "It is new and staff can talk about it."

Commissioner McGinn said, "Thank you."

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, "A couple of years ago, Division of Information and Operations came with a request to establish this video streaming project. It's what we can do, you see it on MSNBC's website, on ESPN's website where you can go onto a website and actually watch, like you're watching television, but you're doing this on your computer and we are bringing this capability to Sedgwick County and we have a couple of different uses for it.

One is an internal use that we can do training, we can do video training, we can put it on our E-line site so folks don't have to come, for example, EMS folks don't have to come from all the different stations to one area to get their training. They can watch it in their station and get the training on E-line.

The second piece is the external use and we have done a number of the 'Around the County'. Those types of informational pieces we'll be able to put on the Internet site. Citizens from anywhere in the community can click on our site, they can watch those.

The next piece is to put these meetings on both E-line and the Internet site so folks can watch them live, they can watch them later in the week. They don't have to be constrained to 9:00 Wednesday morning or the rebroadcast on Wichita's channel 7."

Mr. Buchanan said, "And on these meetings, you can look up the agenda item and click on agenda item 'k' and just watch that item."

Commissioner Sciortino said, "Oh, you mean after the program."

Commissioner McGinn said, "So you don't have to sit there and watch the whole thing to try to

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find the area that you want.”

Chairman Winters said, “So if, later in the week, a citizens wanted to know what happened on a specific item, get on the Internet, click on that item and just watch that one item.”

Ms. Zukovich said, “Right.”

Commissioner Sciortino said, “Well, let me ask . . .”

Chairman Winters said, “We have several other questions.”

Commissioner Sciortino said, “I’m sorry.”

Chairman Winters said, “Thank you. Commissioner Norton. Are you done, Commissioner McGinn?”

Commissioner McGinn said, “Well, I guess for now.”

Chairman Winters said, “Okay, we’ll come back to you. Commissioner Norton.”

Commissioner Norton said, “Well I’m very supportive of this. I think it’s just a next step of the technology we need to communicate to citizens and when we talk about even things like economic development, there will be things that we can put on our site that will tout the area, the region and talk about workforce development kinds of things. We can do all kinds of ‘Around the County’ kinds of things and put them right on our E-line website that people all over the United States can access to understand who we are, what we stand for and not just read it in some kind of print, but do it in a more friendly, media kind of message. So I think I’m going to be very supportive of this. This is the kind of technology that will take our ability to communicate to not only our public, but the state, the region in a much better manner. So I’ll be very supportive of this.”

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

Commissioner Sciortino said, “Yeah, I just, in following up on this thing, I know on my TV set if I want to watch . . . well, I used to, K.U. basketball and it’s going to be starting at 8:00 tonight, I can do something, still watch another channel and at 8:00 it will kick me over to the game. Can you do that, if all I’m interested in is whenever the Commissioners start talking about trash?”

Ms. Zukovich said, “You’ll have to search on that. You’ll have to be able to look at the agenda. The agenda will have that and then you will see that it’s item c or item d and then you just click on I want to go to item d and then it brings it up and shows it to you.”

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Commissioner Sciortino said, “No, no, no. That’s after the program has already been done. I mean, today is real time and I don’t want to tune in until item c comes up.”

Ms. Zukovich said, “No.”

Commissioner Sciortino said, “Okay, all right, thanks.”

Chairman Winters said, “All right, thank you. Commissioner McGinn.”

Commissioner McGinn said, “So will this, does this just work on high-speed Internets or will it work on rural route Internet?”

Ms. Zukovich said, “What we’ve tried to do is to look at a solution and worked a lot with the DIO staff in trying to assure that we have a solution that meets the folks that do dial up and the folks who do the high speed Internet, because we know that there’s that range, so why focus it just for one constituent group and so we’ve really worked to try to identify a solution and working with Granicus and doing through this research, found that that enables us to do that and folks will have those choices of whatever speed they’re running on.”

Commissioner McGinn said, “And will this allow us like to link, like say Cowtown has got a video, could they link to that through our system, I guess. Okay.”

Ms. Zukovich said, “When we do the ‘Around the Countys’ and then we edit in other video that maybe we have taken out at Cowtown and we make that a complete package, we can add that into our site, or if someone has another video, Cowtown has something they’ve already done, we can link it into our site.”

Commissioner McGinn said, “Yeah, that what I was getting at. Okay, thank you.”

Chairman Winters said, “Thank you. It sounds like a good project. All right Commissioners, you’ve heard the report of the Board of Bids and Contracts February 12th. What’s the will of the Board?”

MOTION

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

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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, "Thank you, Iris. Next item."

CONSENT AGENDA

J. CONSENT AGENDA.

1. Right-of-Way Easements.

- a. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project 787-P-902, 263rd Street West between 6th Street South and 4th Street North. CIP# R-264. District #3.
- b. Temporary Construction Easement on the Sedgwick County Cowskin Creek Project. District #2.

2. Line Item Adjusted Budget Summaries (two) for changes to Juvenile Intensive Supervision and Juvenile Case Management, to be submitted to Kansas Juvenile Justice Authority.

3. Fiscal Year 2004 Budget Transfer Request for Adult Residential, to be submitted to Kansas Department of Corrections.

4. Order dated February 11, 2004 to correct tax roll for change of assessment.

5. Payroll Check Register of February 13, 2004.

6. General Bills Check Register(s) for the week of February 11 – 17, 2004.

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Mr. Buchanan said, "Commissioners, you have the consent agenda before you and I recommend you approve it."

MOTION

Commissioner Norton moved to Approve the consent agenda as presented.

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, "Commissioners, we do have a Fire agenda and we do need to have an Executive Session, so I'm going to recess this meeting."

The County Commission recessed into the Fire District #1 meeting at 10:24 a.m. and returned at 10:29 a.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of February 18th for other business. Commissioners, we do need to go into Executive Session, but perhaps we could discuss other community business before we move into Executive Session. Is there any other business Commissioners would like to discuss? Commissioner Norton."

K. OTHER

Commissioner Norton said, "Just a couple of things. I'd like to make sure that we keep our

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thoughts and prayers towards the individuals with EagleMed. One of the individuals actually trained in Sedgwick County when he did his paramedic and EMS training and let's keep those folks in mind that perished in the plane crash out west.

Just a couple of other things. Yesterday we had a workshop on Cowtown. It was reported in the Eagle today, got some pretty good press. I think we had a spirited workshop talking about what we thought the future of Cowtown would look like. Commissioner McGinn may want to talk about that a little bit, but I think we really did some good work yesterday and hopefully it will bear some fruit in the next few months.

The next thing is that I also went to a meeting on the health summit. I think it's the last one that we've put together before we actually have the Health Assembly the 12th and 13th. The survey results are back in. They've just about got that tabulated, but the good news is out of 25,000 we sent out, 6,300 presently have been returned and more are still trickling in and that's about 25%. And when you look at most surveys that get 3 to 5% and you feel pretty good about it, getting a 25% obviously it resonated with the citizens that they wanted to speak out on health issues, economic issues as related to health issues and their willingness to maybe help pay for new programs that maybe come out of this. So pretty important dialogue we're getting ready to have, that's the 12th and 13th of March.

And then finally, I just wanted to kind of let citizens know that I'm heading to Washington D.C. next week for the NACO convention. I haven't been in a couple of years but there's a couple of issues that are pretty important to Sedgwick County, one of them being the base realignment and closure and hopefully we'll be able to visit with our delegation about that and then certainly the Homeland defense center, preparedness center we're trying to build here is also tied up with some legislative monies that we'll need to lobby for and I just wanted to be sure that citizens knew that I was going to be out of town. We don't travel a lot and I think it's important that people know that when we do travel we have a mission, we have a reason to do that and that will be two or three days that we'll be in Washington doing that. That's all I have."

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

Commissioner Unruh said, "Thank you. I just want to mention, for the information of the folks watching, that the first meeting of the Criminal Justice Coordinating Council is going to be convened tomorrow morning for the organization and since we had such a big issue about our problem of jail overcrowding and we engaged the services of a consultant, well just wanted to keep the folks up to date that we are moving forward with some of those recommendations.

And then, secondly, I have mentioned a few times that we're waiting to see if our female elephant at the Zoo is pregnant, Cynda. I'm sorry to say that it looks as though she is not pregnant, so we won't be looking forward to a baby."

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Commissioner Norton said, "The rabbit is still alive then, huh."

Commissioner Unruh said, "Yeah, that's too bad. However, we have a Black Rhino out there that we're very sure that she is pregnant, so the Zoo is growing. I just wanted to keep you up to date."

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

Commissioner McGinn said, "Thank you. Well Dave, you're closer to the Zoo than I ever had thought any Commissioner would be, so you're doing a great job."

Commissioner Unruh said, "It's a big part of our County."

Commissioner McGinn said, "Well I just wanted to follow up on what Tim said about the Cowtown discussion yesterday. I thought it was a great discussion. I thought the article today was very good. It spoke to a lot of the things that we're looking at and want to look at and explore. I think it's a very exciting time for Cowtown and Sedgwick County. This is certainly about economic development. It's just another avenue to go down, as far as creating jobs, as far as bringing tourists here to town and it's just another way that we can diversify our community and provide jobs and provide dollars coming into our community as well. So I look forward to going forward on this study and finding out what our potential is. So, thank you."

Chairman Winters said, "All right, thank you. Well, just a couple of things on my list. Last Thursday David Spears, County Engineer hosted all of the township board members from all over the county for the annual township board meeting. There was probably 60 or 65 or so people in attendance. I thought it was a good meeting. We keep looking for ways to plus that to give educational information to the township board folks. I suggested that maybe next year David would maybe want show his road show, the Powerpoint presentation that he shows us to let them see some of the projects that we're involved in."

Then last Thursday evening was the Sedgwick County Conservation District's 59th annual meeting out at the Extension Office in the 4-H hall and I attended that meeting. Former governor Mike Hayden was the program and brought a very interesting program, talking about conservation easements and the Kansas Livestock Easement program for rural landowners to at least consider and it was well attended. You remember Susan Erlenwein as kind of our head staff person and she and the rest of the staff put together a very good program.

And then we mentioned earlier, last Saturday morning we did meet with the Sedgwick County Association of Cities and some of the folks from the Regional Economic Area Partnership, REAP,

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out at the Kansas Coliseum. There were five legislators there. It was really, I think it was an interesting discussion to hear all of those kind of policy people, from cities, counties, Sumner County Commissioner was there, Winfield City Council person was there, five legislators all talking about the policy issues they're dealing with. It was really a very interesting meeting.

So with that, we do need to have an Executive Session.”

MOTION

Commissioner Unruh moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with legal counsel on matters privileged in the attorney/ client relationship relating pending claims and litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 11:05 a.m.

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, “We are adjourned into Executive Session.”

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:34 a.m. and returned at 11:24 a.m.

Chairman Winters said, “I’ll call this meeting back to order. Let the record show that there was no binding action taken in Executive Session. Is there anything else to come before this meeting? Mr. Euson? Mr. Manager? Anyone else? This meeting is adjourned.”

L. ADJOURNMENT

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

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

THOMAS G. WINTERS, Chairman
Third District

Regular Meeting, February 18, 2004

DAVID M. UNRUH, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2004