

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 21, 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, July 21, 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 Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Chris Chronis, Chief Financial Officer; Mr. Renfeng Ma, Budget Director, Division of Finance; Mr. Robert W. Parnacott, Assistant County Counselor; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); 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

Pastor Dave Castleberry, West Haysville Baptist Church.
Mr. Doug Watson, Family Center Services, 3201 S. Webb Road.
Ms. Morticia Myer, Wichita.
Ms. Terry Cassidy, City of Wichita Manager's Office.
Mr. Jim Armour, Acting City Engineer, City of Wichita.
Mr. Mark Dick, Auditor, Allen, Gibbs and Houlik.
Mr. Robert Kaplan, 430 N. Market, Kaplan, McMillan and Harris
Ms. Beth Oaks, Vice President of Community Planning and Resources, United Way of the Plains.

Chairman Winters said, "I will call to order the Meeting of the Board of County Commissioners, Regular Meeting July 21st, 2004. And at this time, I would like to call on Commissioner Tim Norton to introduce the person who is going to give our invocation this morning."

Commissioner Norton said, "Thank you, Chairman. Well, I got a very interesting phone call last night from someone in the Haysville community, Pastor Dave Castleberry and he has a very unique way of delivering his message, not only to his congregation, but to the community and he's done this for many, many years. And I'd like to introduce Pastor Dave Castleberry, but in a different incarnation, because he does this, he does it for fun but he delivers his message in a very unique way and has touched a lot of people in the whole south side, so I would like to introduce Pastor Dave as 'The King'."

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INVOCATION

The Invocation was led by Pastor Dave Castleberry of West Haysville Baptist Church.

FLAG SALUTE

Commissioner Norton said, “Mr. Chair, if I could, I’d like to just let Pastor Dave have a second to talk about kind of what he’s done with his Elvis impersonation throughout the community, because he’s been all over the community doing this as an act of faith.”

Chairman Winters said, “Certainly, go right ahead.”

Pastor Dave Castleberry, West Haysville Baptist Church, greeted the Commissioners and said, “Actually, I think I need help and I’m willing to go into the treatment center immediately, I think dressed like this, walking through town.

No, it dawned on me long ago that, at least as a church pastor is that I want to reach all people, that meant everybody. In order to do that, you had to become all things to all people, like Paul said. So, yeah, it’s something we started about six years ago and so what we do, we travel around and we do our show, backup singers, the whole nine yards and somewhere in the middle of the show I tell them how big a mess I was 13-14 years ago, an alcoholic.

I have a daughter that has Cerebral Palsy, can’t walk or talk and at five years old, I was watching TV with her and this commercial about a treatment center comes on and she looks at me and looks at the TV. She can’t talk, but I said, ‘I have a serious problem, don’t I?’ and she shook her head and I said, ‘I don’t know what to do’ and she looked up at the sky and I said, ‘God?’ She shook her head yes again. And then my sister-in-law called me and invited me to church. The next Sunday I went to church and never looked back.

And here’s the ironic thing, I have ADHD. It’s not that I don’t pay attention. I pay attention to everything. It’s like twelve one-act plays going on in my head, so at school they just tried to get me out. Believe it or not, once I got my center focused, not only did it save my marriage and my family, and this is completely what the world is. I went to Friends University. At 36-years-old I said, ‘Honey, I’m going to play for the football team before I get too old’. She said, ‘You’re too old now’. I said, ‘No, I think I could’ and she goes, ‘Whatever’ and so I would end up making the team because they didn’t cut anybody and would play. And here’s just this testimony of what could happen.

Then after that, I ended up being at a church, at Glen Park Christian Church. Two years ago I went

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to West Haysville Baptist Church, which is ironic because I grew up in Haysville. The first person I ran into was a police officer. He said, 'Do you remember me, I'm Officer Duff?' I said, 'No, you look a lot different without your handcuffs' because I had gotten in a lot of trouble in that town and so now I went back to the very town that I had had so much trouble. But the funniest thing is this, the very school that basically kicked me out now hires me during the school year to teach. Unbelievable.

So, I think everybody has something to offer somebody and it's my job to help them discover it. That's just it. Somebody is somebody and it is you and I's job to pull that out of them and if it takes running around like this, so be it. It could be worse, so that's all I wanted to share with you and I thank you for that opportunity."

Chairman Winters said, "Thank you, Pastor. We appreciate you very much your being here and giving us a bit of a different perspective this morning. So we wish you and your congregation the very best. Thank you."

Commissioner Sciortino said, "If I could just say something, you all . . . I've had occasion to listen to the Pastor, when his group is singing and if you close your eyes, it sounds like the real thing. So if you ever get a chance to see him do his act, I would encourage you, those of you that are mature enough to appreciate the individual that he apes, 'The King'. Thanks."

Chairman Winters said, "All right, thank you very much. Madam Clerk, call the next item."

ROLL CALL

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

Chairman Winters said, "I might add that Commissioner McGinn this morning, she has been appointed to the Lower Arkansas River Basin Advisory Committee. And the first meeting that she had an opportunity to attend is this morning out at Kingman. So, Commissioner McGinn is at a meeting of the Lower Arkansas Basin Advisory Committee. Next item."

CONSIDERATION OF MINUTES: Regular Meeting, July 7, 2004

The Clerk reported that all Commissioners were present at the Regular Meeting of July 7, 2004.

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

MOTION

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Commissioner Norton moved to approve the Minutes of the Regular Meeting of July 7, 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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, "Next item."

AWARD

A. PRESENTATION OF GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET PRESENTATION AWARD.

Mr. Chris Chronis, Chief Financial Officer, Division of Finance, greeted the Commissioners and said, "A little bit later on today, we're going to be presenting the Manager's recommended budget for 2005 and it's appropriate, I think, to talk about the success that we've had with our 2004 budget. I'm here today to present to Renfeng Ma, who is just about ready to get out of his chair right behind me here, the award from the Government Finance Officers' Association for distinguished budget presentation for the 2004 budget.

This is an award which is presented to eligible governments, state and local, which meets certain criteria for their budget document, serving as a policy document, identifying the policies of the organization as an operations guide, identifying for the constituents what the plan of attack is on community services for the year. As a financial plan, and you know about our work on financial plans, and finally, as a communications tool, most importantly communicating to the citizens what the local government is up to for the upcoming year.

Sedgwick County has received this award now for 20 consecutive years. In Kansas, in all of

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Kansas, only 13 jurisdictions have received this award and Sedgwick County has received it now for 20 years. That's longer than any of those other jurisdictions. In fact, I did a survey of the website that JFOA publishes, award recipients today and there are only five governments in the country that have received this award longer, for more consecutive years than Sedgwick County. So we have a sustained record of excellence in the preparation and presentation of county budgets. And for the last five years, that record has been managed by Renfeng Ma, who is the County's Budget Director.

And so at this time I would like to present this award to Ma and allow him to identify the staff that works with him and make a few remarks."

Mr. Renfeng Ma, Budget Director, Division of Finance, greeted the Commissioners and said, "Thank you Commissioners for the recognition. This is hard work by all budget staff: David Mueller, Chad VonAhnen, Lunda Asmani, Pete Giroux and Lucretia Burch, she won't be here today.

What's interesting about this award is throughout the budget process, we never really focus on getting this award. As you recall from the budget calendar, we start the budget process by developing a financial plan, which is followed by a series of budget proposals that are based on the parameters of the financial plan. So the focus has always been to deliver local services, using local resources. What's encouraging is, by the end of the budget cycle, when my peers in the United States and Canada looked at our final product, they agree that in Sedgwick County we do budgets right. I thank you, Commissioners, for your leadership."

Chairman Winters said, "Well, we would say congratulations Ma, to you and the Budget Department, to Chris and his leadership, and to Bill Buchanan for putting together this team that we have got. And just from my simple comment, I would say that your Budget staff, the entire Finance Office, department has the confidence of the Board of County Commissioners. And it's not something that we say, 'What's going on here now?' But it is and you are a part of a group that we do have a tremendous amount of confidence. I didn't see whose light came on first. Commissioner Unruh."

Commissioner Unruh said, "Thank you. I would second what the Chairman has said. We think that you all are a great team and do great work. But I think it's significant Ma, one of the comments you made is that you didn't enter into this as a competition, where you were looking to win an award, but this is just a byproduct of our whole philosophy of 'Let's do things right and let's do things appropriately' and we will get awards if they're deserved, but our focus is not competition, just doing it right and I think that's a wonderful thing, a wonderful philosophy that we have and appreciative of the way you all handle your work. So, thank you."

Chairman Winters said, "Commissioner Sciortino."

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Commissioner Sciortino said, "Thank you, Mr. Chairman. Your job is kind of thankless and it always has reminded me . . . in any business, but especially here, it's like the painting of the San Francisco Golden Gate Bridge. As soon as you get done painting it, you turn around and start again, because it's time to begin the new process for the next year.

And to be able to try to forecast, on a continual basis, what's going to happen a year from now, estimating revenues and expenses is thankless. It's drudgery but there's also a lot of creativity and while your department, the Finance Department, is not a revenue center, I can't tell you how the millions of dollars that could be seeping through the cracks if it was not for you and your staff, because you're the ones that make sure that the holes are plugged so whatever revenue comes in, then the maximum amount stays here to work efficiently on the projects we set aside as ones that we want to implement.

And personally, I think you need to know, as Commissioner Unruh just said, how much we do appreciate what you do. That's all I wanted to say."

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

Commissioner Norton said, "Well, having done budgets as a mayor and a city council member and now as a county commissioner, the one conclusion I've come to is that the budget is the bedrock of everything else that you do, in the county or municipal government. I mean, it all starts there. Everything is put to that template and if it's not right, if it's not processed right, if it doesn't have the right thought process in it, then everything else doesn't work very well. And it's sure nice to know that our bedrock is solid and has been for 20 years and it's because of staff that continue to toil at making sure that that budget is the centerpiece and is accurate for everything we do throughout the year. So congratulations, I'm very proud of you."

Chairman Winters said, "All right."

Commissioner Sciortino said, "Oh, wait a minute. And being Budgeting people, you'll understand, compliments are a lot cheaper than increased compensation. So, I mean, you've just had your review."

Chairman Winters said, "All right, thank you very much. Madam Clerk, call the next item."

PUBLIC HEARING

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B. PUBLIC HEARING TO CONSIDER WHETHER CITY OF WICHITA HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR ANNEXATION NO. 98-29, HARRY AND GREENWICH ROAD AREA.

OVERHEAD PRESENTATION

Mr. Robert W. Parnacott, Assistant County Counselor, County Counselor's Office, greeted the Commissioners and said, "I'm going to have to request the assistance of Kristi to get ELMO going. I've got a map for you. The purpose of this hearing is a statutory required hearing, five years after an annexation by a city that was required to prepare a service plan in connection with the annexation. In this case, the City of Wichita, a little over five years ago, proposed to annex the area that is dark. This is west of 127th Street East, south of Kellogg generally and you can see the location of the various properties annexed.

Notices were sent, as required by statute, to all the landowners in the area annexed, as well as the city. We only received two phone calls in response to those notices. One just wanted to know what it was about, simple question and the other had to do with a service question that wasn't related to the annexation itself and the city handled that as well.

The city has provided us a report in advance of the hearing that I distributed to you Friday as supplemental backup. I've reviewed that report and it appears to comply with the service plan schedule and requirements set out in their service plan from five years ago. So at this point, unless you have any other questions for me, I'd recommend that you open the public hearing, hear any evidence on the matter and then close the public hearing and make your finding as to whether or not the city has substantially complied and provided the services that it said it would provide five years ago."

Chairman Winters said, "All right, thanks Bob. At this time then, I would open the public hearing for our item B and receive comments from anyone who would like to address the Board of County Commissioners. Is there anyone here that would like to address the Board of County Commissioners? We have one citizen back there. Why don't we go ahead and have the citizen . . . come on forward ma'am and if you would just state your name and your address."

Ms. Morticia Myer, 12402 E. Osie, Wichita, greeted the Commissioners and said, "I'm a few minutes late, so I don't know your protocol, but I live in the darker area up at 127th and Harry, right

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there in that Mc Evoy Addition. And when we met with the Metropolitan Area Planning Commission, when they were thinking about building Tara Falls, which is right next door into the white area, I'm sure they've been annexed by now, but they promised us that there would be no extra water and flooding and this has all happened quite a bit now and it's taken a couple, two-foot stream into a considerably larger creek now. And I just feel that, I've talked to Ben Scortino about it and I've talked to several of the county commissioners at the time and the city commissioners as well and the problem is not fixed.

And the engineers had promised the Metropolitan Area Planning Committee that nothing would change and it has and it's been a big problem there at 127th and the Harry bridge as well. So that's a big issue I have and I'm the only neighbor in Mc Evoy that didn't sign the petition to . . . or did not . . . there was a lawsuit against Tara Falls at that time, and they made certain agreements and if you didn't want to come back on them, you know, if you signed the petition you couldn't come back on them. And I was ready to sue them, until I had a car wreck, which became more of a priority. But the issue has not been solved and I just feel like they made a lot of promises that they didn't keep."

Chairman Winters said, "Okay, thank you very much. Are there any other citizens from this area who would like to address the Board of County Commissioners? Are there any other citizens who would like to address the Board of County Commissioners? All right. Terry, would someone from the City of Wichita like to address the Commissioners?"

Ms. Terry Cassidy, City of Wichita Manager's Office, greeted the Commissioners and said, "As Mr. Parnacott indicated, we've provided a report to you in advance, which we feel is a complete report of the services provided to this area, as required in the service plan, during the last five years. We do feel that we are in compliance with the requirements that you will be considering today for this hearing and would like the record to indicate we feel that we're in compliance and have fulfilled our obligations. I or others here from the city would be happy to respond to any specific questions you might have."

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

Commissioner Sciortino said, "Yeah, Terry, could you address the concern that this citizen had. I can remember visiting with her years ago and I believe Joe Pisciotte, when he was city councilman, that was his area and I think he visited . . . has the city done anything to resolve her problem?"

Ms. Cassidy said, "I'm going to ask one of our folks from Public Works to respond to that. I would like to also say that, you know, I would be happy to have a conversation with this citizen. To get

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her name and number and let us follow up on that, to see what we can do. I'd like to ask Jim Armour, our acting City Engineer, to comment on that question."

Mr. Jim Armour, Acting City Engineer, City of Wichita Public Works, greeted the Commissioners and said, "That plat that Ms. Myer referred to is Tara Falls, which was approved I think prior to annexation and that plat was adjacent to her property and required adequate detention facilities and I believe two detention ponds were constructed on that property, adjacent to her property.

I recall meeting with Ms. Myer while she was still in the county and that plat was occurring and discussed the drainage problems. But according to the plat, all . . . any excess drainage is contained within the property and theoretically, there should be no increase in runoff from that subdivision, across her property."

Chairman Winters said, "Okay. Thank you, Jim. Any other questions, Commissioner? Do we have any other questions at this time for Terry? At this time we will . . . is there anyone else in the meeting room that wants to address the Commission? At this time, we will close the public hearing.

Bob, you might just remind us, review with us just real quickly, I mean again the purpose of this meeting and, in your belief whether the concern that this citizen has expressed meets any kind of thing that we need to be concerned about in this hearing or whether we need to proceed on with making the recommended findings."

Mr. Parnacott said, "The purpose of this hearing is a fairly narrowly focused hearing. It's to determine whether the city provided the services that they said they were going to provide in advance of the annexation. The annexation process, in this case, involves a service plan that's prepared prior to the annexation being formalized. It has to be published and provided to the citizens for their review. There's a public hearing that's held and again, it's really the city saying, 'We're going to annex you and in exchange for that, we are going to provide these services' and they identify the services they're going to provide. They identify when they're going to provide them, how they're going to finance them. I understand that drainage is a . . . more or less an unrelated concern to the service plan, because the service plan really doesn't speak of drainage and it really seems to arise out of a platting or zoning issue. So, it's really not directly relevant to your finding today."

Chairman Winters said, "All right, very good. Commissioners, unless someone has something else, then I would suggest that we make a finding that the city has extended services as provided in their service plan."

MOTION

Chairman Winters moved to make a finding that the City of Wichita has extended services

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as provided for in the service plan.

Commissioner Sciortino seconded the Motion.

Chairman Winters said, “Terry, we might ask if you would just make contact with that citizen and see if there is anything. It sounds to me like it might be a matter between property owners also. It’s something that is very difficult to solve. But if you would follow up, we would appreciate that. Commissioners, are there any other questions or comments? Do you understand the Motion? The motion is that we agree that the city has extended services as provided in the service plan. Any other discussion?”

Commissioner Norton said, “I have a comment after we vote, if I could.”

Chairman Winters said, “Madam Clerk, call the vote.”

VOTE

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

Chairman Winters said, “Commissioner Norton.”

Commissioner Norton said, “Well, I just think it’s interesting that more and more we’re finding that service plans are okay. That we can describe that water has been delivered. We can describe that streets have been paved. We can describe many of those things. The one issue that we can’t described is all that happens with drainage around the county and that becomes a real tough issue to have to deal with.

A lot of times, it’s not described in, as we’ve heard today, in the service plans, so we really don’t vote on that but it does become pretty ominous for the homeowners, as development layers on top of development that changes what happens with drainage plans. And I don’t know how it fits into this, but at some point, that’s something countywide we’re going to have to continue to look at, as

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we see more and more drainage issues in different areas. Certainly, I've struggled with that on the south side for a lot of years but we're finding them in more and more locations around the county, where development stacked on development changes what happens with drainage, and that's not always taken care of in service plans and we didn't have to deal with that today. But it is something that is not going to go away and I think we're going to have to address in a workshop, maybe combined with the city, to come up with some understandings of how we're going to handle this because it is expensive. It is a taxpayer issue and we're going to have to figure it out, I think sooner than later. So, just a comment. Thank you, Mr. Chair."

Chairman Winters said, "All right, thank you very much and thank you for the staff from the City of Wichita. We appreciate your being here this morning. We might just wait a moment to re-shift some chairs here. All right, Madam Clerk, would you call the next item."

PRESENTATIONS

C. PRESENTATION OF THE COUNTY MANAGER'S 2005 RECOMMENDED BUDGETS.

POWERPOINT PRESENTATION

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "You've already heard this morning about the government finance officers award for the budget preparation and presentations. And we've acknowledged what a success that has been over the past several years. I would remind you that the process does begin in January and that department heads and those people that work for department heads spend a lot of times, during the spring, looking at their operations, trying to determine how we can do business better, examining processes that have gone well and what processes could be changed.

We've asked, in this year, that we do business differently. That we can no longer afford to do business the same and department heads and division directors did that through the spring, giving the information to the budget department, who then began processing that information.

Part of that process of information went to the CIP committee. We'll talk about the CIP process as part of the budget. I want to acknowledge that David Spears led that effort, chaired that committee. I say help, I'm not so sure that he's going to say help, from Chris Chronis and Bob Lamkey and Kathy Sexton and Ron Holt and John Schlegel. They also made up part of the committee, but those are the folks that spent time and energy above and beyond the call of duty, sorting through the

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projects and prioritizing those.

And then we did have the . . . I don't think we have a name for this, it's just a group that gets together to help define the budget. Again, assistant manager Kathy Sexton and Chief Financial Officer Chris Chronis. Of course we couldn't do it without Renfeng Ma. Troy Bruun was there also and Kristi Zukovich would come in at the end to watch the bloodshed or referee.

Your role, essentially, is to assure that basic and essential services are provided to this community. Each year, to approve a plan for allocating resources to do just that to citizens who deserve, who demand and desire services. Some of those citizens are the least attractive of our community. Counties role and responsibility in this local government scene are to do the hard, underbelly, unpleasant work of taking care of those that are disadvantaged, either by birth or by physical condition or by some mental illness or some other way that doesn't make them fully capable of participating in all the benefits of society. And so we spend a lot of time doing that and we do that, trying to figure out those services along with a whole lot of other services, understanding that the money we receive is not our money, but the taxpayers' monies that has been entrusted to us, that we are in fact stewards of those funds.

And so this is always an exciting time for me and it's an exciting time for the staff and I hope for you, because you are allocating their resources and trying to define how we are going to adjust our service delivery to meet their demands and desires.

Our mission continues to assure that quality public service provides for the present and future well being of citizens of Sedgwick County. One of our goals, and it's especially true this year, is to allocate and use resources for basic and essential services that are responsive to the changing needs of our community. The 2005 recommended budget, we have a strong financial standing and you'll hear, after this presentation, a report from our auditors about last year's financial condition. We know that the private sector, the financial markets tell the world Sedgwick County is debt-worthy. That we can lend money to Sedgwick County. The private sector has analyzed our finances and analyzed our systems and tells those people who are willing to lend us money that the risk is absolutely minimal. As a matter of fact, we have the second highest debt rating for municipalities around the country and we're very proud of that.

We are living within our means, just like families do, just like we've asked citizens to do, this organization is also doing it. We've started the process with a 4% reduction and what we have done is, over the last several years . . . 4% reduction of the budget. What we've done in the past several years is, because of the analysis of the Chief Financial Officer, because of what was going on in the economy, we found ourselves in an unenviable position that our expenditures were starting to outgrow our revenues. And that trend, we've stemmed that tide, we've turned that around and we

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continue to do that with this budget.

We've also asked for 4% reductions because we heard from you and citizens that there were shifting priorities in the community. And if we were going to address those shifting priorities and needs, then the revenues had to come from some place, just like a family. Putting a child through college, you decide not to buy the car for a couple of years and so we have done that kind of simplistic shuffling, reshuffling of the financial deck to meet those changing needs.

There's no tax increase proposed in the general fund this year. This is seven years in a row of doing that. We have a budget of \$319,000,000 and we will continue to deliver public services. You see that we do it in public safety and human services and health and community development and of course, the mother's milk of economic development, Public Works. David, do I get a cup of coffee?"

Commissioner Sciortino said, "I don't know where you go that from, but that's great."

Mr. Buchanan said, "That's David's. Culture and Recreation and Entertainment, Division of Information and Operations, Finance, Human Services and general government. But I want you to focus . . . our attention for this year, my recommendation is that we focus on four areas within the budget and those four areas are, as you can see: public safety, the criminal justice system, economic development, workforce development and quality of life.

The public safety system, in the 4% reduction, what we have done is restored the 11 EMS paramedics, five dispatchers, ten sheriff's positions. We had initially been presented a budget that would have cut out those 37 ½ positions and we have reshuffled the deck, and I'm going to say that term a couple of different times, because what we've done in the budget is asked some departments to take reductions so that other departments could have enhanced programs.

We've done this in public safety. We're restoring the Forensic Science Center position, the chemist and trace evidence and we are adding a position of Emergency Medical System Medical Director. This is the medical director that will be in charge of protocols for first responders in this community. The protocols, rather than having a medical director for the Sedgwick County Fire Department and the City of Wichita Fire Department or the EMS and the 9-1-1 and we had all those positions before, we're going to have one integrated office that's going to continue to help us implement the consultant's study about delivering first-responder service in a much more integrated

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and interwoven way than we've seen in the past. The system is not broken. The system is good, high quality. What we're going to do is assure that it continues to be and even improve services for our community.

In criminal justice we have . . . you have appointed a Criminal Justice Coordinating Council. That recommendation came from a consultant that we hired. The consultant made several recommendations to us. Some of the recommendations are the consultant's recommendation and some are coming out of the Criminal Justice Coordinating Council. I've added \$4,000,000 to the budget to implement some of these recommendations. We're adding 45 beds to the Adult Residential expansion. That will relieve the jail of about 160 folks, four times those beds turn over a year, so that would have some relief in the adult . . . by adding beds to the adult residential. Rather than go to jail, they'll be sent here.

Our Pre-trial Services program keeps people from entering the system, into the jail system. And remember, the purpose is to do everything that we can to reduce those numbers in the jail and, for sure, to contain the growth and if possible, to reduce the growth of people who chose to want to visit us. The Pre-trial Services program will add another 200 clients to our already 900 clients in that system and so this will allow judges to place people, 200 additional people in that program rather than send them to jail.

We want to hire a criminal justice and jail programmer to help us figure out these issues and to help us work through some of the other issues that are coming. We've asked the sheriff to look at double-bunking and how that may be implemented through the short or longer or permanent period. That will take additional money and we know that, so we've added some dollars, \$1,750,000 to help do that.

And then we've added about . . . not about, we've added \$500,000 for alternative jail programs. We don't know and at this point, I can't recommend what that program might be. We've talked about drug courts, we've talked about mental health courts, we've talked about a number of different programs that have been successful around the country that could be used to eliminate . . . to reduce the flow of citizens into our jail.

Community has been hit hard by economic downturns. There's nothing like a crisis to get people moving and thinking about issues and ways that we haven't in the past. When we were fat and sassy, when things were rocking and rolling, we didn't pay a lot of attention to economic development. We just allowed it to occur. It has struck a number of us that that is no longer acceptable. Economic development is going to occur. People are going to start businesses and people are going to move here and how you control that, whether or how you manipulate that system, whether or how you encourage that is really a community decision-making process. So we've been real proud to be part of the Greater Wichita Economic Development Coalition that is

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focused about adding value to this community. Adding value is sending goods and services out and bringing dollars in. That adds value, that adds wealth to the community and that's their focus. And we've pledged \$250,000 and we have budgeted that for this coming year.

I also recommend to you that we place \$1,150,000 for economic and workforce development. Economic development has been occurring. We are faced, on a pretty routine basis, with companies interested in coming here. We're often asked 'Do you have an incentive package, can you lend us some money, can you pay for training?' What we've done in the past is come to you and said, 'We think we can take this out of contingency' or 'If we defer these expenditures this year, we can pay for it out of this fund'. I'm suggesting that that's a haphazard way of doing things. I'm encouraged by the pace at which GWEDC is approaching this issue and I think it's prudent to put money aside for those kind of issues.

We also need to put money aside and think in the longer term. We need to think outside the box and we have an opportunity to attack a paradigm in this budget, with . . . about addressing some other economic development issues. For instance, should the community or should we somehow reserve land or have an industrial development park someplace or how would we partner with other cities to do that. And so I think that part of this fund can be used for that.

Certainly this fund can be used for the whole issue of workforce development and you are probably more aware than I of the interesting times we're in in workforce development. We have a technical college that is in the process of change. We have a governor's plan to integrate regions. We have KTTI, which is focused on delivering services to businesses on demand and they are kind of working together and they are kind of not and no one is in charge, but everybody is interested.

I've placed the money in this budget to try to address that and Ron Holt and I will bring back to you a proposal about how the role of Sedgwick County may be of assistance in coordinating and developing some cooperation in a much more formal basis than we've seen recently.

Quality of life, we've put \$900,000 in for the Kansas Coliseum operations. We have presented a proposal to the business community . . . it's not a proposal. We have presented a plan to the business community, to the City of Wichita, to you. That plan will be further developed and presented to the voters this fall. If the plan is successful, to develop and build a downtown arena, this \$900,000 that we've put aside will not be needed for the Kansas Coliseum. We will continue operations at the Coliseum. We will continue to bring in some revenues. We'll need some of the money, because we would do the renovations to the pavilions, so there will be some loss of revenue, but we won't need it all.

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If, for whatever reason, that vote is not successful, then our plan is December, the 1st of January to let bid, to put on the streets bids for the rehabilitations and rebuilding of the Brit Brown Arena and the other facilities at the Kansas Coliseum. That will cause a significant reduction in revenues, shut down your buildings, shut down the source of your revenue for a while, it's going to cost money. We intend to keep operations limping along. We intend to pay for some salaries, some key employee salaries and some operations that need to be subsidized and that's what that \$900,000 is for.

In quality of life, we had a very successful program of eliminating the van at the Health Department and taking that show on the road, if you will, to specific locations: city halls, senior citizens' buildings, wherever that might be. That takes some money and that takes some ability to do that and this program will expand our ability to take preventative health, some of your health care issues out into the community, where people will be reluctant to come to a central location.

Again, household hazardous remote program, we'll have sufficient funds, we believe, to do five remote locations, a test program, to take a vehicle, to take our employees out to neighborhoods or out to city hall or out someplace where citizens can bring their paint cans or can bring their household hazardous waste materials to us in a way, and then we will deliver them to the facility at Stillwell. We know that most of our customers at Stillwell come from 10 or 12 mile radius of that building. And that's a good place to be, because we're in the middle of most of the people that live in Sedgwick County, but there's lots of stuff that we could be receiving, that if we were a little more flexible in how we deliver services, we would be able to do that. And we're going to add a position in Code Enforcement, Wastewater Specialist position, begin to deal with those issues that are around lagoons and septic systems and community sewer systems.

Other recommendations in the budget include elimination of 14 positions. They will not be restored. Ten positions in the Sheriff's Department have been frozen. He believes he can do that, because of the way the education process works and the way the classes come to us and the way people resign, that we can do that without reducing service to the public.

And we provide for a new method of rewarding employees. We've discovered, and we are not alone in this discovery, that the old method of step increases that are automatic, that if you're a warm body and have survived a year you get a raise and that the COLA system that we have in place, Cost of Living plus step system, is no longer acceptable, no longer appropriate in how we pay employees. And so we have developed a new system. We've talked to you about it. We will be talking to employees about it. It's kind of a combination of both of those and we'll do that in this budget.

Pie chart, this is my favorite stuff, the 2005 resources are \$319,000,000 and you can see that 33%, the biggest is real estate ad valorem tax, 32% is fees. That's fees for ambulance, fees for health

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department, people that are paying at COMCARE for mental health treatment and others that we receive a significant amount of those revenues for those. Seven percent, again is sales tax and you can certainly . . . and the intergovernmental tax over here is 13% and you can read those for yourself.

Expenditures by department, clearly public safety is the highest expenditure, the highest priority. Human Services, much of that \$84,000,000 does come to us from federal or state grants and that is not local tax dollars, but significant money comes from the state. Financial management is high and it's not because we're rewarding the budget department for all their hard work, but mostly for debt service and you can see how the rest of the divisions fall in that.

And again, looking at it in terms of percentage of where the taxpayers' dollars are spent and finally I'll point to you that the pittance that the general government, that's where you and I's budget is and a couple of other people, so we're not a drain on the system.

The CIP budget, . . . So the 2005 budget for the general fund is \$319,618,474. The CIP budget for next year is about \$24,000,000. We're going to widen 63rd Street South, from Buckner to the county line. It's probably going to be two different projects, but it's essentially . . . it is two projects. We've combined them for this purpose. That's the length of that process. We're going to do infrastructure and upgrades in both the parks and both are attended very well and provide services to the public that we need to get on with. And finally, we're going to do some space planning again countywide. We did some space planning ten years or so that has been very helpful to us about how we would proceed with developing this courthouse. That's almost complete. That space planning helped establish some standards for furniture and wall coverings and paint and that has been very helpful for us.

We continue to have changing needs and I'll talk about some space planning as it affects the fire department, but we need to re-think what we're going to do with out-locations. We need to have a thoughtful process about do we own or lease or where those locations need to be, and so I've asked Kathy Sexton to lead that effort one more time and it's, I think, helpful and will produce . . . will be fruitful for us to do that.

CIP for 2005 and 2009 and I won't get into the details of that. It's in the budget book. By the way, you've been all delivered this budget book and this is available today. It's on-line this afternoon and see the budget folks, Renfeng Ma, if you need a copy.

Sedgwick County 2005 recommended budget is no mill increase, 28.8 mills, \$319,000,000 and I

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think it is a budget that is responsible to the changing needs of our community.

This is the first time that this has ever happened, so this is a new process for me. I've been doing budgets for a lot of years and tried to count them up and changed jobs, so some years I did two budgets, so this is . . . I can't remember, it's the 38th or 39th municipal budget I've done. In the book, we have a recommended budget and I'm going to show you what that is. In the last several weeks, two and a half weeks to be exact . . . Let me step back. In the beginning of June, we received a consultant's report about the Fire District and in the last several weeks we've had a chance to look at it again, had a chance to talk to you individually and collectively about the Fire District and have changed the recommendation and so let me explain to you what's in the book and what the recommendation might be.

In the book, there's no mill increase and a budget of almost \$12,000,000. What we've done is restore, we think there's a way in which to do this currently in this current year is to restore seven firefighter positions. They were in the process, we talked about eliminating those. I think there's . . . there is a way to restore those. It provides flex staffing. This allows us to have firefighters who can fill in for vacation and sick time and to assure that there's a level of service that's appropriate for the community. It follows the purchasing of a squad truck and a tender, both of which are in the plan for replacement for the Fire District. And the implementation of the fire study recommendation of \$400,000.

I thought we could put some money into that and begin that process of recommending a slow and deliberate implementation. It has been my style and it has been our cautious, Kansas conservatism, that has allowed us to take some baby-steps in improving . . . and I don't mean to be particular, but very deliberate steps in improving systems without radical change. I'm suggesting that there may be an opportunity to do a little faster pace, a little more aggressive approach to the fire system and I'll show you why I've come to that conclusion.

The alternate Fire District budget is to do the same four things I've suggested, restore the firefighters, provides the flex staffing, purchase certainly that squad and tender, and then implement the fire study recommendations by relocating and re-equipping five stations. I'll tell you why that is.

You will see that this is the service area and this is where the stations are currently located. You will see that: station 32 is surrounded by the city, 37 is clearly in the city, 38 is about adjacent to the City of Wichita, 36 is almost touching the City of Derby, and Colwich, our favorite station, which is in the middle of an area that people don't pay fire district taxes but certainly reap the benefits by its location.

In reviewing the consultant's report, it seemed to me that if we are going to deliver service and if

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we are going to provide quality service to citizens who are paying the bill, then we might as well get on with the task of relocating the stations: 37 would go up that way some place, 32 probably needs to go up in here some place . . . I'll get to that later. This station needs to be moved probably closer to Maize, in that direction, 36/ Derby needs to move further up into that area. And 38, we are entering into an agreement, or hope to enter into an agreement soon, to co-locate firefighters with the City of Wichita in that station and that would be the last station . . . and that's going to be an experiment for about a year.

That's the last station that we would address but the consultant suggests that we move that station down in here someplace and then contract with the City of Wichita and we can begin talking about that. This fashion . . . and by implementing this plan in a much more aggressive and assertive way, really does put the stations where they're needed and provides service to citizens in a better way than we are currently.

The consultant has suggested that we think about not purchasing land but leasing land or enter into a development agreement with folks, because we need to continue to be flexible about where these stations are. These stations, some of them are not that old, some of them are quite old and serve the community well, but the community has outgrown their usefulness. And so if we have a fixed operation, we certainly need to have a fixed operation, but we must design it and think it through in a way that's flexible for when the community decides to grow further and expand further, how do we pick up and move and continue to provide Fire District and let those communities that annex fire district property provide that fire service rather than the citizens that are paying for fire service.

So to do that, fire station relocation would cost about three and a half million dollars, new equipment would be one and a half million dollars and to do all those programs, beginning next year, would cost 1.87 mill increase. We would bond that debt and we would pay that off and we are still discussing the length of time but certainly 15 years or less and we can provide that service and move on with the development of fire service in a different way in this community and that's my new recommendation. That's my story and I'm sticking to it today.

Next steps, the 2005 recommended budget is on the website, will be on this afternoon. Again, we will continue having an on-line public hearing. You want to comment about it. You want to comment about the downtown arena proposal. You want to send a suggestion, go to www.sedgwickcounty.org We're going to have three public hearings. The next one will be next week, is July 27th, 7:00 in the evening, here. This is unique for us. We're taking an opportunity to make sure that citizens that normally would be busy of Wednesday morning, either at work or home

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or at play, will have an opportunity to come in the evening to present their ideas to us. That will be the last 'up' day. That's when you will be asked to pass resolutions about the maximum taxes that you would consider. That doesn't mean that you can't lower the tax rate. All that means is that after the 27th it can not be any higher than the number that you set.

Wednesday, the 4th, will be another public hearing and then the day we will adopt the budget and the last public hearing is August 11th, right here at 9 a.m. So, that's my presentation, Mr. Chairman and Commissioners. That's the 2005 recommended budget and I'd be happy to answer any questions."

Chairman Winters said, "All right, thank you very much, Bill. Commissioners, I'm sure if we don't have questions now, that sometime over the next few weeks we'll have several questions and we've have several opportunities . . ."

Commissioner Sciortino said, "I'm sure we will. I just want a couple of more minutes to read this whole book and I'll be ready for my questions."

Chairman Winters said, "All right. Commissioners, are there any questions or comments that we'd like to address now?"

Commissioner Sciortino said, "I just have . . . yeah, I have just a brief one."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Bill, just to kind of again, in Kansas kitchen English, the budget that you're presenting to us is balanced. You've got the expenses in line with the money we have to spend and it doesn't have any property tax increase recommended in the County's operating budget. The Fire District had that 1.8 mill, but the biggie is without, right now, any recommended property tax increase. Is that correct?"

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

Commissioner Sciortino said, "Thank you."

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

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Commissioner Norton said, “When we talk mill levy increase, that’s certainly different than the taxpayers bill increase and I want to be sure that we continue to talk about that. That just because you don’t raise the mill levy, because of appraisal values and increased evaluation, the taxpayers’ bill could be a little higher and we could generate a little more revenue out of the same mill levy. I think the public always wonders about that and I want to be sure that it’s on record that even though we have not raised the mill levy, if your property evaluations went up, your tax bill may be a little bit larger and certainly it’s not just the County’s budget that is affected that way, but municipal budgets, fire district budgets, school district budgets, any budget that has an application to a property tax, even though you keep the mill levy the same, the tax bill could go up. Just want to be sure that’s in public . . .”

Commissioner Sciortino said, “And in theory, their assets have risen too.”

Commissioner Norton said, “Absolutely. I think the one thing I’d like to talk about, particularly since you’ve kind of shifted gears on the fire district, is that is it time to really get serious about talking about functional consolidation. I know we continue to talk about that. We’ve got the Chief’s talking about it. But if we’re going to take some radical changes now, maybe that debate needs to ramp up too, that it’s not just about budgeting and moving a few of our fire stations. Maybe it’s taking a more holistic look at our whole community and engaging our dialogue and moving it a little faster. And maybe I don’t have any other commissioners that are ready to talk about that, but I certainly am.”

Mr. Buchanan said, “Commissioner, if I may address that issue, we have examined that in this proposal and don’t believe they are mutually exclusive. Currently, the fire stations that we showed on the map are in areas that are providing service . . . now they are, in some cases, totally surrounded by the City of Wichita or other . . . City of Wichita and others. In those cases, those cities have taken on the responsibility of providing fire service and are willing to do that. We’re collecting money from folks outside, collecting tax dollars from people who reside within the fire district and we need to figure out how to place those locations, with how to place those fire stations at locations that serve more of the public. So I don’t believe this proposal, in any way, hinders or puts an impediment on the consolidation talks.”

Chairman Winters said, “Okay. Anything else, Commissioner? Thank you. Commissioner Unruh.”

Commissioner Unruh said, “Thank you. Well, I would second the concept of functional consolidation. And I know that our work with the City of Wichita and Station 38 is kind of a test ground to see how that would work out. So it would appear to me that our first effort would be to

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make sure that those talks proceed and that we work out some sort of an agreement to see how consolidation will work on that very appropriate location. And if it works well, we can move on from there. But I'm also appreciative of the fact that this plan is not in any way in opposition to a consolidation effort in our fire safety delivery. That's all I have."

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

Commissioner Sciortino said, "Okay. Well, I think the key word that both of my colleagues have used is functional consolidation, which means combining services, like maybe a combined maintenance department or combined . . . it doesn't mean one fire department. My only . . . I'm lucky, in a way, because I'm sixty-three and I think a man's lifetime is maybe 74, 75 and I don't think I'll see it during my lifespan. We haven't had very good experience in trying to do this. I think, five or six years ago we made a real honest attempt and it just went by the wayside. A couple of years ago, we tried something else and that got broken down and I don't know, other than the conversation about this one station having a joint use, of any other discussions of other functional forms that we could combine, unless we're talking about just making it just one fire service. That's not functional. That's just a consolidation and making it one . . . but I think you were talking about functional consolidation, as opposed to one fire department. Is that correct?"

Chairman Winters said, "Commissioner Norton has a . . . Well, go ahead Commissioner Unruh."

Commissioner Unruh said, "Well, if you want me to respond, I just think that the first thing that we ought to do is make sure Station 38 has a good chance to see how it works with a cooperative arrangement with the City of Wichita. It's an appropriate location to try that, because of its location, its proximity to the City. I wouldn't rule out any potential for consolidation at this point and I think that what we need to do is continue to be sensitive to our citizens' desire for consolidation, wherever we can do it and create efficiencies, and whenever we have an opportunity, whether it's a unified fire system or whether it's more just a cooperative fire arrangement, whatever, as we move along and continue to test the waters, what's appropriate, we ought to be ready to react to it. So I don't want to shut any doors."

Commissioner Sciortino said, "No, and neither do I and I think we've had plans sitting on the city's desk for about six or seven years that we have come up with plans for that, but we'll see

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where it goes.”

Commissioner Unruh said, “Well, this could be the first step.”

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

Commissioner Norton said, “Well, I guess I’m very concerned, and I’ve said this many times since I’ve been a commissioner, the change is going to take advantage of us instead of us taking advantage of change. The fire district is going to change, as small cities grow and as Wichita pushes its boundaries. And we need to address this now and be ahead of the curve, instead of letting it overtake us. And whether we call it functional consolidation or just unification and real consolidation, I think we need to move forward and not let it happen to us by serendipity but happen to us because we have a good plan.

I’m a little concerned, if you look at a 1.87 mill increase, that Station 34 that serves Haysville, which is right in the middle of my district, will be paying 1.87 more to help move stations that are not placed strategically in other parts of the county, yet will give them no more service for more money. And I think, as we look at that, there’s going to be stretches and demands on other communities that don’t garner any new help out of this, but yet help pay the bill to move some stations and create the new fire district and I think we need to take that into consideration and be sure we have the more global implications of what we’re doing and consolidation, because maybe we’re at that defining moment and to stick our heads in the sand and not say ‘We’ve got to make that tough decision’ is not going to be good. That’s all I’ve got.”

Chairman Winters said, “All right, thank you. I would like to remind the public that we are going to take public comment on our budget three times. Next week, on Tuesday evening, we’re having our Regular County Commissioner meeting at 7:00 in the evening. If anyone would like to comment on the budget, they’re free and encouraged to attend that meeting. We also have a place on the website set up that if you’d like to share comments that will reach the Board of County Commissioners, you can certainly do that.”

MOTION

Chairman Winters moved to Receive and file.

Commissioner Unruh 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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Mr. Buchanan said, "Thank you very much."

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

D. PRESENTATION OF 2003 COMPREHENSIVE ANNUAL FINANCIAL REPORT.

POWERPOINT PRESENTATION

Mr. Chronis said, "We've just heard the Manager talk about what the proposal is for 2005 and, earlier this meeting, we talked about the award that the budget staff received for the 2004 budget. We're going to regress now and talk about the results of 2003."

I occasionally hear comments from people in the community asking about items that they consider to be questionable in county expenditures or in county activities and the gist of the question is 'Well, why doesn't the county ever have an audit to investigate these things?' Well, in fact the county does have an audit done each and every year and that's what we are going to present to you today.

I'm going to begin by talking about the results of the 2003 fiscal year and then Mark Dick, who is the County's external auditor with Allen, Gibbs and Houlik, is going to talk about the results of the audit that his staff and his firm performed on these financial statements that I'm going to present to you.

The work in preparing our financial statements was led this year by our accounting director, Shawn Henning, whom you know and she was assisted very ably by our Deputy Chief Financial Officer

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Troy Bruun and by the staff of the Accounting Division. This is the first year that Sedgwick County has completely prepared the financial statements internally. That is, this is the first year that we have not relied on the auditors to assist us in the preparation of statements in some manner and that's a very noteworthy accomplishment, I think. It indicates the level of competence that we now have in the finance division since we've acquired Shawn and Troy and it indicates that we are able to give you good, accurate information without outside assistance.

Let's begin by talking about these statements. We are preparing financial statements now using what is referred to as the new reporting model. Two years ago, the 'accounting gods', the people at what is called the Governmental Accounting Standards Board promulgated some new rules for governmental accounting, which in short require us now to prepare financial statements in two different ways. One way is the traditional manner that you are used to seeing for governmental accounting. It focuses on current activities and it focuses on individual funds in the county's financial system.

But the new reporting model also requires us to report entity-wide financial statements. That is, to consolidate all of our financial information and present it in a manner that is more businesslike in presentation. The intent is to allow for better comparison among governments and also to allow for the depiction of government financial information in a more businesslike manner. And last year was the first year in which we had to prepare statements in this way. This will be the second year that you will see statements of this type.

One of the things that I'm very proud of this year that Mark Dick will tell you when he comes up is that this year the auditors required no audit adjustments to our financial statements. I've been doing this for a couple of decades now and I have to tell you that this is the first audit that I have ever been involved in that had no accounting, no audit adjustments required by the auditors. That's truly a tribute to the work of Shawn and Troy and the Accounting staff.

The new reporting model requires us, among other things, to present the total net assets of the County. The green bar at the bottom of this chart shows the capital assets, net of debt. That is new to these statements. That is something that was not presented on the balance sheet of the county, using the traditional reporting model. You can see on this chart that our capital assets declined slightly from 2002 to 2003, although I guess it is not indicated on this bar. The numbers are \$327,000,000 of net assets for 2002, down to 323 and a half million dollars for 2003. Most of our assets are restricted in some manner. That is, they aren't available for general operations. About half of our assets are capital. That's the green at the bottom that we've already talked about. The

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blue on the bars represent the restricted net assets. These are assets that have some nature of restriction. They can only be used for particular purposes. And you see those purposes in the pie chart off to the right. The restricted net assets, which in 2003 totaled just under \$97,000,000. Our restricted, for debt service, for capital improvements, a little bit for fire protection, and for other purposes which primarily means grant-funded programs, where we've received grant revenue that can only be used for the purpose of the grant.

Finally, \$53,000,000 of our net assets are unrestricted. Those are the assets that are legally available to meet ongoing obligations of the government. The revenues of our governmental activities in 2003 totaled just under \$246,000,000 and you can see on this pie the composition of those revenues. The largest share, the gray wedge, came from property taxes. That's just under 34%, about \$108,000,000 of revenue came from property taxes. Our next largest source of revenue is the green wedge, charges for services, which comprise a little over one-quarter of all of our revenue, or about \$66,000,000. We receive charges for services from ambulance fees, from any . . . from park fees, from anything where the county is providing a service and the recipient pays for that service. And you can see the other revenues that we received in lesser amounts. The components of our revenues for 2003 are essentially the same in size as those same wedges in 2002. There was very little shift among revenues as a share of the pie.

Now, one of the things that the new reporting model requires us to do, in the presentation of financial statements in a more businesslike manner, is show the program revenues of the various activities of government in relation to the program expenditures for those activities. You can see here, the dark blue bars represent the expenses of our various governmental functions, which are listed across the bottom of the chart, and the light blue bars represent the revenues of those functions. You can see that no governmental function is fully self-supporting. We often hear people say that government should operate like a business, but in fact government can't operate like a business, in a true financial sense. We don't generate revenues from any of operations in a sufficient amount to pay for those operations. You can see that the largest source of expenditure for 2003 was in public safety. You would expect to see that, I think. The second largest source of expenditure was health and welfare. Perhaps surprisingly to many people, the largest source of revenue that we received in 2003 was in health and welfare. This is where we receive all of the bills for service for our mental health programs, our public health programs.

Turning now to capital assets, in 2003 our total capital assets were just under \$325,000,000. This is

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something that, as I said earlier, was not presented on financial statements before two years ago. The largest source of our capital assets is infrastructure, roads and bridges and drainage improvements. That's the dark gray on the left side of this chart. It's essentially almost half of our capital assets take the form of infrastructure. Buildings and improvements, on the right side, the blue constitute \$124,000,000 of our assets.

Now we're turning to the depiction of financial information in the more traditional manner. This chart is showing our, what we call general governmental revenues by source. General governmental means those funds that provide the traditional governmental services. It's our general fund, our special revenue funds, our capital funds and our debt service fund. And you can see that for that segment of our financial system, property taxes, the green at the bottom represents the largest share of revenues and it has represented the largest share of revenues for each of the last five years. And because we're now in the traditional reporting model, we do have trend information that we can present. That was not possible with the entity-wide statements that I was just presenting.

Property taxes are the largest source of revenue. The second-largest source is the darker gray bar, at the top, which is charges for services. We've already discussed those and you can see, looking from year to year, how those revenue sources have changed."

Commissioner Unruh said, "Chris, may I interrupt you just for a minute?"

Mr. Chronis said, "Sure."

Commissioner Unruh said, "This revenue showed \$250,000,000 and a few slides back, you showed us revenues of \$245,000,000."

Mr. Chronis said, "And it's because we're looking at the financial information in a different way, and we're looking at different sets of the financial records to constitute those records. It's the difference between the traditional reporting model and the new reporting model."

Mr. Unruh said, "Well, we didn't get \$5,000,000 more dollars."

Mr. Chronis said, "No. No, that \$5,000,000 more dollars is not included in this chart, because it's in statements that are not considered general governmental funds."

Commissioner Unruh said, "Okay, all right, thank you."

Mr. Chronis said, "Turning now to expenditures for that same set of general governmental funds,

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you can see that in 2003 our total expenditures were a little over \$277,000,000. That represents a slight increase from 2002 and again you can see the components of expenditure by function. The largest share of our expenditures again was public safety, which is the blue bars here and you can see that public safety expenditures grew from 2002 to 2003. We also had increasing expenditures in the area of health and welfare, which is the gray bar on this chart. We had reduced expenditures from 2002 to 2003 in debt service and the reason for that reduction has to do with a refunding of county debt that took place in 2002. That refunding caused us to pay off a lot of old debt, which caused our debt service expenditures in 2002 to be extraordinarily high.

Now, when you combine revenues and expenditures, you have a major gap. You saw \$250,000,000 I believe it was of revenue, \$277,000,000 of expenditure. You would expect to see a major reduction in fund balance because of what appears to be an operating deficit, but in fact, that is not the case. Our fund balance increased from 2002 to 2003. The reason for the gap between revenues and expenditures has to do with debt-funded programs. The expenditures that are supported by bond proceeds are counted as expenditures on the chart that I just showed you. The funding that we receive from bond sales that supports those expenditures is not considered a revenue and so it's not reported on that first chart that I showed you showing general governmental revenues.

But when you throw bond proceeds into the mix, you find that we did increase our total fund balance from just under \$109,000,000 to just under \$118,000,000 from 2002 to 2003. On this chart, you can see the components of that fund balance. The different colors represents different types of accounting activity or governmental activity. The brown at the very bottom represents the county's general fund, which is the one that is most critical to our ongoing operations and from 2002 to 2003, our fund balance in the general fund declined by about a million dollars and that was in line with our financial plan forecasts.

That concludes the presentation that I want to make. I'll be glad to answer any questions that you might have about this now. Or if you would like, I could have Mark Dick come up and talk to you about the results of the audit that his firm conducted."

Chairman Winters said, "All right, I don't see any questions now, Chris."

Mr. Mark Dick, Outside Auditor, Allen, Gibbs & Houlik L.C., greeted the Commissioners and said, "Thank you, Chris. I think, as you're all well aware, events over the last couple of years in the

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financial world has really increased the importance of the communication of the external auditor directly to the governing body about matters that we have discovered during the audit. And for that reason, I am extremely pleased that you chose to have us here this morning to present to you, in a public meeting, the results of our audit and we'll kind of step through that.

The first thing I want to emphasize to you is the purpose of the audit and kind of do that in simple, Kansas kitchen-table language, Ben. I think our purpose is to, as you record transactions and spend money, of county and public funds, our purpose is to, number one, make certain that that transaction was properly reflected in the books and records of the county and in the proper accounts and budget accounts.

Number two, to make sure that someone with authority authorized the transaction. It's within the budget constraints and within the purchasing practices of the county. And then, last but not least, is to make certain that those transactions comply with all the federal, state and local regulations that may or may not relate to it. So that's kind of the general purpose of that.

Now I think it's very, very important to understand that, in doing that, we are giving you, the governing body the assurance that the financial data that Chris and his staff provide to you are fairly recorded, they're fairly authorized, they're properly authorized and they comply with the law. Where our job is not to challenge the priority of the expenditures. That's your job as a governing body.

So, what we're doing and I think Bill did a great job, spent a few minutes, going through budget priorities, our job is to make sure that the information that the staff gives you, as you compare the actual results to the budgeted results, are properly recorded. And I'm here to report to you that yes indeed, they do.

There are three simple questions. Number one, are the statements fairly stated? Yes, they are. The second question, do you have good, internal controls over the finances of the county and, more importantly, do those controls function. The answer to that question is yes. And last but not least, did these transactions comply with all the significant finance-related rules of the federal, state and local government? The answer to that question is yes also. So, as far as a report card and an audit this year, Chris and his staff get an A, no question about that.

Now, in addition to that, because of all the things going on in the financial world, it's very important that we communicate to you and your constituents very specific things about that audit process and I'm going to take about three minutes and run through that.

Number one is first, what is our responsibility. Our responsibility is to test your financial records to

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make certain they are fairly stated. Economically, it is not feasible for us to examine each and every transaction of the County. That would not work at all, so we designed tests and based upon our tests, we have concluded that the statements are fairly stated, so there's no real issues there.

The next thing to consider, accounting is not a science, it's an art and believe it or not, in a lot of those accounting, financial statements, some of the amounts result from estimates, rather than actual . . . like the actual amount of cash in the bank, that's easy to determine, but to determine what you're going to collect in taxes next year on a tax receivable, requires an estimate because some people don't pay their taxes.

In doing our audit, we look at those estimates, we look at the assumptions management makes and our conclusion is those estimates are reasonable, the methods that your finance division uses to determine those, again, make sense and are reasonable and the amounts are all right.

Third, and Chris mentioned this and it's very important, we did not have any audit adjustments this year. And I'm pleased to report, I've served the County for many, many years, this is the first year that we did not have to suggest adjustments to the financial statements to make them fairly stated. And that doesn't imply that in prior years there was any improprieties, that just means things weren't quite properly reported, and we got them in sync. This year, we had none of that, so your staff is to be very much commended for that.

The next thing to think about is accounting policies. As you're well aware, governments are tight on money right now and a great example of this is the State of Kansas and as I think you're quite aware, the state changed the collection date of property taxes this year. And that's known, kind of, as a change in accounting principle, because they didn't change any of the substance of the transaction. They speeded up the collection date, so that on the books and records at the end of their year, it looks as if they've got more money. And we look at those types of treatments to make sure your statements are consistent from one year to the next. I'm very pleased to report that the accounting policies followed by the county are consistent. There were no accounting gimmicks used at all to manipulate any numbers and they're comparable from one year to the next.

Second to the last, we need to report to you if we notice any significant or very unusual transactions that there's no established accounting procedures for. Again, we noted none of those types of transactions during the year. So, that worked out very well.

Last, we had no disagreements with management, as far as accounting procedures. We had access to all the books and records, anything we requested was provided to us and we did not encounter any real difficulties in performing the audit. Again, I want to echo what Mr. Chronis has said, Troy Bruun and Shawn Henning did a remarkable job this year. They spent many, many hours putting

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the financial statements together and that is a benefit to the County, because it did result in a significant reduction of audit fees. And believe it or not, we're happy to report that too, because that's good for us also. So, with that I'll respond to any questions you might have."

Chairman Winters said, "All right, Commissioners? Commissioner Sciortino."

Commissioner Sciortino said, "Could you just tell us again, in the Kansas kitchen English statement to the public, the county is financially sound, from what you've been able to look at?"

Mr. Dick said, "That's correct. The financial statements that Mr. Chronis has provided to you are fairly stated. They reflect the financial position, the operations of the county and that's within the scope of our audit. As a finance person, in looking at the county's finances, I would agree that you are in a very strong financial position and it's fortunate that you are, because of the current economic condition that we're experiencing here, and it's a challenge in the budget."

Commissioner Sciortino said, "And in your opinion, we aced this audit?"

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

Commissioner Sciortino said, "Thank you."

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

Commissioner Norton said, "Well, I think it's interesting and maybe Chris would want to comment on this, or Mark, either one. As these accounting principles have changed for government, it really is moving us towards being able to benchmark our numbers against other entities. In the past, you can say we have a strong financial position, but that's only within the confines of looking at us and saying it's good. The new accounting principles are going to be able to apply a system that will let us look at other government entities and go 'Wow, their infrastructure is at a certain place and ours is at a better place, our financial status is much better than theirs' on an equal government level and we've never had that and I thought maybe you could comment on that because some of those new pie charts are starting to talk about some of that new information that is going to be benchmarked against other government entities. Is that correct?"

Mr. Dick said, "That is correct. The change that occurred two year's ago was the biggest change in accounting for government in the last 100 years and prior to that, governments measured their financial activities strictly in budgetary terms and there's nothing wrong with budgets, but what you need to understand is the method of budgeting for Sedgwick County is totally different than a county in the State of Missouri, because they have different state laws. So they weren't

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comparable. With the new reporting mechanism, everybody that adheres to those principles will report apples to apples and now we'll begin to compare information.

In fact, there's another change that will be implemented in the next year or two that, in your financial report there is a statistical section in the back. That is currently under revision and when it's done, you're going to be able to measure your cost, as an example of public safety per capita, to the cost of public safety per capita of similar government counties and right on down the line. So there's going to be a lot of very . . . a lot of good, useful information, as we go forward."

Commissioner Norton said, "Well, not that we would be competitive with other governments, but certainly benchmarking against other governments would help make us better. Because when you perform in a vacuum and the numbers don't match up, you tend to say, 'We're doing a really good job' because we did better than last year but we could still be way off the mark based on what other governments have done, per capita, in their governments. So I think it's a nice movement and I'm glad to see that Chris is starting to include some of that new information so we can become educated and hopefully, in years to come, will start getting benchmark numbers that show a national average or a regional average or some maybe benchmarks from other governments that will compare us. Just a comment."

Chairman Winters said, "Right, thank you. Commissioner Unruh."

Commissioner Unruh said, "Thank you. Well, Mark, appreciate that you've given a stamp of approval to our process here. I'm not sure that I take a whole lot of comfort in your characterization of this being an art, but I guess if we've got the best artists, well then that works out all right.

The real point I want to make here really is to Shawn and to Troy and the great work that they've done in helping us through this process. But it's really comforting and encouraging, as a public official, to know that our Finance Department is ship shape and that we can go out and meet our constituency saying that we've got a good program, things are run properly and that we don't have to worry about getting involved in some of these nasty headlines that sometimes occur.

So the whole department that Chris runs and the people that he's got working, and your help kind of as a watchdog I think gives me, as an elected official, a great deal of confidence and I'm appreciative of it."

Mr. Dick said, "Thank you. We're glad to be of service."

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

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Commissioner Sciortino said, "I just have one other closing comment and I just want the public to know, this good audit didn't just occur by itself. We've got a county manager that works tirelessly. We've got a chief financial officer that works directly for the county manager and has got staff that have been working 10-15 years in the past to insure the fact that we're where we're at now, which gives us the ability to manage through tough times. In other words, what I'm hearing is that Sedgwick County has run Sedgwick County as if it was in tough times during the boom times, so that we could be prepared for a real tough time when it occurred.

I've heard for a long time, 'You can't run government like a business' but that's what a successful business does and our staff is to be complimented and Mr. Buchanan, you chiefly have to be completed for the hard work. Thank you."

Chairman Winters said, "All right, thank you very much. Mark, thanks. Chris, I have one quick question for you. On this chart that's on the board, maybe you mentioned, but can you talk to me about that debt proceeds amount and the increase from 2002 to 2003 in that and what that is?"

Mr. Chronis said, "What we're measuring on this chart are the fund balances as of December the 31st, 2003. In early December of 2003, we sold debt to finance the improvements to the Juvenile Detention Facility. And most of those bond proceeds were still in the bank at December 31st, and so that's what you're seeing there. That's a project that's in process right now."

Chairman Winters said, "And those proceeds then will be spent on that budget."

Mr. Chronis said, "That's right."

Chairman Winters said, "All right. Well, I think that's all of the questions. Chris, thanks to you and your staff for putting this together and thanks for the results that we got from our auditors, Allen, Gibbs & Houlik. Commissioners, is there a motion to receive and file this report?"

MOTION

Commissioner Norton moved to Receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, “Before we call the next item, let’s take a few moments to discuss scheduling today. We’ve got a lot of stuff on the agenda. We need to have an executive session. I have a REAP economic development committee meeting that starts at 12:00 and I would normally miss it, but folks from WSU are going to be there to talk about bio-science and how we can get into this initiative. Plus, this committee is the chief elected officials board for workforce investment, so there is real business to take.

I would share with you that we are going to change the meeting date I believe from Wednesday, so shouldn’t have this problem again. But if it would work, I’d like to suggest that when we get near 12:00, that we take a break until 1:15 or 1:30, like a lunch break. Is that going to work with . . .?”

Mr. Buchanan said, “We’ll make it work.”

Commissioner Norton said, “The only suggestion I’d have is if there are citizens here that are going to be here for a certain item, maybe we move that item and get it done right now, so that we’re only imposing to staff later on.”

Chairman Winters said, “Okay, well I think . . . we’ll see if we can do that.”

Commissioner Norton said, “Let’s see if we know what those are.”

Chairman Winters said, “I know there are citizens here for these zoning cases, so let’s just get through these zoning cases and then we’ll see if there’s any that we need to move around. All right, Madam Clerk, call the next item.”

PLANNING DEPARTMENT

E. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER VAC2004-00006 – REQUEST TO VACATE STREET RIGHT-OF-WAY AND PLATTED FRONT SETBACKS, GENERALLY**

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LOCATED NORTH OF 9TH STREET NORTH AND APPROXIMATELY ½ MILE EAST OF 143RD STREET EAST.

POWERPOINT PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “This first case that I’ll be presenting to you is a fairly simple vacation item. The applicant wishes to vacate this small eyebrow of right-of-way adjacent to 9th for purposes of consolidating. The three lots that you see as part of that . . . that are served by that eyebrow of right-of-way. And their purpose in doing that is simply to consolidate those lots into one.

In vacating that right-of-way, they would also like to vacate the platted setbacks that are part of the original plat for this subdivision, which run parallel to the edges of that eyebrow, and in doing that, also what would happen is that eyebrow right-of-way would revert back to the three lots. The middle lot would then not have any direct access onto 9th Street, so what we’ve required is that they file a restrictive covenant, which would have the effect of combining those three lots into one.

This item was heard by the MAPC and it’s been unanimously approved by the MAPC. There was no one at that particular meeting to protest or provide any type of comment on this vacation. And the MAPC is recommending approval of this vacation request.”

Chairman Winters said, “All right. Commissioners, are there questions or comments? Seeing none, is there anyone here in the audience that wants to address the commissioners on this? We are not required to have a public hearing on these matters, but it is our custom to listen to citizens. Is there anyone here that would like to discuss item E-1 with us, this vacation case? All right, seeing no one, Commissioners, what’s the will of the Board?”

MOTION

Commissioner Unruh moved to follow the recommendation of the Metropolitan Area Planning Commission (MAPC) and approve the Vacation Order; 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

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

Chairman Winters said, “Next item.”

- 2. CASE NUMBER CON2004-00018 – CONDITIONAL USE FOR A CEMETERY ON PROPERTY ZONED “SF-20” SINGLE-FAMILY RESIDENTIAL, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 31ST STREET SOUTH AND WEBB ROAD. DISTRICT #5**

POWERPOINT PRESENTATION

Mr. Schlegel said, “For this item, the applicant is proposing to develop a cemetery on land that he owns at this particular intersection, adjacent to their existing funeral home. The applicant owns a total of nine and a quarter acres at this intersection, which includes six and a half acres, shown in red on the graphic before you, which is a Limited Commercial zoning district and the cemetery that they’re proposing, in conjunction with their funeral home, is a permitted use under Limited Commercial zoning.

However, the remaining two and three-quarters acres of land that they own is currently zoned ‘SF-20’ and requires that if they’re to expand the cemetery onto that part of their property, they require this Conditional Use be approved by this board.

You can see the application area on the aerial photo in front of you now and the surrounding land uses. There is a mixture of residential and agricultural uses on the surrounding land. This item was heard by the MAPC at its June 10th meeting and the MAPC voted unanimously to approve this request at that time, with the conditions which are part of your backup report.

There were a number of neighboring property owners that appeared at that hearing to register their protests. Their concerns center on their perceived incompatibility of a cemetery with their use of their property, the potential that they perceive for groundwater contamination and their concerns regarding the impact that the cemetery might have on their property values. And you do have protest petitions representing almost 48% of the notification area, so that will be a consideration as you vote on this item.

Now, I’ll be glad to take any questions that you might have on this. The neighbors have hired a representative to speak on their behalf and I believe that representative would like to address the board.”

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Chairman Winters said, "John, you don't happen to have the map that shows where the protest petitions came from, do you?"

Mr. Schlegel said, "Yes, I do. Woops, spoke too soon, no I don't."

Commissioner Sciortino said, "Well, go back . . . go forward or backward, I don't know . . . now, can you just point to . . . and show us? Is there a way to show us?"

Mr. Schlegel said, "I don't recall specifically which of those properties. I do know that the gentleman directly to the east, across Webb, was one of them. Directly to the south was another."

Chairman Winters said, "Well, let's just leave that map up there on the screen."

Commissioner Unruh said, "I would like to see that map . . . you showed a drawing, it looked like a proposed development that you went by real fast. What does it look like?"

Mr. Schlegel said, "This is the proposed site plan that was submitted as part of this application. And you can see the existing funeral home near the intersection and the way that they're proposing to lay out the cemetery plots."

Commissioner Sciortino said, "And what portion of that plan . . . I mean, do we just sort of make that mental 'L' that you showed us before and that shows how much of it wouldn't be able to be developed if this got turned down?"

Mr. Schlegel said, "The portion that's part of the application would be approximately along that line along the south and then a narrow band along the western edge."

Commissioner Sciortino said, "So that would eliminate a lot of the berming or whatever he's doing to kind of shield it. Okay."

Mr. Schlegel said, "You know, as I said, he would still be able to do a cemetery on the Limited Commercial portion of his property, but he's wanting to utilize the full extent of his property for this cemetery."

Commissioner Unruh said, "In this plan, it just shows the one entrance. Does it require more than that? I mean, will there not be enough traffic with funeral processions and all, that there ought to be another entrance or is that a requirement?"

Mr. Schlegel said, "No, I think the one access point was deemed sufficient for this particular use. I think there will still be some funeral processions with this business, but I think his intent is that a lot

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of the funeral processions would not take place because people utilize these cemetery plots.”

Commissioner Unruh said, “Well, I guess the question . . . if someone had a funeral at a church somewhere and they’ve got 100 cars coming in and out is my question.”

Commissioner Sciortino said, “Well, the question is, is he going to use that only for people who have funerals in his mortuary or open it up to anybody? That’s a question maybe of the applicant.”

Chairman Winters said, “Okay, any other questions, Commissioner? Are there any other questions for John at this time? All right, we will take public comment and if there’s anyone here representing the applicant or if the applicant would like to say anything, it’s not necessary but we would be glad to hear from the applicant and then we’ll hear from any others that are here. Yes, sir. If you would please come forward, give your name and address for the record and try to limit remarks to five minutes.”

Mr. Doug Watson, Owner/ applicant, Family Centered Services, 3201 S. Webb Road, Wichita, greeted the Commissioners and said, “I’ve lived and worked in Wichita as a funeral director/ embalmer for 24 years and, in 1999, my wife and I began construction of Watson Funeral Home, with its opening in May of 2000.

In October of 2000, we purchased the five acres directly south of our property. I’m here today to ask the council’s approval for a Conditional Use permit on the portion of the property that is zoned ‘LC’, to allow the completion of the cemetery. I have directed Mid-Kansas Engineering Consultants, who are by the way, experts around the country for the development of our national cemeteries and private cemeteries as well, along with Goss and Livingston Architects to create a cemetery of natural beauty and distinction. Construction will begin in late August of this year.

As you will see, I’ve presented you with some information, some photographs of about seven different cemeteries in the Wichita/ Sedgwick County area that all have housing developments around them. And as you’ll see, cemeteries quietly coexist with the neighborhoods and I yield my time remaining to the council for their questions. Thank you.”

Chairman Winters said, “All right. Are there any questions of Mr. Watson? Commissioner Unruh.”

Commissioner Unruh said, “Thank you. The size of the south portion is 145 feet? Is that . . . ?”

Mr. Watson said, “That’s correct.”

Commissioner Unruh said, “And it’s 61 feet on the west. Is that right?”

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Mr. Watson said, "Yes."

Commissioner Unruh said, "Okay. And this drawing here fairly represents how you're going to screen it with trees and stuff like that."

Mr. Watson said, "Yes. In fact, may I just interject something? Can I point?"

Commissioner Unruh said, "You're on. You do what you want."

Mr. Watson said, "We are currently working with . . . there's a . . . Raytheon has two high-power pressured gas lines running right along this portion of the property. We are currently working with them about putting in an easement so that we can actually extend the lake with some fountains along this area, along with the treescapes. When we originally developed this, we weren't sure what we would be able to do with Raytheon and with the pipelines, but they've been very open, as far as giving us easements so that we could go ahead and put more water around the front, because too (*inaudible*) because in cemeteries, people like water features and that's something that would again, give eye appeal from Webb Road because in the 2030 plan, this is going to be extended to a four-lane road anyway. And this again, along here, is certainly a nice area for water. This is in general conforming of how the use (*inaudible*) the landscaping feature that they designed."

Commissioner Unruh said, "And then the one other question, there is not a need for another entrance? I mean, your traffic doesn't . . .?"

Mr. Watson said, "You know, actually again, when we put the entrance in originally, it was going to be much narrower than that, but the county came back and said, because of some code issues with fire trucks and ambulances, they need to make that much wider, so it's quite a large entrance into the cemetery."

And again, if you'll notice on the pictures and photographs that I've given you, most cemeteries have one general, main entrance. However, we would, in essence, we were thinking about possibly having another entrance, off of 31st and not off of Webb, simply because of any passing traffic here, there will be less traffic up there. So, as an ebb and flow issue of traffic, this would give people an option to, if they want to go in off to the north, we would give them the opportunity to do that."

Commissioner Unruh said, "Okay, thank you. That's all I had, Mr. Chairman."

Chairman Winters said, "All right, thank you. Thank you very much, Mr. Watson. All right, is there anybody else here who is supportive with the applicant? I don't want to skip anybody. All right. Is there anyone else who would like to address the Commissioners?"

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Mr. Robert Kaplan, 430 N. Market, Wichita, greeted the Commissioners and said, “My comment is only going to be preliminary, in regard to your scheduling concern, Mr. Chairman. Based on a comment that Mr. Schlegel made to me prior to the meeting. I understood there was a possibility that the Commission might defer this matter, in so far as making a decision on it, but proceed with the evidentiary hearing today. And I want to go on record now is that I do object to that. I have no issue about presenting today, concluding the hearing today and taking a decision today, but I would ask you not to bifurcate it. I would think that Commissioner McGinn should have the opportunity to participate in the testimony and to ask questions and so I would ask it not be bifurcated. If we’re going to hear it today, I ask that it be decided today. If we’re going to defer it for decision, then lets defer the evidentiary portion of it, so Commissioner McGinn is not left out of that aspect of it.”

Chairman Winters said, “All right. Commissioner Sciortino, you have a comment?”

Commissioner Sciortino said, “Mr. Kaplan, why don’t you stand up there, because I’ll need to ask you a question because I really like talking to you. Commissioners, you know, I’ve received a lot of phone calls from citizens in that area, generally, that was depicted as the protest area. And they raise a lot of questions about concerns that maybe their property value was going to go down. But I suppose that we’ll hear, whenever Mr. Kaplan decides to give us, you know facts and figures why it would go down, but the one thing that I was in hopes of was that the neighbors could get together with the applicant and maybe . . . I don’t know, maybe sit down over coffee and try to figure out if there’s any real, legitimate concerns. Is there some way to bring harmony and peace, because on the surface, I have to admit, this appears to be a fairly decent use of land.

Was there any attempt to try to resolve this thing, conflict or have any kind of meeting, Mr. Kaplan?”

Mr. Kaplan said, “Commissioner, I came into the case after the conclusion of the administrative proceedings. I was not involved at the city level or at the Metropolitan Area Planning Commission level. I was only retained after that. My understanding, and Mr. Harden is here, my understanding is that they attempted on several occasions to arrange a meeting with the applicant, Mr. Harden will tell you that Mr. Watson promised to meet with them, but those meetings never came to fruition. It just simply never occurred. I myself called Mr. Watson for a meeting. We had scheduled an evening meeting Monday of this week, to do the very thing that you have discussed, Commissioner.

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Mr. Watson's secretary called me back on Monday, advised that he had an emergency, he would not be able to meet and he would see me Wednesday morning.

Just prior to the meeting, I introduced myself to Mr. Watson and he again has indicated that he would commit to a meeting if we could find a convenient date and time. I offered to come to the mortuary for that purpose and my clients are willing to meet him at his place of business for that purpose. But whether that will take place or not is speculation."

Commissioner Sciortino said, "Okay. Well, Commissioners, I'd like to try something here because, as I said, until I hear . . . I mean, this doesn't appear to me to be an unreasonable request of the applicant, but I also want to be very well attuned to what the concerns of the citizens are, so I'm going to see if . . . You know, would you all consider maybe deferring this for two weeks and giving both sides an opportunity to sit down, as reasonable people, over a cup of coffee and just see if they can resolve their differences, and usually on cases like this, we do like to hear it for a full board and I believe in two weeks all of us will be here. Well, I'll just try it as a Motion. Is it appropriate, Mr. Euson, for me to try a Motion for a deferral, or do I have to hear other people speak? What do I do?"

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "I would think that would be appropriate. I don't know if, protocol-wise, you want to ask if anybody else is present to be heard, in light of that possible Motion. I don't know which comes first."

Chairman Winters said, "Well, if you want to defer for two weeks, I don't have a problem with that."

Commissioner Sciortino said, "Well, what I was hearing from the one attorney was that he would prefer not presenting his side of the case, unless we were giving him assurances that definitely we would rule on it and I'd sort of like to see if both parties could just amicably get together and see what happens."

Chairman Winters said, "Next week is the 27th. We're having a night meeting. Then the next meeting is August the 4th and the next meeting is our budget hearing meeting, the 11th."

Commissioner Sciortino said, "That's why I said August 4th. That's two weeks."

Chairman Winters said, "August 4th. You have a problem with that?"

Commissioner Norton said, "It works for me."

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MOTION

Commissioner Sciortino moved to defer Item E-2 for two weeks.

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

Chairman Winters said, “Well, we might have got ourselves back on schedule. Well, I think with Commissioner McGinn here in two weeks and then discussion, I think it will work out good. Madam Clerk, call the next item.”

NEW BUSINESS

F. LETTER OF SUPPORT FOR THE COMMUNITY COUNCIL ON HOMELESS ADVOCACY’S CONTINUUM OF CARE APPLICATION TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Ms. Beth Oaks, Vice President of Community Planning and Resources, United Way of the Plains, greeted the Commissioners and said, “I am here also on behalf of the Community Council on Homeless Advocacy, of which I am a member. Every year, the Department of Housing and Urban Development submits a Super Nova application, or a notice of funding availability to be used for transitional housing, permanent supportive housing and supportive services to help individuals who are homeless in our community become self-sufficient and adequately housed.

Each major urban area is assigned a pro-rata needs share, and this is based on HUD’s information based on our population, the area we serve and the community need. This year’s pro-rata needs share for the Wichita/ Sedgwick County area is \$1,122,700. The Community Council on Homeless Advocacy has been working to prepare and submit an application for the Wichita/ Sedgwick County

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area, which will be submitted by United Way of the Plains, to HUD, by July 27th, the due date.

The projects have been reviewed and ranked by the community through a series of community meetings. Businesses, banks, homeless service providers and homeless service individuals, among others, have been participating in these meetings. The application will include four projects, three of which are renewals and one that is a new funding project.

The one new proposal included in the application comes from COMCARE of Sedgwick County. It is submitted for discussion and your approval by Marilyn Cook in a later agenda item, H-3, hopefully this morning for you.

The fourth project that will be funded under this, or that we are competing for funding, is a Permanent Supportive Housing and Supportive Services program for the disabled, which will be administered by Inter-Faith Ministries. The amount requested would be \$129,500.

An enhancement project for COMCARE's Transitional Housing project, which is the new application, which is \$123,283 to be the supporter or the agency doing that would be COMCARE's Homeless program.

A Homeless Management Information System for \$266,332, sponsoring organization United Way of the Plains and Shelter Plus Care for \$632,100, sponsoring organization Wichita Housing Authority, which comes to a total of \$1,151,215 that we will be applying for.

What I'm asking of you all today is your support of the community's application, by providing a letter of support and I'd be happy to answer any questions that you all might have at this time."

Chairman Winters said, "All right. Commissioners, are there comments or questions?"

MOTION

Commissioner Scortino moved to approve the Letter of Support and authorize the Chairman to sign.

Commissioner Norton seconded the Motion.

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

VOTE

Commissioner David M. Unruh Aye

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

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

G. RESOLUTION APPROVING ISSUANCE BY CITY OF HUTCHINSON, KANSAS OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2004 (GOODWILL INDUSTRIES EASTER SEALS OF KANSAS, INC.) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$2,100,000 TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING, FINANCING AND REFINANCING CERTAIN RETAIL THRIFT STORES.

Mr. Euson said, “Commissioners, you have before you a resolution to approve the issuance of Industrial Revenue Bonds by the City of Hutchinson and that resolution is on page 74 of your backup. The City of Hutchinson approved the issuance of these bonds on June 1st of this year for the renovation and construction of Goodwill stores in the cities of Hutchinson, Hays and Wichita. The Goodwill Industries is not asking for any tax . . . ad valorem tax exemption, since it is a charitable organization, under Section 501-c3 of the Internal Revenue Code. The statute requires the approval of the County whenever the Industrial Revenue Bonds are being issued outside of the county in which the issuing city is located and so the bond council has asked, out of an abundance of caution, that this be brought to the Board of County Commissioners. It was brought to the City of Wichita, as I understand it, last Tuesday and the City of Wichita did approve it.

The statutes also say that approval is assumed, unless in this case the Board of County Commissioners of Sedgwick County does not take action within seven days. So what’s recommended to you is a resolution of approval for this issuance by the City of Hutchinson and I would try to answer any questions you have. Joe Norton is also present to answer any questions as well.”

Chairman Winters said, “All right, Commissioners, you have questions or comments? Commissioner Norton.”

Commissioner Norton said, “Just for the record, I want to let everyone know that I am on the Goodwill Board of Directors. I don’t know that this has any implications, but I did want to be sure that, for the record, someone knew that I was on the Good Will Board of Directors.”

Chairman Winters said, “Okay, thank you. Any other questions or comments?”

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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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Thank you, Rich. Thank you, Joe. Next item.”

DIVISION OF HUMAN SERVICES

H. DIVISION OF HUMAN SERVICES – COMCARE.

1. DISCHARGE AND RELEASE OF RESTRICTIVE COVENANTS WITH HUD RELATED TO A COLLABORATIVE PROJECT WITH MIRACLES, INC. TO REMODEL A RESIDENTIAL FACILITY.

Ms. Marilyn Cook, Director, greeted the Commissioners and said, “All four items that I have to present today, we have one additional COMCARE item that Tim will be presenting, but all four that I’m presenting have to do with changes in our conditional housing project with HUD. And I understand they need to be reviewed and approved separately, but they are all interconnected and I wanted you to know that from the start.

A year ago, in August of 2003, COMCARE’s homeless program did receive HUD’s approval to implement a transitional living project. You may remember that the focus of the project was to provide transitional housing for individuals in the recovery process who were experiencing co-occurring disorders and the way the project worked is HUD paid or subsidized the rent and then individuals lived in these apartments and housing structures, and did apply some rent themselves or pay for rent which was set aside and given to them when they were able to find permanent housing, so that they had some resources to go on with their life in a more productive way.

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We entered that and partnered . . . we entered into that agreement and project and partnered with a landlord, Keith Bomholt and Miracles Incorporated, to implement that project about a year ago. Miracles, in early . . . in this year, has since given us notice that they no longer want to continue in the project, so we did have a number of conversations with HUD. This has been a very stringent process, up to this point, to begin with.

So item one is a federal form to discharge and release Miracles from their participation in the project. And as part of the project, Miracles was approved by HUD to receive \$38,151 from HUD funds to remodel a residential facility for women. HUD did accept Miracles request for applying the funds. Miracles never received any of that money for the rehabilitation funds and did approve us to accept those funds to put into rent for additional apartments that would make up the difference for the people that would have been in those Miracles housing, which is item number two, by the way, so that's how these are connected.

So we are requesting, as part of item number one, that you approve the discharge release and restrictive covenant form. Be happy to answer any questions.”

Chairman Winters said, “All right. Commissioners, are there questions? If not, what’s the will of the Board on item H-1?”

MOTION

Commissioner Norton moved to approve the Discharge and Release of Restrictive Covenants 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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Madam Clerk, call the next item.”

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2. AMENDMENT TO AGREEMENT WITH KEITH BOMHOLT TO INCREASE THE NUMBER OF APARTMENTS DESIGNATED FOR THE TRANSITIONAL HOUSING PROJECT.

Ms. Cook said, “Okay, following that line of thinking, this is an amendment then to the contract with Mr. Bomholt to increase the number of apartments that he provides to us for this program by three. The modifications, again, became necessary when Miracles decided to not participate in this.

With this additional number of apartments, eight single women will be served in the next . . . over the next two years. We’re in year two of a three-year grant. We’re . . . I mean to say, eight single females will be served, rather than five that are in it right now. We’re requesting that you approve this amendment to his contract.”

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

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

Chairman Winters said, “Madam Clerk, call the next item.”

3. GRANT APPLICATION TO HUD FOR FUNDING OF A PART-TIME CASE MANAGER AND RENT SUBSIDY FOR FOUR HOUSING UNITS FOR ENHANCEMENT OF COMCARE’S DUAL DIAGNOSIS TRANSITIONAL

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HOUSING PROJECT.

Ms. Cook said, “Okay, this item has to do with the grant application that Beth Oaks just mentioned to you and the idea is to expand the program, which is working very successfully, and expand the number of people being served in the transitional living situation by four beds, and all the services that go along with this.

This is a three-year grant application, that would start in 2005, go through 2008. I do need to tell you that there is a small change in the numbers from your backup. We’re actually asking for a little bit less. They have gone over these numbers three and four times and the math is correct but what we found, within the last day, is that we were using the 2004 rent subsidy numbers, rather than 2003. So there is a difference in the request and Beth gave you the right amount. The total budget would be \$123,283, which is \$602 less than what we were calculating before. We are requesting that you approve this grant application and allow us to submit it.”

Chairman Winters said, “All right, Commissioners, questions or comments about this grant application?”

MOTION

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

Commissioner 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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Next item.”

4. ADJUSTMENT TO THE COMCARE STAFFING TABLE TO INCLUDE

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ONE SUBSTANCE ABUSE COUNSELOR POSITION, BAND 219; ONE OFFICE SPECIALIST POSITION, BAND B115; AND ONE PART-TIME CASE MANAGER POSITION, BAND 216.

Ms. Cook said, "This item adds now, in a final move, staff that were originally assigned to Miracles, to be repositioned in our Center City program. We already have two Center City staff that are functioning in this program, so it would include 2.4 FTEs total, a part-time case manager, a full-time substance abuse counselor and a full-time office specialist. We are requesting that you approve the addition of these individuals to our staffing table . . . or these positions to our staffing table."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Let me understand, these were people that we hired to work on the Miracles project but the Miracle isn't going to do the project and we're going to give the money to other entities, but why do we still need the people?"

Ms. Cook said, "These were people that Miracles hired to do the work. Since they are no longer continuing the project, we need to now hire people to fill those spots to be able to do that work."

Commissioner Sciortino said, "Do that work. Are we going to be doing the housing in-house now and not taking the HUD money and giving it to some other entity?"

Ms. Cook said, "No, the project will remain the same. It's just that these 2.4 positions that were working for Miracles, when they said 'We no longer want to participate in this', we have those positions that need to be filled in order to fulfill our obligations on the original contract that we signed with them a year ago. So we now need to hire . . ."

Commissioner Sciortino said, "But the question is, Miracles was going to provide the apartments and what have you. Now, is there going to be another entity that is going to provide the apartments, or are we going to go out and buy apartments?"

Ms. Cook said, "No, Mr. Bomholt, in item two, is going to provide the actual apartments. This is just staff."

Commissioner Sciortino said, "Why doesn't he hire the people, like Miracles did?"

Ms. Cook said, "Because they're clinical people, not housing people. They're clinical people."

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Chairman Winters said, “And when they were . . . they were funded by HUD dollars at Miracle?”

Ms. Cook said, “Right.”

Chairman Winters said, “And they’re going to be funded by HUD dollars when they’re with COMCARE?”

Ms. Cook said, “Part of that funding is coming from HUD dollars, part is coming from revenues that they generate.”

Commissioner Sciortino said, “Okay.”

Commissioner Norton said, “It used to be just a turnkey operation, where they had the housing and the clinical, and now we get the housing from somewhere else and provide the clinical. Is that not it?”

Ms. Cook said, “Yes that’s exactly it.”

Commissioner Norton said, “Same money.”

Commissioner Sciortino said, “I understand it now. Thank you.”

Chairman Winters said, “Okay. Commissioners, what’s the will of the Board on this adjustment to staffing table?”

MOTION

Commissioner Norton moved to approve the adjustment to the COMCARE Staffing Table.

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	Absent
Commissioner Ben Sciortino	Aye

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Chairman Thomas Winters Aye

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

5. AGREEMENT WITH COASTAL WICHITA RETAIL, LLC FOR LEASE OF SPACE USED BY COMCARE'S COMMUNITY SUPPORT SERVICES AT 1911, 1929 AND 1969 WEST 21ST STREET NORTH, WICHITA.

Mr. Tim Kaufman, Director of Administrative Services, greeted the Commissioners and said, "COMCARE's Community Support Services program has been located at the Twin Lakes Shopping Center since 1993. There have been a number of lease amendments, over time, to accommodate expansion and remodels and there have been a number of ownership changes at that property over the time as well.

Now, this program has seen some significant increases in services, particularly in the med clinic. Our med clinic now serves about 1,000 consumers per month, receiving medication, many of them coming in monthly for injections.

With the help of Facility Project Services and the County Counselor's Office, we've worked with the new landowner to develop a new base lease and, as we did that, we were able to do two things. We were able to add some additional square footage that is adjacent to the existing space that will allow us to move our med clinic and give those staff some more room and create a much better waiting room space. And we were also able to negotiate a much lower rate for the lease. And so, what we would ask that you do is approve this lease and I would be happy to answer any questions that you may have."

Chairman Winters said, "All right. And this is in the same space that we've been in for several years and we're getting more space at a reduced cost."

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

Chairman Winters said, "Sounds like a plan."

Commissioner Unruh said, "That's good business."

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

MOTION

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Commissioner Unruh 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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

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

DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING

I. CENTRAL PLAINS AREA AGENCY ON AGING FISCAL YEAR 2005 AREA PLAN AND GRANT AWARD APPLICATION, TO BE SUBMITTED TO KANSAS DEPARTMENT ON AGING.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, “This is our fiscal year 2005 area plan. Annually, KDOA requires us to submit an annual plan to outline how we plan to spend the federal and state match dollars for the fiscal year which begins October 1, 2004 and ends September 30th, 2005.

So this is the plan that we have prepared and it has been approved by our Central Plains Advisory Council. Both the Butler and Harvey County Commissioners, Board of County Commissioners have approved and authorized Sedgwick County Board of County Commissioners and their Chairperson to sign and that is as Sedgwick County is the authorized governing board for the Central Plains Area Agency on Aging.

Central Plains Area Agency on Aging provides services to Butler, Harvey and Sedgwick County to seniors aged 60 and over. And under this area plan, the funding sources, the funding dollars will be under 3b, which are: access services, \$125,963, under in-home services, \$369,573, community services, \$81,291. Under 3c-1, which is the congregate meal program, \$593,112 federal dollars and \$35,370 state matching dollars. Under 3-c2, which is a home delivered meals program, \$305,865

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federal dollars and \$546,723 state matching dollars. Under 3-d, which is disease prevention and health promotion, \$36,831. Under 3-e, caregiver programs, \$226,819.

That is a total of \$1,713,848 federal dollars, \$582,092 state matching dollars and the matching dollars requires that Sedgwick County will put in the \$38,204 that was already in the mill levy budget. So, this is basically the dollar amounts and the services are included under those different areas and under those different title 3-b programs, 3-d and I would be happy to answer any questions.”

Chairman Winters said, “All right, thank you. Commissioners, questions? Commissioner Unruh.”

Commissioner Unruh said, “Do Butler and Harvey County also have a match?”

Ms. Graham said, “Yes, they have a match for the dollars that are provided to them. We contract with them for certain of the services, like information and assistance, under 3-b and 3-e caregiver programs. 3-d prevention, health prevention programs, Butler County receives some of that funding. Otherwise, in many of the programs, the actual providers put up match dollars. So that’s how that’s kind of dilly-ed out.”

Commissioner Unruh said, “Okay, thank you. That’s all I have.”

Chairman Winters said, “All right, thank you. Commissioners, are there other questions or comments of Annette? If not, what’s the will of the Board?”

MOTION

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

Commissioner Sciortino 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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

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

J. AGREEMENT WITH UNITED STATES OF AMERICA, DEPARTMENT OF THE AIR FORCE, FOR HOUSING OF PRISONERS IN THE SEDGWICK COUNTY ADULT DETENTION FACILITY.

Major Robert Hinshaw, Sheriff's Office, greeted the Commissioners and said, "The contract is pretty much the standard housing agreement. The only difference is the Air Force will be paying us. They wish to formalize a condition that exists now by their policies and all it is is for overflow of prisoners that they may have in the brig. For example, they cannot house males and females at the same time.

We house very few. I would not count on this as any sort of a revenue flow. I think the longest we've had someone in custody for the Air Force has been eight days and the shortest has been three days and we've only probably housed two or three over the last year. So, I'd recommend approval and if you have any questions, I'll answer them for you."

Chairman Winters said, "All right, thank you. Commissioners, are there questions? Commissioner Sciortino."

Commissioner Sciortino said, "Thanks. Does the \$63.50 cover all of our costs to house a prisoner for a day?"

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Major Hinshaw said, “Yes, that’s basically the same rate we get paid for by other federal agencies by agreement and that’s based on the cost of the facility, as well as . . .”

Commissioner Sciortino said, “No, I know that’s what we get, but I mean, does that actually . . . if we have a Sedgwick County prisoner in there, what are we charged, or what does it cost to house . . . I mean, does it cover all the costs of housing a prisoner is all I’m asking?”

Major Hinshaw said, “Yes sir, it does.”

Commissioner Sciortino said, “Number two, I know I read the backup but this is moot perhaps, but does entering into this contract, does it mean upon space availability or if we enter this contract and we’re full, do we have to move somebody else to off-site in order to accommodate this contract?”

Major Hinshaw said, “No, sir. The provisions of the contract allows the Sheriff to make that decision. If we’re at capacity, we can turn them away.”

Commissioner Sciortino said, “Great, that’s all I have. Thanks.”

Major Hinshaw said, “All right. Are there any other questions?”

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

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

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

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K. AMENDMENT TO AGREEMENT WITH CITY OF WICHITA, KANSAS TO EXTEND THE ROUTE PROVIDING PUBLIC TRANSPORTATION SERVICES TO OAKLAWN IMPROVEMENT DISTRICT AND UNINCORPORATED AREAS OF SEDGWICK COUNTY.

Mr. Brad Snapp, Director, Housing Department, greeted the Commissioners and said, “This says it’s an amendment. It’s an amendment to the agreement that was established in 2002. This is . . . the service remains the same. It’s an extension of the South Main route, 18 trips per day, one-way, down K-15 to Clifton, west on 47th Street, there are transit vans available by request to the transit center.

Ridership increased significantly in 2003 in the third quarter and this year we expect nearly 17,000 rides to be provided through that service. The 2004 contract amount decreased by nearly \$4,000 because the urbanized area around the City of Wichita enabled them to get more federal transportation dollars, so they credited our account, or our contract, with those dollars. This agreement provides the option so that if we renewed at the end of this year for 2005, the same terms and conditions. If you have any questions, I’ll try to answer them.”

Chairman Winters said, “All right, thank you. Commissioners, are there questions or comments? Commissioner Sciortino.”

Commissioner Sciortino said, “No concerns on this one, where we can continue the service and reduce our cost.”

MOTION

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

Commissioner Norton seconded the Motion.

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

VOTE

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

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Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

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

L. MODIFICATION OF PLANS AND CONSTRUCTION WITH DONDLINGER & SONS CONSTRUCTION COMPANY, INC., REQUEST NUMBER ONE, FOR SEDGWICK COUNTY PROJECT 630-28-2750; BRIDGE ON 47TH STREET SOUTH BETWEEN HYDRAULIC AND HILLSIDE. CIP# B-392. DISTRICT 2.

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item L is a modification of plans and construction, request number one, for the bridge project on 47th Street South over the Arkansas River, designated as B-392 in the Capital Improvement Program. There will be an increase of \$27,096.50 for the rehabilitation of the abutment back wall, slab seat repair, sidewalk repair and installation of a temporary concrete safety barrier. I recommend that you approve the modification and authorize the Chairman to sign."

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

MOTION

Commissioner Norton 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.

VOTE

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

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

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CONSENT AGENDA

M. CONSENT AGENDA.

- 1. One Easement for Right-of-Way for Sedgwick County Project 634-36, 63rd Street South and 159th Street East. CIP# R-275. District #5.**
- 2. Agreement with Courthouseinfo providing on-line access to Sedgwick County's electronic data.**
- 3. Amended Notice of Hearing rescheduling July 28, 2004 post annexation public hearing to August 11, 2004 for an area south of K-96 and north of Kellogg, between Greenwich Road and 127th Street East.**
- 4. Order dated July 14, 2004 to correct tax roll for change of assessment.**
- 5. Payroll Check Register of July 16, 2004.**
- 6. General Bills Check Register(s) for the week of July 14 – 20, 2004.**

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

Chairman Winters said, "Thank you. Commissioners, what's the will of the Board?"

MOTION

Commissioner Unruh moved to approve the consent agenda as presented.

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	Absent

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Commissioner Ben Sciortino Aye
Chairman Thomas Winters Aye

Chairman Winters said, "That concludes our regular business. I believe we do have time for a short Executive Session before our lunch commitments. Commissioners, if anybody has any brief community news, we'll take just a moment to talk briefly about community news."

N. OTHER

Commissioner Unruh said, "Well, I think we need to take some brief moments to talk about the zoo, Mr. Chairman. The Downing Gorilla Forest has its grand opening this Friday at . . . I think the ribbon cutting is at 10:00 in the morning and Chairman Winters and I will be out of town in Topeka on some Kansas Association of County business, but the other commissioners I think will be present.

They had a members' preview last weekend and I took a couple of my nephews out and it is worth the time, worth the effort to go. It was very hot last past Sunday afternoon, and this weekend I think it's supposed to be a little cooler. But I want you to know that I wore my animal tie today, in celebration of the zoo's opening. I've got animals on my tie, so everyone is going to look at me and wonder what that's all about. It's about the zoo, so, you all go out and enjoy yourselves.

Secondly, I would say in Commissioner McGinn's absence, she likes to talk about Cowtown and the Rails to Trails event was mentioned on having cattle drives out at Cowtown, Saturday and Sunday I believe at 1:30 and 3:30 each day. So, if you want to go out and see the largest cattle drive since the 1870s, it's going to be in Cowtown this weekend."

Commissioner Sciortino said, "There will be four cows instead of two."

Commissioner Unruh said, "Well, there's going to be a lot of cows. Come on out and see us. Anyway, that's all I have, Mr. Chairman."

Chairman Winters said, "All right, is there any other . . . The only thing I'd mention again, Commissioner Carolyn McGinn today was not at our meeting. She has been appointed to the Lower Arkansas River Basin Advisory Committee and it is a water issue board. And as we all know her interest in water and issues surrounding that and so, today she is attending that meeting in Kingman, Kansas. All right, Commissioner, we are ready for an Executive Session."

MOTION

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Commissioner Unruh moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney/ client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 11:45 a.m.

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	Absent
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 11:35 a.m. and returned at 11:47 a.m.

Chairman Winters said, “All right, we will call this meeting back to order. Let the record show that there was no binding action taken in Executive Session. Is there other items to come before the Meeting? Mr. Euson?”

Mr. Euson said, “Yes. Commissioners, while in Executive Session, we discussed a worker’s compensation claim and other claims involving John Heinrichs, former Sheriff’s Deputy. And it’s our recommendation that we settle that Worker’s Compensation case, after a mediation in the Worker’s Compensation, for the total amount of \$23,695.80. That would dispose of all claims against the county, as well as any claims for future medical or review and modification of the award and that’s our recommendation.”

MOTION

Commissioner Sciortino moved to approve the settlement agreement, as presented by the County Counselor and authorize the Chairman to sign it and any related documents necessary to affect the settlement.

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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	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas Winters	Aye

Chairman Winters said, “Is there other business to come before the board? Mr. Manager? Mr. Euson? All right, we’re adjourned. Thank you.”

O. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:48 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

Regular Meeting, July 21, 2004

CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2004