

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

### **REGULAR MEETING**

**November 10, 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, November 10, 2004 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem David M. Unruh; Commissioner Tim R. Norton; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Angela Silva, Office Specialist, Department on Aging; Dr. Doren Frederickson, MD, PhD, Health Officer, Health Department; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Terri Patterson, Juvenile Field Services Administrator, Department of Corrections; Ms. Anita Nance, Director of Client Services, Department on Aging; Mr. Jim Marlett, Assistant Director, Sedgwick County Zoo; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Mr. Kent Koehler, Project Leader, Division of Information and Operations; Mr. David Spears, Director, Bureau of Public Works; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Mr. Greg Rockers, Wichita Clinic.

Dr. Val Rohlman, Chair, Sedgwick County Public Health Commission.

Ms. Terry Cassidy, City of Wichita Manager's Office.

### **INVOCATION**

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

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES: Regular Meeting, October 20, 2004**

The Clerk reported that Commissioner Unruh was absent at the Regular Meeting of October 20, 2004.

**Regular Meeting, November 10, 2004**

**Chairman Winters** said, “Commissioners, you’ve had an opportunity to review those minutes. What’s the will of the Board?”

**MOTION**

Commissioner Sciortino moved to approve the minutes of the Regular Meeting of October 20<sup>th</sup>, 2004.

Commissioner McGinn seconded the motion.

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

**VOTE**

|                        |         |
|------------------------|---------|
| Commissioner Unruh     | Abstain |
| Commissioner Norton    | Aye     |
| Commissioner McGinn    | Aye     |
| Commissioner Sciortino | Aye     |
| Chairman Winters       | Aye     |

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

**PROCLAMATION**

**A. PROCLAMATION DECLARING NOVEMBER 2004 AS “NATIONAL FAMILY CAREGIVERS MONTH.”**

**Chairman Winters** said, “Commissioners, I have a proclamation for your consideration.

**PROCLAMATION**

**WHEREAS**, during this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed on us as individuals and as a county, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family caregivers to loved ones who are chronically ill, elderly or disabled. Caregivers reflect family and community life at its best. They are among Sedgwick County’s most important natural resource; and

**Regular Meeting, November 10, 2004**

**WHEREAS**, the need for family caregivers is growing. We are blessed to live in a time when medicine and technology have helped live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city and town in America. It is likely that we all know at least one family caregiver; and

**WHEREAS**, family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our community, religious, social, business and other organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities; and

**NOW THEREFORE BE IT RESOLVED**, the I, Tom Winters, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim November 2004 as

**‘National Family Caregivers Month’**

in Sedgwick County and encourage all citizens to honor the family members, friends and neighbors who shoulder caregiving responsibilities.

Dated November 10, 2004.

Commissioners, what’s the will of the Board?”

**MOTION**

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

Commissioner Norton seconded the motion.

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

**VOTE**

**Regular Meeting, November 10, 2004**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “We have Angela Silva from the Aging Department here. Welcome.”

**Ms. Angela Silva**, Office Specialist, Department on Aging, greeted the Commissioners and said, “Thank you. In recognition of caregivers throughout Sedgwick County and Kansas, I thank you.”

**Chairman Winters** said, “All right, thank you very much and thanks for all the work Department on Aging does for caregivers, as well as our senior citizens. Commissioners, we have two others proclamations. They’re not listed on your agenda.”

**MOTION**

Chairman Winters moved to consider two off agenda proclamations.

Commissioner Norton seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**OFF AGENDA ITEMS**

**Regular Meeting, November 10, 2004**

**1. PROCLAMATION DECLARING NOVEMBER 15, 2004 AS 'AMERICA RECYCLES DAY'.**

**Chairman Winters** said, "Commissioners, the first one will be one concerning America Recycles Day.

**PROCLAMATION**

**WHEREAS**, America generate nearly 232 million tons of municipal solid waste each year, or more than 4.5 pounds per person per day; and

**WHEREAS**, the average Sedgwick County resident generates approximately 6 pounds of waste each day, and more than one ton annually; and

**WHEREAS**, reduction, reuse and recycling activities can significantly impact the amount of waste going to local and regional landfills; and

**WHEREAS**, buying products that are made with recycled contents is the final and most important step in recycling; and

**WHEREAS**, participating in America Recycles Day is one way citizens, businesses, industries, government agencies and organizations can raise awareness about the need to reduce waste and protect our environment.

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim November 15, 2004 as

**'AMERICA RECYCLES DAY'**

and urge every Sedgwick County citizen, business, government agency, civic group and every other organization to be a 'Kansan Making a Difference' by signing a pledge to renew their commitment to recycling.

Dated November 10, 2004.

Commissioners, that's the proclamation. What's the will of the Board?"

**MOTION**

**Regular Meeting, November 10, 2004**

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

Commissioner Norton seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “And here is Jo Sanders.”

**Ms. Jo Sanders**, Sedgwick County Recycling Coordinator, Environmental Resource, greeted the Commissioners and said, “Thank you for the proclamation. I’d like to point out to everyone that we do have a new, hot off the press, recycling and disposal guide. If anyone in our audience would like a copy, they can call Environmental Resources to obtain it. But I have to say, just as Kristi said at the beginning of the meeting, the best source for recycling information is our website, at [sedgwickcounty.org](http://sedgwickcounty.org).

Waste Minimization Team is also doing our mail reduction program for the fourth year in a row. And just to show you what our efforts have done, when we began this program in 2001, during one week in November, Sedgwick County offices received 2,077 pieces of unsolicited mail. Our first year’s effort reduced that to 1,415. That’s a reduction of 32% of the unsolicited mail coming to us. Last year, that number dropped again to 1,169. That’s a 44% reduction from when we started the program.

I, for one, am anxious to see what the 2004 data reveals to us and we are committed to continuing this program as long as we see these results. And if anybody needs any more of these little cards, just call Environment Resources and we’ll get that to you.

One more thing, real quick, you mentioned signing a pledge. You can sign that pledge on-line at America Recycles, [americarecyclesday.org](http://americarecyclesday.org) and I do urge everyone to do that. Thank you very much.”

**Chairman Winters** said, “Okay, Jo. We’ve got a question. Commissioner Sciortino.”

## Regular Meeting, November 10, 2004

**Commissioner Sciortino** said, “Thanks. Jo, I get a lot of unsolicited junk mail at my house and maybe some of the people in the audience or on TV do also. What exactly did we do to reduce it? Maybe we could do the same thing in our personal mail.”

**Ms. Sanders** said, “To reduce the unsolicited mail coming to you involves a little bit of effort on your part. There’s a business, and this information is on-line at [sedgwickcounty.org](http://sedgwickcounty.org). You would contact that business and, as the mail is coming to you in the various names, like for me it could come Jo Sanders, Jo Ann Sanders, Jo Sanders, you have to return all the names that come to you at that address and DMA, the Direct Marketers Association, will remove those from the mailing lists. But you have to remember, this is something that you might have to do every six months or so, because if you sign up for a new catalog, guess what? Your name is out there again, and if that catalog chooses to sell or share their mailing list with another organization, it starts all over again. So it’s not just a one-time commitment, it’s an ongoing commitment. But it does work, I’ve done it myself, and it does work.”

**Commissioner Sciortino** said, “So if people are wanting to do it, they would go to our website and that would give them the information to get this started?”

**Ms. Sanders** said, “That’s correct.”

**Commissioner Sciortino** said, “Because I’d hate to think of just all of the, not only the catalogs, but just the real junk, so-and-so’s name or current resident and all that stuff that seems to get more during the holiday seasons or what have you and I would think if we could eliminate or cut that in half, I don’t know how many millions of tons of stuff statewide or county-wide that might be, but I would assume it would be a heck of a lot.”

**Ms. Sanders** said, “It would be. Everyone’s effort would be very, very small but if you add all of those small increments together, it turns out to be quite large.”

**Commissioner Sciortino** said, “Great, thank you.”

**Chairman Winters** said, “All right, well thank you. I’d just make one comment. I also receive mail, unsolicited, but not all unsolicited mail is not worthy of receiving. I mean, it has a purpose, and so many times we do get stuff that is very helpful, although some is not.”

**Commissioner Sciortino** said, “Well, can I ask a follow up? Can you be selective? Because Tom

## **Regular Meeting, November 10, 2004**

is right, there is something that maybe I get that I'd like to continue this catalog but I want to get rid of these ten. Can you be selective?"

**Ms. Sanders** said, "Well, then go back to those ten, you know, communicate with them directly, instead of the Direct Marketing Association. Just go back to them and a lot of times I've done this myself. Go on-line, you don't have to do anything in paper form, just communicate with the business electronically."

**Commissioner Sciortino** said, "Okay, but I'm on a roll now. I buy something from this catalog. Can I, at the time of purchase, request of them not to put my name out, or not to give my name out?"

**Ms. Sanders** said, "That's probably going to vary from business to business, and I cannot comment on that, but that's an excellent idea and it would be one worth investigating."

**Commissioner Sciortino** said, "Okay. Thank you very much."

**Chairman Winters** said, "All right, well just one last comment on my roll too. Direct marketing is an effective method of marketing, and we have a number of people involved in direct marketing here in our county and so . . ."

**Commissioner Sciortino** said, "Yeah, politicians."

**Chairman Winters** said, "No. Businesses that do a good job with what they do. And so, again . . ."

**Ms. Sanders** said, "And if I may add, those businesses are very good at recycling the leftover material that they have. They are very conscientious in their environmental efforts."

## **2. PROCLAMATION DECLARING NOVEMBER 13, 2004 AS 'DORIS KERR LARKINS DAY'.**

**Chairman Winters** said, "All right, well thank you very much, Jo. Commissioners, the third

**Regular Meeting, November 10, 2004**

proclamation we have is for the Doris Kerr Larkins Day.

**PROCLAMATION**

**WHEREAS**, the Kansas African American Museum was established in 1974 under the name of ‘First National Black Historical Society’; and

**WHEREAS**, Doris Kerr Larkins Heritage Luncheon and Awards is held to celebrate the rich heritage and artistic excellence of people of African descent; and

**WHEREAS**, the Doris Kerr Larkins Heritage Luncheon is named in honor of the museum’s founder and recognizes community persons for their life-long commitment to the development of our community; and

**WHEREAS**, this year, the Doris Kerry Larkins Heritage Luncheon will be held on Saturday, November 13, and will feature guest speaker, American entrepreneur, Michael Roberts, Chairman and CEO of the Roberts Companies. Throughout his rise in business, Mr. Roberts has maintained a strong commitment to the African-American community from which he was born and raised. Mr. Roberts is credited as one of St. Louis’ leading businessmen as his endeavors have created thousands of jobs and entrepreneurial opportunities; and

**WHEREAS**, this year, honorees include former State Senator U.L. ‘Rip’ Gooch, and Rev. David Chaney who will be presented Doris Kerr Larkins Heritage Awards and State Representative Ruby Gilbert and Lynette Woodard who will receive the Torch Awards.

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chair of the Board of Sedgwick County Commissioners, do hereby proclaim November 13, 2004 as

**‘Doris Kerr Larkins Day’**

in Sedgwick County and encourage all citizens to participate in this Saturday’s Doris Kerr Larkins Heritage Luncheon and to visit the Kansas African American Museum.

Dated November 10, 2004.

Commissioners, that’s the proclamation. What’s the will of the Board?”

**MOTION**

Commissioner Unruh moved to adopt the Proclamation and authorize the Chairman to

**Regular Meeting, November 10, 2004**

sign.

Commissioner Sciortino seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “And we have with us today interim president of the organization, County Commissioner Carolyn McGinn, and I’m not sure if there’s anyone else here in the audience who is here to help receive this proclamation. If there is, they can certainly come forward. Carolyn, the floor is yours.”

**Commissioner McGinn** said, “All right, thank you. And on behalf of the Kansas African American Museum, we thank you for this proclamation. The Doris Kerr Larkins’ Luncheon has been around for several years now, but it’s, as you said in the proclamation, she is the individual who is responsible for saving this museum and having this in our community.

And as you know, we are outgrowing our facility and we thank the county for all that they have done to house us in the current place, but we are currently looking for another place to be, because we need to grow, to have a better facility to house many of our artifacts and then, as you know, Gordon Parks has committed many of his artifacts and pieces to be in the museum as well.

The Doris Kerr Larkins’ Luncheon also recognizes many of our community leaders in our area and that’s why we have this every fall. Just to let you know that if you’re interested or those who are watching today, in attending the luncheon, it will be Saturday, at the Holiday Inn Select, begins at 11:30. It’s \$40 for a ticket, but if you also become a member, it’s \$35.

So we certainly want to encourage those out there that might like to come to this, the number you can call is 262-7651. Our guest speaker is Michael Roberts, chairman and CEO of the Roberts Company from St. Louis, Missouri. He is quite the entrepreneur and has, I think, a lot of good business experience to share with all of us. Every year that I have attended, the speaker has been excellent and you always leave feeling enriched and feeling like you certainly got your money’s worth at that.

## **Regular Meeting, November 10, 2004**

That's all I had and again, thank you very much for this proclamation and I wanted to encourage folks to come out to the Doris Kerr Larkins luncheon on Saturday."

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

**Commissioner Sciortino** said, "Is this 262-7651, Carolyn, the same number if people are interested in being a member?"

**Commissioner McGinn** said, "Yes, this is the number of our museum, so they can get all kinds of information there."

**Commissioner Sciortino** said, "Okay."

**Chairman Winters** said, "All right. Well, we appreciate all the work that you've done with the organization. Thank you. Madam Clerk, call the next item."

### **PRESENTATIONS**

#### **DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPT.**

##### **B. PRESENTATION OF A STATUS REPORT ON FLU SHOT DISTRIBUTION.**

#### **POWERPOINT PRESENTATION**

**Dr. Doren Fredrickson**, MD, PhD, Health Officer, Health Department, greeted the Commissioners and said, "And with me are members of the Medical Society of Sedgwick County Public Health Commission, hospitals and other agencies from Sedgwick County. We are all working in collaboration to resolve this controversy and to help to manage our vaccines together for the good of all.

With me are Dr. Val Rohlman, the Chair of the Sedgwick County Public Health Commission of the Medical Society, also representing Via Christi and Wesley. Mr. Greg Rockers from Wichita Clinic. Ms. Sharon Smart from Wesley Medical Center and myself and then we also have Health Department staff that have been instrumental in this process.

## **Regular Meeting, November 10, 2004**

Many of you know that things are in a state of flux with Influenza, when half of the nation's doses were contaminated and we were therefore short of half the doses. So we wanted to give you a chance to hear how we're responding to the knowns and unknowns at the local level and this would give you an opportunity to ask any questions or suggest any changes that you might suggest.

As I've mentioned, these are our community partners, together with the Health Department, and we met together, convened by the Public Health Commission and the medical society, chaired by Dr. Rohlman a month ago, actually, when we first heard of the influenza shortage, the vaccine shortage, and we realized that we would be short the vaccine. And we also knew that the health department was a relatively small player, but an important voice to make sure that we would equitably address the issues.

Convened were all the infectious disease experts and doctors, plus the hospitals, the Wichita Clinic, and other clinics in the county, with the Health Department. We agreed that we needed to find out how many vaccine doses we had available, how many vaccine doses we were going to be needing and then any special distribution considerations. And the goal was to insure that those who needed the vaccine most would be protected.

The Health Department Epidemiology and Surveillance office conducted surveys of all physician providers, hospitals, nursing homes and specialty clinics to find out how many vaccine doses were on hand and how many were needed. And the Centers for Disease Control and Aventis have announced that Sedgwick County entities will have received a total of 48,000 doses, with 29,000 doses already sent. It is not known at this time who will receive the additional 19,000 doses. These will be delivered sometime in early December, so if you want to keep a number in mind, remember 48,000. That's how many they've promised to send to various entities in our county.

The Centers for Disease Control released a preliminary restrictive list of criteria early in October, followed by many states and cities, which further limited the CDC list of restrictions. The Medical Society Public Health Commission and the infectious disease experts were concerned that there were not enough doses to vaccinate all of the people under the CDC criteria, so the collaborative group agreed that those with medical risks should be protected first and foremost and here you see the criteria announced by our partners, approximately three weeks ago.

Here you see the numbers of doses needed by the different sets of criteria. By CDC criteria, we would need 163,272, and that's by CDC estimation. And by our local criteria, we would need 43,620. Our 48,000 doses should be just about right to immunize high-risk people by our local criteria.

Yesterday, the Centers for Disease Control announced that an additional 10.3 million adult doses

### **Regular Meeting, November 10, 2004**

and 1.2 million pediatric doses will be shipped to state health departments and other agencies. The Health Department locally will not receive any of those doses.

So what is happening at the Health Department. So far, we gave out our first batch of shots, which was 4,250 in only 6.5 days. We have received an additional 4,250 and 700 vaccines for children. Aventis has informed us they will not send any more vaccine directly to our local health department.

So, we have developed a phased plan to distribute the remaining vaccines. In phase one, we will distribute vaccine to those at high risk through our medical partners and send referral letters to schools to get shots to eligible children through the Vaccines for Children program. In phase two, we will immunize nursing home staff and any other agencies that are delegated as needing it.

I just want to clarify what the Vaccines For Children program is and this is a federally funded vaccine program for eligible children age 6 to 23 months and two to eighteen years with a chronic disease who are on public health insurance or who are uninsured or who are under-insured, meaning insurance does not cover immunizations or who are underserved, which they define as having an insurance with a co-payer deductible that's excessively large and if the family meets certain low-income criteria. So it's a rather complicated program and the 700 vaccine doses we have should be more than enough to immunize all of those eligible.

In summary, for the Health Department, people should be aware that the flu shots for eligible children will be given at the Health Department, but no adult immunizations will be given at the Health Department and we will be working with our community partners to track and redistribute additional flu vaccine shipments, which may be received by our community partners and that will complete my talk and you may ask any questions you want and those who know better than I are here to answer."

**Chairman Winters** said, "All right, well thank you very much. We appreciate the update on what's happening here locally. Two questions that probably are more from a layman . . . are from a layman. What . . . can you briefly tell us what really happened to the vaccinations that were contaminated and how long does it take to create a new round of vaccines. It seems like it should be short, but it's probably not. Does somebody want to tackle that? How long does it take to produce new vaccine?"

**Mr. Greg Rockers**, Wichita Clinic, greeted the Commissioners and said, "It takes several months to develop the vaccine. The way the flu spreads, it's basically always cyclical and as it starts, like when we see what's happening in Asia, we know what we're going to need for our flu vaccine here in the United States, and so it's kind of a continually changing program. And so what these vaccine manufacturers, once they start that process and end that run, it's pretty hard for them to gear back up. I'm sure it's pretty cost prohibitive also.

## Regular Meeting, November 10, 2004

To answer your question about the vaccines that were contaminated, they've never really said definitively what the contamination was, just that they were contaminated and therefore unfit for use."

**Chairman Winters** said, "Okay, we've got a couple of other questions. Commissioner Norton."

**Commissioner Norton** said, "One of my concerns is we've covered children, which is very important. It seems like that leaves an exposure for our senior citizens and our very vulnerable on the other end of the spectrum. Is there enough out there, in other places, your partners to cover that very vulnerable other end of the spectrum? I mean, certainly the middle group has a vulnerability, but it seems like seniors are at most risk and children. Do we feel like we've got enough to cover them?"

**Dr. Frederickson** said, "I'll turn it over to Val and Sharon to address it from an infection control perspective, but I will say that is the biggest difference between the local criteria and the Centers for Disease Control criteria, that the Centers for Disease Control said anyone over 65 should be eligible, and when we put the paper to . . . or the pencil to the paper, that's where we came up with . . . we actually estimated 170,000 people would be eligible, if we allowed that, whereas by restricting it to just those with medical need, it would be only 43,000. So it was just sheerly a numbers game. The Centers for Disease Control has recognized they only have enough vaccine nationwide for about 20% of the people that they call high risk. I don't know, would one of you two like to address it? You're both infectious disease people."

**Dr. Val Rohlman**, Chair, Sedgwick County Public Health Commission, said, "I mean, it's a difficult choice. The bottom line is we don't have quite enough to meet the CDC guidelines. A lot of the elderly greater than 65 have other co-morbidities that will help qualify them for the flu vaccine for other reasons."

Interestingly, there are some studies looking at if you immunize children, then you decrease the transmission to adults, so hopefully by targeting the children as well, in some areas like in Japan, that's really where they center their vaccine is in children, so that they don't spread it around and bring it home to us. So we just had to make some tough decisions, looking at what we had available and what criteria we make that would fit."

## **Regular Meeting, November 10, 2004**

**Commissioner Norton** said, “Can you tell me something about the steps that the government and the producers are making so that next year we don’t have this kind of continuing problem? It seems like every third year we have some kind of vaccination crisis.”

**Dr. Rohlman** said, “It seems like every third year they come up with a realization and the next year everything goes smoothly, so it goes onto the back burner until next year. One of the difficulties is, at one point we had four different suppliers for the vaccine for the United States. Now we’re down to two and when you’re down to two and one of them is unable to supply it, it takes about 30 days to make the vaccine. We have to grow it on eggs, and it becomes very complicated. There’s no way to speed up that process and you can’t start the process until March, when you sort of know what the predominant organism will probably be for the next year. So you’re limited on when you can start production, and then once you start up, if you find out in July you’re having problems, it’s rather difficult to catch up. So the hope is, the Infectious Disease Society of America is trying to work with other government agencies to try to keep that from happening again. We’ll see how that works out next year.”

**Commissioner Norton** said, “Okay. Is the only way to supply this through private industry producing it, or is this a national health problem that needs to be solved in a different manner?”

**Dr. Rohlman** said, “As an infectious disease consultant, I would say this is a national health problem that needs to be addressed differently than what has been done up to this point.”

**Commissioner Norton** said, “Well, we won’t do that locally, but thank you.”

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

**Dr. Rohlman** said, “We have great cooperation here locally, and I really appreciate the Health Department and the Wichita Clinic especially has been wonderful. They supply the vaccine to both hospitals. Neither hospital got any of their shipments, so I think the Wichita Clinic deserves extra applause for their ability to help us out in this crisis.”

**Commissioner Norton** said, “Awesome.”

**Chairman Winters** said, “Thank you. A couple of more questions. Was that it, Commissioner?”

**Commissioner Norton** said, “That’s it.”

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

## Regular Meeting, November 10, 2004

**Commissioner Unruh** said, "Commissioner Sciortino was ahead of me."

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

**Commissioner Sciortino** said, "Just a question, maybe the people . . . I'm befuddled on this. Why are we not producing it here in the United States? Why are we shipping . . . outsourcing this drug to England and Timbuktu and what . . . how come our local . . . our own drug companies aren't producing this?"

**Dr. Rohlman** said, "I don't have an easy, straightforward, non-political answer for that."

**Commissioner Sciortino** said, "You can do political if you want, I don't care. I just want an answer."

**Dr. Rohlman** said, "Vaccines, as a whole, are not great revenue producers for drug companies. And so, to put a lot of effort into something, for example there have been vaccine companies that made a lot of flu vaccine and then it wasn't used and then it just went to waste at the end of the year. It's not something that you can hold over and use again. So there's a lot of infrastructure issues that go along with that."

**Commissioner Sciortino** said, "Any other reasons?"

**Dr. Rohlman** said, "It's just sort of a tedious process in developing the flu vaccine and there aren't many people who want to jump up to the plate for that."

**Commissioner Sciortino** said, "I heard there might be some tort problems, that they were getting sued by catching Geon Barre or something and they thought the cost of defending those suits weren't worth the effort. Did you hear anything like that?"

**Dr. Rohlman** said, "It's hard to say. I mean, you always hear some of that related to anything in medicine. But you know, certainly there were four companies that started out several years ago and now we're down to two companies that are willing to make the vaccine."

**Commissioner Sciortino** said, "Well, we do need to do something about it, and I don't know if it means starting it up through the government, or getting the legislature to immunize the drug companies from lawsuits if they produce it or something, but it's a big problem to have to be dependent on a foreign company to provide our drugs. Thanks."

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

## **Regular Meeting, November 10, 2004**

**Commissioner Unruh** said, “Thank you. I have two questions. First one, you may have answered in the presentation and I missed it, but in its current crisis, are health care workers, is there enough vaccine that they can be immunized so we can stop the spread of the flu?”

**Dr. Rohlman** said, “We have actually worked in both hospitals, and Wesley has completed offering immunization to all the health care workers. Via Christi is completing their offering too, so we can see how much vaccine we’ll have left over to distribute to other places, so the hospitals have been able to offer it to their employees. And the other problem is physicians have not been able to get it either. If their offices can’t get it, then they can’t get it, so we’ve worked on ways to try to offer it to physicians and other allied health personnel through our hospitals.”

**Commissioner Unruh** said, “Okay, thank you. Is there . . . I mean, the way this vaccine is going to be distributed now, there is a charge for the vaccination, is that correct?”

**Commissioner Sciortino** said, “Yeah.”

**Commissioner Unruh** said, “And is . . . and the question is, in a scarce market, prices go up. I mean, is there any price control on this?”

**Dr. Frederickson** said, “Price gouging, well we’ve all cooperated with the Attorney General’s efforts to control price gouging in Kansas. The . . . I know that our own Health Department will be distributing our adult doses of vaccine to health providers at our cost of the vaccine and all of the collaborators and partners have agreed to use the price that they had set before the shortage. So, this collaborative process has done many things, besides evenly distribute the vaccine carefully, it has also protected the cost.”

**Commissioner Unruh** said, “Okay, very good. Thank you, that’s all I had Mr. Chairman.”

**Chairman Winters** said, “All right, well thank you all very much for coming and making the presentation and we appreciate all of your efforts and cooperation and working together and again, special thanks again to Wichita Clinic and to Dr. Frederickson for the Health Department and for you all. We appreciate very much your help. Thank you. Commissioners, do we have a motion to receive and file this report?”

## **MOTION**

**Regular Meeting, November 10, 2004**

Commissioner Sciortino moved to receive and file.

Commissioner Norton seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

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

**C. PRESENTATION OF ANNUAL EVALUATION REPORT OF PREVENTION PROGRAMS FUNDED BY BOTH THE JUVENILE JUSTICE AUTHORITY AND THE COMMUNITY CRIME PREVENTION FUND.**

**OVERHEAD PRESENTATION**

**Dr. Delores Craig-Moreland**, PhD, Wichita State University, greeted the Commissioners and said, "I'm here to talk about the evaluation of the prevention programs that are funded through the county crime prevention fund, as well as from the grants that we receive from the State Juvenile Justice Authority.

Before I get into the actual details of the evaluation, I wanted to mention some important Juvenile Justice related events that have influenced the Sedgwick County programs, but before I get into that, I would like to just say that in the last month to six weeks I've been at three national Juvenile Justice related conferences and I'm very pleased to say that Sedgwick County's Juvenile Justice programs are among the best in the country and they're recognized in that way, because of our information gathering system, because of the efforts that you've made, as well in partner with the state to fund these prevention programs, we look very good and other communities look to us for leadership in that and I think that's something you should be very pleased to know about your

## Regular Meeting, November 10, 2004

efforts.

The opportunities that I want to highlight to you, the first one was Dr. Delbert Elliot was here in March. He delivered a talk on evidence-based programs and he continued to draw our attention to the fact that there are basically two models of delinquency development. One occurs because of exposure kids have in the early years of their life. The other comes because of things that happen to them mostly in those middle school years and that's peer pressure and sometimes destabilization of family, that sort of thing.

I also want to mention, as I'm sure you're aware, he continues to encourage this community and other communities to use as many evidence-based programs as we find affective here. Those are programs that have already been replicated in other communities, with demonstrated ability to actually impact the risk of delinquency.

The second thing I wanted to draw your attention to is that Channing Bede partnered with WSU and we conducted a community needs assessment. That was concluded in July. The basic recommendation from Channing Bede that relates to that is that we would receive the greatest benefit in our prevention programs if we concentrate them in the areas of highest need. With the help of Sedgwick County's GIS system, this is for those of you that have your reports, this is tab four, this is a representation, it's a very rough representation. That's not their fault, it's my fault, in the sense that what we wanted . . . what I thought would be helpful to do is to look at a comparison of the relative risks and needs that we have in this city and throughout the county and we split it into zip code quadrants.

We looked at the number of referrals to SRS for child welfare issues, the referrals to the Juvenile Intake and Assessment Center for all reasons that police take kids into custody, as well as the kids that are in Juvenile Field Service, supervision and programs and they distribute . . . you can see that . . . and the numbers in the little boxes, I'm sorry if I'm kind of going fast, the numbers in the boxes are the people in those same zip codes that you've funded programs, either through the county's fund or through the state JJA fund. Those are the numbers that have been served in those areas. The colors denote the zip codes according to the relative density of need.

As you can see, the northeast area is in red, which indicates the highest need. We have areas of green. It supports something that we've had conversations about before, which is the closer we get to the center of the city, the higher the risk density. And then, as you go out a little further, you may see some areas again of concentrated need. There is a relationship that's not driven by economics, but there's certainly some relationship to economics. As you can see, according to this map and if you take into account Channing Bede's recommendation, we would be moving more services into that northeast area, we're not over-serving an areas. It may look like it to you when you look at the numbers and say, 'Well, we're serving more people than it appears we need' but the

### **Regular Meeting, November 10, 2004**

largest type of need that we have, in the way of risk need, is school-related and that data is not on this map, so that's why you will see numbers sometimes looking like we're over-serving areas.

Okay, the third . . ."

**Commissioner McGinn** said, "Dr. Craig, could you re-explain that, because I'm sitting here looking at 67218, and seeing such a high number there in trying to understand."

**Dr. Craig-Moreland** said, "The 67218, which is in the eastern part of the city, it goes to the eastern . . ."

**Commissioner McGinn** said, "It's kind of the College Hill area, it looks like."

**Commissioner Sciortino** said, "That's Woodlawn, Oliver, Hillside."

**Commissioner Unruh** said, "That includes Planeview, does it not?"

**Dr. Craig-Moreland** said, "It captures Hilltop, doesn't it or does it? Yeah, that's . . . the Hilltop area and that area around St. Joseph's campus is the main reason for that high level of service there. Jefferson School is in that same area, and we have a couple of programs at Jefferson. Again, if you remember what . . . the thing that I promise to do better next year and get the school information in it, because the picture would look a little more consistent if the school information were in it, because a lot of these services are school related. I just simply couldn't get the school information and I wanted you to have a point of reference, because this is an important recommendation that Channing Bede is making."

**Commissioner McGinn** said, "Okay, thank you."

**Dr. Craig-Moreland** said, "I apologize for the lack of total clarity."

Okay, back to . . . okay, so that last one of the three important events that I want to talk about is in September, Heather McGilfrey from the Colorado National Center for School Engagement was here to talk about things that work in truancy. Part of the reason for looking at best practices in truancy is if you add up the Sedgwick County Crime Prevention funds and the Juvenile Justice Authority funds in the prevention area that are spent on truancy, we make a substantial commitment in this area. So it seemed like an appropriate thing to look to national experts who could give us some ideas about any potential improvements in that area.

## Regular Meeting, November 10, 2004

Probably the most important finding from their work and from the eight sites throughout the country that are funded with OJJDP funds is there needs to be a continuum of services. This is not something that can be addressed by a single program. There needs to be engagement of the school personnel, the District Attorney and most important of all, of the parents.

A service brokerage model is being used very effectively in most of these eight sites, and it's principle advantage is its cost-effectiveness. It's basically wherever you identify kids as being truants, you do a brief assessment, you identify the likely root causes and you refer them then to specialized forms of services, depending on what those problems might be.

Just as a point of reference, for perspective on this, in the most recent school year that we have data for, which is the '03-'04 year, USD 259 had slightly more than 3,000 students that met the threshold for identification as truants, which makes that roughly 6.45% of the student population is reaching that threshold.

Okay, so those are the important pieces of background to the evaluation. The next point I want to make is the ultimate measure of the effectiveness of the programs that are fielded here for prevention in Sedgwick County is Juvenile Justice activity. This is a chart that you see each year, both as a part of the benchmark report that's kind of an update on our risk factors. That's on the back of that single sheet that I gave you. It provides information about Juvenile Justice filings, about new custody cases that are referred to the Juvenile Justice Authority but remain here in the community. It also gives you information about juvenile correctional facility commitments. Juvenile Intensive Supervision caseloads and case management caseloads for them, as well as the percentage of the population in the detention facility that are awaiting placements.

If you look at the left-hand column, that's our baseline year, which is the state fiscal year 2000. And because of space, we can't give you every year or every factor, but you will notice that when you compare filings across the years, they continue to drop. JJA new custody continues in an overall downward trend, although there's a slight rebound, which should give us some pause, because that is suggestive of the fact that we may have some increases in action here.

But overall, this document supports the effectiveness of the prevention programs. The most important way that it tells you that our prevention programs are working is in the filings. The filings are the ultimate barometer of the cases that actually rise to the threshold of legal sufficiency and the District Attorney's Office decides to act on that. So the fact that that's going down is a continued reason to be positive and hopeful about the affects of the prevention programs."

**Commissioner Sciortino** said, "Now you're talking about something above and beyond just the truancy program, is that correct? When you say juvenile filings, it's not just the truancy program?"

## Regular Meeting, November 10, 2004

**Dr. Craig-Moreland** said, “The juvenile filings are all the cases that the police department does an arrest, provides the District Attorney’s Office . . . these are not related to the truancy filings. Those are status offenses. These are the actual filings for offences, so these filings would be considered the most direct evidence we have about the level of criminality in this community, by youth, not by everyone, but by youth.

I want to talk about the prevention programs in terms of the different age groups that we deal with. We have programs that are designed to have an affect on the very young. In other words, kids who are not yet in school. Then we have programs that are focused for elementary school kids and programs that are focused for middle school kids. This is in accordance with adhering to Dr. Elliot’s model or models of the development of delinquency. These early years programs are mostly focused around training parents and those who work with children to be sure that children acquire good skills for conflict resolution, that they receive protective factors in the form of appropriate attention and so on.

The programs there, CIS continues to do a readiness effort throughout the county to make sure that we assess each child as they come to kindergarten to make sure they’re ready for school and to make appropriate referrals as necessary. Rainbows United uses the Incredible Years programming to train staff and parents on the development and the issues of the very young. The Mental Health Association does a Reducing Anger in Preschool. I’ve observed that program. It’s amazing to watch little people learning how to settle things in non-violent ways. If you’ve ever been around preschools, you know that there can be some amazing displays of anger and upset among children and it’s good to see them learning affective ways.

Those programs are estimated to impact roughly 1,000 children and we had secondary prevention where it’s more targeted to people we know have issues. KCSL does parent training, and that crosses both the early years and the elementary school years. Catholic Charities has a Family Advocacy program that does the same thing. There’s relatively small numbers there, but these are situations where we know these people have a definite need.

As we move on then to the elementary school years, the programs there provide some direct services and also work with the families of the elementary school students. We have Hilltop Improvement Alliance has two parent support workers who are in the community. When parents are having problems getting their kids to school, they are actually right there in the community helping.

Big Brothers/ Big Sisters, as you know, provides that really important element of a caring adult, a mentor, a big brother or a big sister. Communities in Schools is doing on-site programs in four schools. Those programs include matching those children with an array of services that they need. Again, the KCSL parent training is in this category also. And in combination, these programs serve

## **Regular Meeting, November 10, 2004**

more than 550 elementary school students, thereby reducing their risk of delinquency substantially.

Just one more of these little slips of paper to go. The middle school is by far and away the largest block of programs are designated as working with the middle school students. Some of these programs don't actually restrict themselves to just middle school years. They may actually also be serving high school students. Again, we have the Hilltop Improvement Alliance is working on attendance. Big Brothers/ Big Sisters also serves this population. The parent training and also the JIAC case management that KCSL does provides services to these middle school years. Wichita A.C.T.S. is doing case management and intervention and work with parents to truant children. Family Consultation is providing the functional family serv . . . functional family therapy. Family Group Conferencing is working with first-time offenders, gathering groups to provide substantial intervention. Higher Ground is working with substance abuse cases and doing an approved curriculum. Wichita Family Service Institute has a special program of children who are having difficulty with school and with social issues. Episcopal Social Service, the Teen Intervention program takes shoplifters through a balanced and restorative justice curriculum. KANSEL helps kids who have a need to finish school and to get some entrée into the world of work. The Boys and Girls Club has a targeted intervention program. Mostly it's directed at working with kids who have been bumped out of the regular schools through an expulsion. They provide a program and those kids get back into school. That's very critical for those kids.

All together, these programs serve more than 1,000 youth. They are principally serving those with a demonstrated risk. It's quite an array of programs. They are very affective. If you've looked at the report, you know that they distribute some of these. They are primary prevention programs, which means they are given to anyone, they're good for anyone. We have quite a lot of these are secondary, which means that we know the person is at risk and finally tertiary, which means that they've already demonstrated their problems and difficulties. Be glad to take questions."

**Chairman Winters** said, "Okay, thank you very much, Dr. Craig. Just a couple of quick questions.

One, this is an annual report that you bring to us each year I believe. Does this then end up then in the hands of Juvenile Justice Authority in Topeka for their review?"

**Dr. Craig-Moreland** said, "Yes, it does."

**Chairman Winters** said, "Do you know, in other communities in Kansas, are we seeing these juvenile filing rates decreasing at a rate similar to what they are in Sedgwick County?"

**Dr. Craig-Moreland** said, "If you look at the state as a whole, there is a very slight decrease, not to the . . . we have been more successful in impacting this than some of the other areas, but you would anticipate that, because our numbers are more substantial overall, so we have a greater opportunity to impact."

### **Regular Meeting, November 10, 2004**

**Chairman Winters** said, “Okay. All right, well I think it’s significant of note that from baseline 2000 to 2004, our juvenile filings are on a reduction trend from 1,812 to 1,435. I think that’s a pretty significant movement, headed in the right direction for a change. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you. I just had one question. You know, as commissioners, we’re often asked ‘Are you doing the most efficient thing and are you economizing, getting the most for your buck?’ As we see all these different providers here, can you speak to whether there’s a lot of overlap or duplication or do each one of these have a different niche of our population that they serve?”

**Dr. Craig-Moreland** said, “Each provider . . . one of the benefits of doing the annual benchmark report, we look at risks and we look at the types of programs that are out there. Channing Bede reviewed that again. We looked for specific gaps and these providers are, for the most part, providing things that are absolutely not a duplication. They are serving a population that would otherwise be underserved. Where in the truancy area is the one place where we feel like maybe there’s an opportunity, by using a brokerage model, to extend ourselves and make greater use of case management that’s in the community.”

**Commissioner Unruh** said, “Okay, thank you. I just think it’s important to have that verbalized, that we’re not being wasteful in any way, but it’s being very efficient and we’re looking at ways, the example of the brokerage model, to even do things better, so thank you. That’s all I had.”

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

**Commissioner Sciortino** said, “Doctor, on the truancy issue, because the truancy issue I think are some of the things that . . . I’m concerned primarily just with what we fund through the prevention fund. I should be concerned about the state dollars too, because that’s our money too, but where we have direct input. What I’m having a difficult time getting my hands around is pick a school that’s in one of the at-risk zip codes, do we have a baseline or something that says, ‘In the year 2000, this number of students that were going to school then became legally, by the definition, truant’. The first year we became involved, the truancy dropped, so we could see whether or not the money that we’re putting into reduced truancy is actually being reduced. Is there anything you could show us in that area?”

## Regular Meeting, November 10, 2004

**Dr. Craig-Moreland** said, “Yes, as a result of the use of JJA funding to put a truancy specialist in the school district, they started working very hard to get these reports throughout the school district. Certainly, for our targeted schools, but also throughout the district. This is still on. This is the front page . . . sorry . . .”

**Commissioner Sciortino** said, “No, we can turn the light down. Go ahead.”

**Dr. Craig-Moreland** said, “This is the front page of a truancy report. This is the 2003-2004 report. This is a good example of the way that the money is positively impacting our ability to serve this community.”

**Commissioner Sciortino** said, “Is that page in this book?”

**Dr. Craig-Moreland** said, “No, I’ll be glad to give you this report. It’s something that Natalie Schneider with the school district produces. What you see there, it’s not an easy chart to read, but basically this school year is represented . . . the total numbers of enrolled students are in this column. The . . . lets see, the total number of students, enrollment averages are in the first column. The number of truant students meeting the threshold are in the next one. This is for an entire year. The next column is the percentage of truant students that meet the threshold, in other words, it would be . . .”

**Commissioner Sciortino** said, “It’s percentage of enrolled students.”

**Dr. Craig-Moreland** said, “Of total enrolled students. Now, the good news and this is the . . . we’ve been getting this report for two- three years. This is the first year of comparison that has actually shown some decline in the total numbers and it’s across the board. Not sure the exact reasons, not trying to promise you this is the beginning of a trend, because I don’t know. But if you look at the last page of this report, 47,152 enrolled students, 3,040 truants, 6.45%. If you look at the prior year, the number of students that met the threshold at that time was 3,508 for a total of 7.43. Now if you look at the high school students, you’ll see that we went from, in the prior year, 16.89% truants to 14.85.

If we look at the middle school totals, prior year, 6.47%, this year . . . this year being 2003-2004,

### **Regular Meeting, November 10, 2004**

that's dropped by almost 200 students to give it almost a 2% decline. Elementary, the change is not so great, but frankly truancy is not so much of an issue there."

**Commissioner Sciortino** said, "Could you go back. Go back to that second page, that's it. What's the number of legal truants in 2003, way over to the right, the other right? There you go. What's the number of students? That's it."

**Dr. Craig-Moreland** said, "660, sorry."

**Commissioner Sciortino** said, "And what was it over there?"

**Dr. Craig-Moreland** said, "626."

**Commissioner Sciortino** said, "Okay. Now do you have . . . this report is good. This is what I was looking for. Now that's the school year 2003-2004 or comparing 2003 to 2004?"

**Dr. Craig-Moreland** said, "Yes. The 2002-2003 year was the base that's to the extreme right and the 2003-2004 year is the one for which we have the complete breakout information."

**Commissioner Sciortino** said, "Okay, got it. Now that's one year. Do you have a couple of more years in the past that you could show us so we could look at trends or something? Because I'm just trying to get my hands around are we really making a dent, and if you have as many years back as you have that same information that we could look at would really be helpful to me if you could get that to me."

**Dr. Craig-Moreland** said, "I'll certainly be glad to give it to you, if you remember that there's a very major warning that you have to understand, and that is that we began to make a concerted effort to raise awareness about the importance of reporting and recording truancy, so for some years it looked like it was increasing because what was actually happening is reporting was increasing. So you can't . . . this year is useful to look at because I think it represents something real."

**Commissioner Sciortino** said, "What do you mean by reporting. I mean, a student is either legally truant or not and that school would have that information. Are you saying that they're reluctant to share that information?"

## Regular Meeting, November 10, 2004

**Dr. Craig-Moreland** said, “Well, I wouldn’t want . . . I wish someone from the school district was here. It’s a complicated issue to them and the reality is, with a site-based system, there has not always been a uniform effort to report that. That’s the best I can say. I don’t know enough about all the issues. I just know that in the very beginning of our truancy efforts, we were consistently told that we could not get broad-based data because of the inconsistencies in reporting an action. That’s not a problem anymore, but I can get you those earlier reports, as long as you understand that I do not put reliance in them until this last couple of years.”

**Commissioner Sciortino** said, “Well, I’d like to see them, because what you’re telling me is that from this year forward, we’ll get more accurate data, because that’s no longer a problem? Is that what you’re telling me?”

**Dr. Craig-Moreland** said, “I’m saying that I believe, from 2002 forward, which is these two years, that we have been getting very good, consistent data that’s uniform in terms of what people believe they should report, when they should report it and how to act on it. So these years can serve as baselines.”

**Commissioner Sciortino** said, “Okay. Now, I want to get it down to my own, proverbial Kansas kitchen English. Isn’t it true the only thing we’re asking the school, ‘Okay, this is a school, what was your enrollment this year and this year how many students were legally truant?’ Isn’t that the only two questions we’re asking them?”

**Dr. Craig-Moreland** said, “That’s correct, but how well people do at noticing when individuals are legally truant is really the issue.”

**Commissioner Sciortino** said, “Okay, thank you. I think I got my questions . . . and Bill was getting nervous and he was going to jump in there and I don’t want him to get nervous. Thank you.”

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

**Commissioner Norton** said, “Well, I know that we’re majoring in the majors, but I see nothing in those numbers about outlying schools and there’s nine other districts that I’m concerned with. I mean, that’s all 259 and I know we have programs in Oaklawn and some programs that are starting to bubble into Haysville and other places, and to believe that truancy only happens in the inner-city is a myth.”

**Dr. Craig-Moreland** said, “You’re absolutely correct.”

**Commissioner Norton** said, “So I guess my challenge over the next few years is to be sure that

## Regular Meeting, November 10, 2004

we're talking holistically about Sedgwick County, because that is my obligation, not just the City of Wichita school system."

**Dr. Craig-Moreland** said, "And part of the effort that I think you'll be hearing more about as you look at the grants that we're sending to the state, part of the effort that we're going to make is to try to gather information from as many school districts as wish to about the condition of kids when they enter kindergarten. That will help us to know just how much we need to be considering those needs. When we plot needs, you saw the zip codes. Basically, what we did was we took the largest zip codes with the greatest action, and just to give you a rough idea, we know we need to do better in terms of getting to some of those other areas. Lots of folks are data challenged and so we're trying to find user-friendly ways to work with them."

**Commissioner Norton** said, "Well, certainly that data sometimes tells a story that's not particularly pretty for certain school districts and it's easier to eliminate it and not have it on the table than to have to justify why they have so many truant students."

The other thing concerning me is that we look towards the future, we know that juvenile justice, juvenile delinquency prevention starts in those earlier years. The numbers don't show that elementary are as truant, but isn't that where they start learning that it's okay to sit out of school and that may not manifest itself until middle school. It's generally the parents that keep them out of school early on, when they're little, but that's a learned thing, that when they have their own ability to walk away from school or drive away from school, that we've taught them how to be truant, based on the things they learned from their parents, early on. Isn't that something that we're trying to nip early on, to get people to stay in school, so they learn that school is important?"

**Dr. Craig-Moreland** said, "That's right. I think there are two focuses in that. The reason that we look at the readiness factor, when they come to kindergarten, is we realize that there's a typical pattern that can occur if a kid is not ready and that is they come to school and they may not be as quick in picking up the letters, identifying their name, acquiring good reading skills and so on, and as the years progress, that becomes an ever-increasing problem to a child. By the fourth grade, reading isn't something you do for its own sake, it's how you acquire everything else, so difficulties there will make themselves known. Kids will decide they've got a stomach ache and they don't want to go on the day that a paper is due and if their parent happens to have had some of the same problems, they can be very sympathetic to that child, so there's a lot of things that are occurring during those first few years that will manifest themselves when I child reaches middle school, in

## **Regular Meeting, November 10, 2004**

terms of poor grades, poor attitude, lots of acting out and lots of absences.”

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

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

**Commissioner Sciortino** said, “Thank you. Doctor, I think the effort that we’re trying to do here is commendable. We’re trying to reduce truancy and keep children in school, minimize antisocial behavior with an idea of reducing the pressures on our jails and etcetera and so forth and turn them into productive citizens. My concern is that we’ve stretched ourselves out too thin and trying to get into every school and try to do everything, but not having adequate resources to do as good a job as maybe we could. Is there any credibility to the idea of shrinking back, picking one school that is maybe is in a zip code that has a history of high truancy and focus the majority of our prevention fund dollars in this area in that school to see what kind of an impact these programs could have if we had sufficient resources to really get to the potential risk kids, and if that worked, now we know how much money is required to really have a good impact, then try to move that into another school and another school, instead of the old proverbial two miles wide, one inch deep. Is there any credibility to that concept?”

**Dr. Craig-Moreland** said, “Well, to a certain extent, we have concentrated resources. It’s a delicate balance. Jefferson School is a good example. We have CIS there. We have the Hilltop Alliance working with people in the neighborhood. We are doing as much as we can. The school, frankly, doesn’t want us to do anything else because it reaches the point where we get in the way of their doing their business of ongoing education, and that’s not productive. The other problem with that, in some of these troubled schools like Jefferson and I’m not . . . I hope I’m not picking on them, because I think they’re doing a great job there with a difficult population, but their statistics show that they have almost a 100% mobility rate, which means that if you work with a bunch of kids this year, you’ve got a whole new band of kids to work with next year.

And so, the stability of several years of consistent effort, it’s difficult to make that happen. It seems to me, I don’t know that I’m right, but it seems to me that a balance of going as deep as we can in a demonstrated area of affect, like Jefferson, is important without losing the benefit that comes from raising awareness on a broader basis, and particularly putting those deeper penetration services like the Boys and Girls Club programs in areas where you have kids that clearly need more alternatives.”

**Commissioner Sciortino** said, “Okay, thank you.”

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

## Regular Meeting, November 10, 2004

**Commissioner McGinn** said, “Thank you. Just I hope a quick question with a quick answer maybe. You know, I keep thinking . . . as we’ve studied this, we keep going further back to the child’s youth and back to kindergarten. Has there been any thought to testing the parents before the child goes into kindergarten? And what I mean by that is I would think that most parents want their children to begin school and go on, but I think that we need to put some responsibility back on the parents and I think there ought to be some kind of testing mechanism about ‘Are you going to get your child out of bed on time so they can catch the bus? Are you going to make sure they get a meal before they go to school? I mean, is there any way we can start putting a little bit of this pressure back on the parents at that early age, because you just had shared that we start seeing some of these signs early on in a child, schools not that important, well it wasn’t that important to the parent because they had troubles or problems or whatever. I still think that parent wants their child to start kindergarten and go through school. Somehow, I think there’s got to be some testing mechanism and responsibility put back on that parent about making sure that child gets started and begins school fed and ready to learn at 8:30 in the morning or whatever time the school starts.”

**Dr. Craig-Moreland** said, “I think you’re making a very good point, which is a lot of what happens to that child is so dependent on the parents. And there are a few efforts in the community to try and assist parents. There’s the Parent’s University, the Kansas Health Foundation has put quite a lot of effort into the 40 developmental assets, distributing to as many parents as are interested and willing, information about what are the critical needs of kids.

I don’t want to sound hopeless or whatever, because I don’t really feel that way about it, but you generally wind up sort of preaching to the choir. I mean, the people who come to those things and make use of those things are people who are really strongly committed to getting their kids to school, ready to go and so on and they are making good use of those things. I have no good answers, short of making people get a license to have kids or something. Nobody has let me have that power just yet.”

**Commissioner McGinn** said, “And this may be a radical thought, but what if you have this little questionnaire or something you had to fill out and if that parent got something back and said, ‘Well, you’re not going to qualify, your kids not going to be able to go to school because you won’t do these things’ and just put it back on them. I know that’s pretty radical, too far out in this day and age, but I think somehow we’ve got to get that back on the parent, it’s your responsibility to make sure that child is prepared and ready to learn.”

**Dr. Craig-Moreland** said, “Well, I totally agree that the readiness of parents to assume that responsibility and anything that we can do to provide them with resources that help I think is really

### Regular Meeting, November 10, 2004

key. I don't know the answer to getting those who are just not that committed into this struggle."

**Commissioner Sciortino** said, "Well hey, Commissioner, I think one idea might be, I think I know where you're trying to go with this, it's radical to see that you want the parents to assume some responsibility for the children, but one thing that could be done is if that parent, or that . . . is also receiving other services from the state or the county, maybe if they don't do these things, they don't qualify for some of the other benefits that they're getting. Put some responsibility into it. I think it's a thought process that should be talked about."

**Chairman Winters** said, "Okay, Commissioner McGinn, is that it?"

**Commissioner McGinn** said, "I'm done, thanks."

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

**Commissioner Norton** said, "This is just an idea. Have we ever thought about doing a study and go backwards from those that are being detained in our criminal system and find out what areas of our county, what school systems they were in, how they got to . . . what education levels they had, when they dropped out, to start getting a baseline, not of the people we're dealing with here but the ones that are incarcerated. I mean, we have this idea that folks at Jefferson are going to go through the system, drop out and be criminals, we may believe that, but what if all the criminals are really from somewhere else. That they've gotten in the system in a different place than what we think. We may be working on a cause that really isn't there, where it's somewhere else. Have we ever done that kind of a study of people that pass through the criminal systems are locked up in our own jails and detention centers here to find out what their education level was, when they dropped out of school, what school system they were in. I mean, does that make any sense?"

**Dr. Craig-Moreland** said, "There have been some profiles done on adult offenders, and in '94 here in Sedgwick County we did a profile on the kids who were fairly substantial offenders. The thing that our profiles lacked was the exact school information. We did pay attention, we know that generally they don't do so well in school. They have a lot of disciplinary events, a lot of truancy and so on. What we don't know is, in looking . . . we haven't ever tried to look at the total population and see how many kids who have these things do well afterwards, versus how many go into that criminal system and whether they're critical things.

We do big studies on the offender population and we say, 'Okay, well if you start here, each one of

## **Regular Meeting, November 10, 2004**

these things increases your probably' and we've been able to put the number to that, but as to the exact geographic areas, we have not done that."

**Commissioner Norton** said, "And maybe it doesn't make sense to even try to do that, but it seems like we're coming up with the idea that there are certain places that are feeders for the criminal justice system and we just assume that's the case because of certain indicators, but it may not really be the case."

**Dr. Craig-Moreland** said, "Well, it's an assumption that's based on a lot of empirical evidence that the Haukins and Catalina studies and their indications about risk factors is what we use and they've given us a lot of research assurance of the value of those predictors and we just look for the places where the greatest density of risk is and go to work there."

**Chairman Winters** said, "All right, thank you very much. Just one last comment, we do know that in Kansas 70 to 80% of our high school students do graduate and we do know that in the Kansas Department of Corrections facilities incarceration, only 20% of those folks have high school diplomas, so it doesn't take a lot to connect the dots to see that there's a problem there."

**Commissioner Norton** said, "Some place they've dropped out of school or not gotten their education."

**Chairman Winters** said, "Dr. Craig, thank you very much for the report. Commissioners, do we have a motion to receive and file?"

### **MOTION**

Commissioner McGinn moved to receive and file.

Commissioner Sciortino seconded the motion.

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

### **VOTE**

**Regular Meeting, November 10, 2004**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

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

**PUBLIC HEARINGS**

**D. POST ANNEXATION PUBLIC HEARINGS (TWO) TO CONSIDER WHETHER CITY OF WICHITA HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLANS.**

**1. ANNEXATION NO. 99-5: 37<sup>TH</sup> STREET NORTH, HILLSIDE AND BROADWAY.**

**OVERHEAD PRESENTATION**

**Mr. Robert W. Parnacott**, Assistant County Counselor, County Counselor's Office, greeted the Commissioners and said, "This is one of our post-annexation hearings, which is required by statute five years after an annexation by the city, where they've prepared a service plan. The purpose of the hearing, of course, is to determine whether the services have been provided in conformance with that service plan. We have a map up that shows this is a phase one of a two phase annexation, so it's the lighter shaded areas that are kind of sprinkled around the map. For example, right there and there, there and there.

The statute requires notice to be provided by the residents of the area being annexed and to the city. That notice has been provided. I've not received any responses or e-mails or phone calls from any of the residents who got notice. The city has provided us a written report that shows they've substantially provided the services set out in the service plan and they substantially complied with the service plan, or they substantially complied with the service plan requirements and staff of the city is here to answer any questions.

So unless there are other questions from you, I would recommend that you open the public hearing, receive any comment from anybody in the audience that wants to speak or from the city and then

**Regular Meeting, November 10, 2004**

close the public hearing and make a finding whether or not the services have been provided consistent with the plan.”

**Chairman Winters** said, “All right, thank you Bob. At this time, I will open the public hearing, considering annexation number 99-5, in this 37<sup>th</sup> Street North. Before I ask for the City of Wichita, is there any citizen in the audience who would like to address the commission? Is there any citizen here who would like to address the commission on this issue? All right, I see none. I would ask if the City of Wichita has a comment they would like to make? We have received the written report. It is part of our backup, so Terry, you can be as lengthy or as brief as you wish.”

**Ms. Terry Cassidy**, City of Wichita Manager’s Office, greeted the Commissioners and said, “I will be very brief, commissioner. Mr. Parnacott indicated, we have submitted a written report of services that have been provided to this area within the past five years. We do believe that we’re in compliance with the requirements of the service plan. I would ask that the report become part of the public record of today’s hearing and also I have a number of staff members with me from the various departments that deliver services directly to citizens and if necessary, they would be happy to respond to any questions or provide additional information to you.”

**Chairman Winters** said, “All right, thank you very much Terry. Again, just to make sure, is there any citizen who would like to address the commission? All right, I see none, so I’ll close the public hearing. Commissioners, we need a motion finding whether the city has extended services or not.”

**MOTION**

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

Commissioner Sciortino seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “The next item please.”

**Regular Meeting, November 10, 2004**

**2. ANNEXATION NO. 99-10: 13<sup>TH</sup> STREET NORTH AND K-96.**

**POWERPOINT PRESENTATION**

**Mr. Parnacott** said, “This is the second of the two hearings today, so I won’t restate the purpose of the hearing, but again in this case we’ve provided notice to the residents of the area. It’s the darker shaded areas now on this map. We’ve got no responses back from really anybody directly related to the service plan requirements. The city has submitted a written report that does show they’ve substantially complied with the service plan requirements. So again, the recommendation is to open the public hearing, receive any comment and then close the public hearing and make your finding.”

**Chairman Winters** said, “All right, thank you. At this time we will open the public hearing considering annexation number 99-10, in the 13<sup>th</sup> Street North and K-96 area. Before I ask for the City of Wichita, is there any citizen here who would want to address the Board of County Commissioners? Is there any citizens who wants to address the commissioners on this issue? All right, I see no citizens. Terry, would you like to make a comment?”

**Ms. Cassidy** said, “The city believes that it is in compliance with the service plan requirements, as established five years ago when this area was annexed. We would be happy to respond to any questions that you may have. Would also ask that this report become part of the testimony on behalf of the city at this hearing today.”

**Chairman Winters** said, “All right, thank you. Before I close the public hearing, is there any citizen again who wishes to speak on this issue? Seeing none, we’ll close the public hearing. Commissioners, comments?”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**Regular Meeting, November 10, 2004**

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “Thank you very much, Terry. Thank you very much for being here and for all city staff, we appreciate your attention to our prevention program discussion. Thank you all very, very much. Commissioners, do you want to take a break, or shall we just keep on.”

**Commissioner Sciortino** said, “We’re almost done. Let’s keep going.”

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

**NEW BUSINESS**

**DIVISION OF HUMAN SERVICES – DEPARTMENT OF CORRECTIONS**

**E. GRANT APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY FOR SUPPLEMENTAL FEDERAL FISCAL YEAR 2001 JUVENILE ACCOUNTABILITY BLOCK GRANT FUNDS.**

**Ms. Terri Patterson**, Juvenile Field Services Administrator, Department of Corrections, greeted the Commissioners and said, “In October, we became aware of an opportunity to apply for supplemental funds through the Federal Juvenile Accountability Block Grant. The amount of grant funds available is \$46,623 and does require a cash match of 10%, which would equal \$5,180. That cash match is available in a Department of Corrections general fund.

Some of the conditions of this grant are that the grant funds must be expended between December 1<sup>st</sup> 2004 and February 28<sup>th</sup>, 2004 [sic].”

**Chairman Winters** said, “2004 or 2005?”

**Ms. Patterson** said, “2005, thank you. We were able to identify two areas in which we could expend these funds and one is the purchase of services for clients and another is in technology improvements. We have a need for additional purchase of service funds to assist certain juvenile offenders in moving through the Juvenile Justice system. We expect to run out of available

**Regular Meeting, November 10, 2004**

purchase of service funds for our case management program by the end of this quarter and for our Juvenile Intensive Supervision program by the end of the state fiscal year third quarter.

Purchase of service funds are used to assist juveniles in complying with supervision requirements, as well as transporting offenders to and from placement. Purchase of services include such items as individual or group therapy, electronic monitoring, urinary and breath analysis and DNA testing.

We also have a need to continuously upgrade technology in our division. We're seeking to replace nine of our oldest computer stations and to obtain three laptop computers for use in the field and also to purchase eight Microsoft Office Professional software packages.

The Juvenile Corrections Advisory Board, which works on your behalf to better juvenile justice in the system and to make preliminary decisions regarding funding in Sedgwick County has approved this grant application and I would ask that you do the same today, so that I can submit the grant."

**Chairman Winters** said, "All right, thank you very much Terri. Commissioners, questions or comments?"

**MOTION**

Commissioner Sciortino moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application.

Commissioner McGinn seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, "Nice job, Terri, thank you. Next item."

**Regular Meeting, November 10, 2004**

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

**F. RENEWAL OF AGREEMENT WITH STEVE AND CAROL MARTIN, DBA REMOTE DATA SERVICES, TO CONTINUE PROVIDING MEDICAID BILLING SERVICES FOR CENTRAL PLAINS AREA AGENCY ON AGING.**

**Ms. Anita Nance**, Director of Client Services, Department on Aging, greeted the Commissioners and said, “Currently, Steve and Carol Martin, doing business as Remote Data Services, provides the billing services for targeted case management of consumers who are 65 and older, at risk of nursing home institution and also are available to receive Medicaid services in Sedgwick, Harvey and Butler County. Today, we’re just asking for renewal of this contract for fiscal year 2005.”

**Chairman Winters** said, “All right.”

**MOTION**

Commissioner Sciortino moved to approve renewal of the Agreement.

Commissioner McGinn seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “Anita, thanks very much. Next item.”

**G. ADJUSTMENT TO THE ZOO STAFFING TABLE TO INCLUDE ONE GROUNDSKEEPER POSITION, B113.**

**Mr. Jim Marlett**, Assistant Director, Sedgwick County Zoo, greeted the Commissioners and said, “We’re requesting your approval to add one groundskeeper position to the zoo staffing table. This request is being made because additional groundskeeping staff is needed to maintain the additional eight and a half acres of the Downing Gorilla Forest and the numerous green spaces of the

**Regular Meeting, November 10, 2004**

expanded parking lot.

The actual 2004 and 2005 county budgets will not be affected by this added position for two reasons. First, we've removed the Curator of Behavior and Research from the staffing table. And second, as you know the five year funding agreement between the county and the Zoological Society fixes the amount of money the county provides for the operations of the zoo. If there is any overage, it becomes the responsibility of the Zoological Society to provide the funding.

With that in mind, the Board of Trustees of the Zoological Society has approved the addition of this position. If you have any questions, I'd be happy to answer them."

**Chairman Winters** said, "All right, thank you very much. Jim, I don't see any questions. Commissioner Unruh, do you have a comment?"

**Commissioner Unruh** said, "Well, for right now, I want to ask Jim something after we take this action."

**MOTION**

Commissioner Unruh moved to approve the adjustment to the Zoo Staffing Table.

Commissioner Sciortino seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

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

## **Regular Meeting, November 10, 2004**

**Commissioner Unruh** said, "Thank you. Jim, I would like for you, if you would, tell us about a new arrival at the zoo."

### **OVERHEAD PRESENTATION**

**Mr. Marlett** said, "Well, we're just pleased as punch, we've had a baby rhinoceros."

**Commissioner McGinn** said, "Just happen to have a picture in your wallet."

**Commissioner Norton** said, "And we see the similarity, by the way."

**Mr. Marlett** said, "Bibi, our female rhinoceros that we imported a few years ago from Japan, gave birth to her first baby. It's name is Kati Rain. It weighs about 60 pounds and it was born Friday. This weekend will be the first opportunity for visitors to see the new baby. We're keeping the baby and the mom off-exhibit for a while so that they can get to know each other and especially since this is Bibi's first baby, but I am proud to announce that Bibi has just taken to motherhood like a duck to water and she's just really doing a great job."

**Chairman Winters** said, "I think that was a set up."

**Commissioner Unruh** said, "Well, you know, I don't think the zoo wanted to release the information too soon, but since Jim was going to be here, it was appropriate that we do that I think at this time.

I would like to say it is a strange looking animal, but the Black Rhinos are a pretty rare species, isn't that . . .?"

**Mr. Marlett** said, "They're terribly endangered. There are only about a little over 70 animals in captivity to work from to build a population to reserve, just in case something awful happens in the wild, and that's fairly likely because of the poaching going on for the rhinoceros horn. So, we're doing our share and Bibi's baby . . . Bibi and Bibi's baby actually represents a line that's not well represented in the United States. In Japan, they've been having pretty good success with their line of rhinoceros. They have too many females. We were lucky enough to get one of them and have introduced new genetics into our population. I know it's an awfully dry way of looking at a wonderful, blessed event but it's good on two levels."

**Commissioner Unruh** said, "Well, very good. We just want to encourage everybody to go out and

## **Regular Meeting, November 10, 2004**

see Kati Rain this weekend, right?”

**Mr. Marlett** said, “This weekend.”

**Commissioner McGinn** said, “Jim, when will the horns start to develop?”

**Mr. Marlett** said, “Well, it . . . they develop as they grow and I’m trying to remember from previous rhinos, but it will take several months before you’ll really notice a horn on them. You wouldn’t want to be giving birth to an animal with a horn.”

**Commissioner McGinn** said, “No, exactly.”

**Commissioner Unruh** said, “That’s why Jim is a zookeeper. He knows those things.”

**Commissioner Norton** said, “Most mothers would know that too. I don’t think that’s just a zookeeper thing.”

**Mr. Marlett** said, “Well, thank you very much.”

**Chairman Winters** said, “All right. Well Jim, thank you very much. And you know, it might be that some time after the first of the year, when we’re having a really light agenda, we might want to have a more detailed report from Mark on zoo activities. I think this has been an incredible year at the zoo, so maybe we can schedule a little slide show and update on numbers about what’s happened at the zoo, scheduled for a day when we’re not going to have a marathon meeting.”

**Commissioner Unruh** said, “After all, it is the number one family outdoor tourist attraction in the State of Kansas.”

**Chairman Winters** said, “Thank you very much, Jim. Next item.”

### **H. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF NOVEMBER 4, 2004.**

**Mr. Jerry Phipps**, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “You have the Minutes of the November 4<sup>th</sup> meeting of the Board of Bids and Contracts and there are four items for your consideration.

#### **1) ALERTING SYSTEM- EMERGENCY COMMUNICATIONS FUNDING: COMMUNICATIONS EQUIPMENT**

**Regular Meeting, November 10, 2004**

Item one, alerting system for Emergency Communications. It was moved to accept the low negotiated proposal meeting requirements from Commenco for \$112,679.20.

**2) FIRE STATION ALERTING SYSTEM INTERFACE- EMERGENCY COMMUNICATIONS**  
**FUNDING: COMMUNITIONS EQUIPMENT**

Item two, fire station alerting system interface for Emergency Communications. It was moved to accept the quote from Northrup Grumman for \$29,015.

**3) LAPTOPS- DISTRICT COURT**  
**FUNDING: DISTRICT COURT JUVENILE DIVERSION PROGRAM**

Item three, laptop computers for the District Court. It was moved to accept the quote from Gateway for \$25,284. This is from our joint governmental purchasing with the WSCA contracts.

**4) MOTOROLA RADIOS- FIRE DISTRICT**  
**FUNDING: ASSISTANCE FOR FIREFIGHTERS GRANT**

Item four, Motorola radios for the Fire District. It was moved to accept the quote from Motorola for \$204,309.57.

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

**Chairman Winters** said, "Jerry, we do have a question. Commissioner Sciortino."

**Commissioner Sciortino** said, "Yeah, Jerry, on item number one I know Ka-Comm is substantially lower and I notice in our backup here it says that the reason that we didn't take them is they didn't list any experience working with the type of communication radio system that we presently have. Did we call them and ask them or do we just take the fact that they didn't list it and then just threw it out?"

**Mr. Phipps** said, "I was not part of that review committee, but Mr. Kent Koehler is here that was part of that review committee and if you'll allow him to speak on this."

**Mr. Kent Koehler**, Project Leader, Division of Information and Operations, greeted the

**Regular Meeting, November 10, 2004**

Commissioners and said, “And as to that specific question, we asked them to provide the specifics of their experience and we did talk to them and ask them if they had any experience working on a system such as ours and they did not.”

**Commissioner Sciortino** said, “So we did ask them, after they submitted no experience?”

**Mr. Koehler** said, “Yes, clarified, because honestly I was somewhat surprised that they did not. They are very well known, have a lot of experience, but not with our type of radio system.”

**Commissioner Sciortino** said, “Okay, thank you. That’s all I needed.”

**Chairman Winters** said, “Thanks, Kent. All right, are there other questions or comments? If not, what’s the will of the Board?”

**MOTION**

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

Commissioner Sciortino seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

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

Regular Meeting, November 10, 2004

**CONSENT AGENDA**

**I. CONSENT AGENDA.**

- 1. Temporary Construction Easement for Sedgwick County Project 616-34, widening of 13<sup>th</sup> Street North between K-96 and 159<sup>th</sup> Street East. CIP# R-253. District #1.**
- 2. Amendment to Contract with Wichita A.C.T.S. to make a technical adjustment to one outcome measure.**
- 3. Amendment to Contact with Rainbows United, Inc. to provide crime prevention services.**
- 4. Lease Amendment to Agreement with A. J. Investments for lease of office space used by COMCARE's Centralized Intake and Assessment Center, 1919 N. Amidon, Suite 211.**
- 5. Amendment to the 2004 Capital Improvement Program to increase the scope of the HVAC screen wall project and correct adjacent ADA issues.**
- 6. Notice of Public Hearing for November 17, 2004 regarding adoption of International Fire Code, 2003 Edition, as amended.**
- 7. Bankruptcy Settlement Request by Goldsmith's, Inc.**

**8. Applications for License to Retail Cereal Malt Beverages.**

Applicant Name

Business Name

Mark C. Reed

Sedgwick County Zoological Society, Inc.

Sam G. Eberly

Eberly Farm Inc.

- 9. Orders dated October 27 and November 3, 2004 to correct tax roll for change of assessment.**

**Regular Meeting, November 10, 2004**

- 10. Payroll Check Register of October 29, 2004.**
- 11. General Bills Check Register(s) for the weeks of October 27 – November 9, 2004.**
- 12. Budget Adjustment Requests.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “You have the Consent Agenda before you and I would recommend you approve it.”

**MOTION**

Commissioner Sciortino moved to approve the consent agenda as presented.

Commissioner Unruh seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “Commissioners, we do need to have an Executive Session and we do have a Fire District meeting, so we’ll go to the Fire District, then come back and finish up community business and then go to Executive Session.”

**THE REGULAR MEETING WAS RECESSED INTO THE FIRE DISTRICT MEETING AT 10:45 A.M AND RETURNED FROM RECESS AT 10:48 A.M.**

**J. OTHER**

**Chairman Winters** said, “I will call back to order the Regular Meeting of November 10, 2004 for any community comments or discussion. And I would like to take this opportunity to say congratulations to Commissioner Carolyn McGinn. Last Tuesday was election and Commissioner McGinn was successful in her race for the Kansas State Senate and will be representing north Sedgwick County and all of Harvey County. And so, we all say congratulations, we wish you the

## Regular Meeting, November 10, 2004

very best success and we hope you remember us here in home town.”

**Commissioner Norton** said, “And here’s your list of things that we want from the state.”

**Commissioner McGinn** said, “Well, thank you very much and it’s certainly going to be an honor to serve South Central Kansas and all of the whole State of Kansas and I do hope to take some local, government experience to Topeka, understanding some of the programs and how they work at the grassroots level and bring some money back to South Central Kansas.

I know that, I think on a local basis, I think local government does a good job and an efficient job and an effective job dispersing those programs and getting them out into the community, so thank you very much.”

**Chairman Winters** said, “Well, congratulations and we look forward to working with you in your new position. Commissioner Norton.”

**Commissioner Norton** said, “Well, I had congratulations to all electeds down, but certainly to Carolyn, but you know we’ve got some new legislators that we will be working with and I would challenge them to remember the locals when they get to Topeka. I know they’ve got some pretty stiff issues that they’ll be concerned with. But it’s interesting, we were in a visioning meeting yesterday when we got the draft and one of the number one issues under local government . . . or government that has bubbled up is putting on a united front, from the south central delegation. That there is a feeling that many times that that’s fractured and I’m hoping that local governments and state legislators from our area can work together to build a coalition that will advocate well for south central Kansas, for the economic development future and for education and all those issues that we’re concerned with, but congratulations to all those partners that we’ll have in the elected field to work with this next year.

We did get some visioning information yesterday. We discussed the draft, as the City of Wichita, the county and the school board met to get that information. We had a chance to weigh in on the items and maybe shoot arrows at some of the things that came out of it and I think there was a good dialogue. Hopefully, that final draft will be out to the citizens to know exactly what visioning, after a year, looks like, what it feels like and what we can react to and put money into.

I did want to applaud Haysville’s Campus High School. Last Friday, for the first time in the history of this school, since 1962, they went to the state football final . . . not finals but sectionals and they did lose to Hutchinson in overtime, with a three-foot point field goal, but the kids played their hearts out and we were very proud of them on the south side, so for the first time since the inception of Campus High School in 1962, they did get to go to state in football and that’s pretty exciting for

## Regular Meeting, November 10, 2004

those young people and for the whole town.

On Saturday, I went to the retirement of Lynn Smythe. Colonel Smythe has been with the National Guard for 39 years, out of the south armory. He has been replaced by Colonel Daveron, but replaced only in title and office position. Probably never replaced in what Lynn knows and how he's been dedicated to this community. I first met Lynn and became friends with him during the Haysville tornado. He was the National Guard representative on-site and we worked pretty close for about a month, a month and a half, but he has really been dedicated to the National Guard and to the south side and to his mission for 39 years and that's a long time.

And then finally, tomorrow, eleventh hour of the eleventh day of the eleventh month is Veterans' Day and we should remember those that have fought and died in service of our country in the past and those that are in the military now putting their lives in harms way all around the world. So, that's all I have, Mr. Chair."

**Chairman Winters** said, "All right, thank you Commissioner Norton. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. I'd like to add my congratulations to Commissioner McGinn, as our new senator-elect. I know how effective she's been advancing her agenda around here, so I would just tell our state legislature to be on guard and we expect great things from you, but congratulations.

Secondly, you all thought I was probably through talking about the zoo, our award-winning zoo. Well, our award-winning zoo has another award. It has to do with the parking lot out there. It was designed and completed by our Public Works and David Spears and his staff and I think David, you ought to stand up and take a bow. We won a statewide award for the design and construction of the parking lot at the zoo. And I think Dave ought to step up to the podium and receive this plaque officially. I'm serious, please step up there."

**Commissioner Norton** said, "Engineering is not flashy, but you know we're very proud of the work they do."

**Mr. David Spears**, Director, Public Works Department, said, "There's style and there's substance."

**Commissioner Unruh** said, "We're proud of our Public Works system and we're proud of this particular project. It is an enhancement. We're proud of the zoo and this just enhances the whole atmosphere of the zoo, with a great piece of work. Congratulations."

**Ms. Kristi Zukovich**, Director, Communications Department, said, "This is the first thing that people see when they go to the zoo, so you have made the first impression for them. Good job,

## Regular Meeting, November 10, 2004

David.”

**Mr. Spears** said, “Thank you, Kristi. Well, I’d have to congratulate people on our staff. We designed that ourselves, a consultant didn’t design it. Joe Brand, in our office, designed it and we also inspected it. APAC built it and solved a lot of drainage problems out there. I don’t know if you remember the old lot. That’s why there was so many problems. Water would stand on it and we took care of that and so, we’re pretty proud of it.”

**Commissioner Unruh** said, “Well, good job. We’re proud of you and your department. Thank you.”

**Chairman Winters** said, “All right, anything else?”

**Commissioner Unruh** said, “Well, that’s all I have, Mr. Chairman.”

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

**Commissioner Sciortino** said, “Thank you. I want to take a little off shoot from all the congratulations to senator-elect McGinn. I’d like to really thank all of the citizens in the 31<sup>st</sup> District for electing her to the state senate, so she can get off our backs and bugging us every week on ‘Oh, we need this in my district, we need this in my district’. And I think it’s going to be very interesting and I don’t think the other senators even begin to know how feisty she can be when it comes to fighting for something in her district, but it will be real refreshing having her up there, fighting the good fight to bring some funding back down to us. Not to say I really regret her leaving, but it will be a lot quieter next to my office with her up there fighting the good fight.

She’s done a hell of a job for the people in her district. I mean that seriously and I have no reason to doubt that she’ll continue that type of feeling and will have an impact on the state senate. That’s it.”

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

**Commissioner McGinn** said, “Well, again thank you all for your congratulations.”

**Commissioner Sciortino** said, “When are you leaving? I forgot to ask.”

**Commissioner McGinn** said, “I believe it’s noon on January 10<sup>th</sup> I am not a commissioner and at 12 and the first second I am a senator. I think that’s how it works.

## **Regular Meeting, November 10, 2004**

I just want to, one more time, plug the Doris Kerr Larkins' Luncheon that's Saturday at 11:30 at the Holiday Inn Select. It's at Kellogg and Rock Road and I don't have my . . . I think tickets are \$40, but again, if you buy a membership it's only 35 and the membership will give you discounts the rest of the year. So you can call the museum to get that information, if you'd like to know.

And then one other thing, Old Cowtown Museum is coming into its final season. They close during the winter months, so if we do have . . . the next couple of weekends are nice, take the family out and enjoy the activities at Old Cowtown Museum. And then, in just a few short weeks, actually right after Christmas, they'll start the 'Christmas at Cowtown', Old Fashion Christmas at Cowtown. So you might want to put that on your calendar as well."

**Commissioner Norton** said, "And they just finished Calamity at Cowtown this last weekend."

**Commissioner McGinn** said, "And finished calamity at Cowtown Saturday and actually I believe they had one of the best ones they've ever had. So I hope that that continues to grow. They're looking for their Zoobilee and this may be it. So, thank you."

**Chairman Winters** said, "All right, thank you very much. Any other business, Commissioners? Commissioner, we do need an executive session."

## **EXECUTIVE SESSION**

### **MOTION**

Commissioner Unruh moved that the board of County Commissioners recess into executive session for 5 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 personnel matters of non-elected personnel and that the Board of County Commissioners return to this room from executive session no sooner than 11:06 a.m.

**Regular Meeting, November 10, 2004**

Commissioner Sciortino seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “We’re adjourned into Executive Session and will reconvene here.”

**The County Commission was recessed into executive session at 10:57 a.m. and returned from Executive Session at 11:13 a.m.**

**Chairman Winters** said, “I’ll call back to order the meeting of the Board of County Commissioners November 10<sup>th</sup>, 2004. Let the record show that there was no binding action taken in Executive Session. Other business, Mr. Euson.”

**Mr. Rich Euson**, County Counselor, said, “Yes. Commissioners, while in Executive Session we discussed a couple of cases and I would ask that you consider any approvals of those in separate motions.

In the first case, I would ask your approval to settle attorney’s fees in the case of Anderson and Clover and Rogers versus the county. This was a case that the county settled several months ago involving an alleged retaliatory discharge and at the time that we announced the settlement of that case, we indicated that we would allow the court to set the attorney’s fees and really this is in federal district court. We believe that it’s in the best interest of the county that we settle those fees rather than have the court determine them and so I would recommend that, in that litigation, you settle the attorney’s fees which would be payable to Foulston and Seifkin in the total amount of \$150,104.”

**Chairman Winters** said, “All right, thank you Mr. Euson. Commissioners, is there a motion to

**Regular Meeting, November 10, 2004**

settle these attorney fees?”

**MOTION**

Commissioner Sciortino moved to approve the recommendations of the County Counselor concerning attorney fees.

Commissioner Unruh seconded the motion.

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

**VOTE**

|                        |         |
|------------------------|---------|
| Commissioner Unruh     | Aye     |
| Commissioner Norton    | Abstain |
| Commissioner McGinn    | Aye     |
| Commissioner Sciortino | Aye     |
| Chairman Winters       | Aye     |

**Chairman Winters** said, “Rich, is there other business?”

**Mr. Euson** said, “Yes, and in the second case that we discussed, we had been the subject . . . Sedgwick County had been the subject of an investigation by the United States Department of Labor regarding overtime compensation. And during their investigation, they determined that several employees of COMCARE had worked overtime and weren’t compensated for it and we have reached a settlement with them.

But during their investigation, the county self-initiated its own investigation regarding other employees within the county and we determined that additional amounts would be due. The amounts that we would settle with the Department of Labor would be a total of \$36,478.52. The amounts that would be due to employees in our self-initiated investigation would \$103,387.43 for a total of \$139,865.95 and I would recommend you settle these cases in that amount.”

**Chairman Winters** said, “All right, thank you Mr. Euson. Commissioners, you’ve heard that.”

**MOTION**

Commissioner Unruh moved to approve the County Counselor’s recommendations

**Regular Meeting, November 10, 2004**

concerning compensation for overtime due to COMCARE employees.

Commissioner Sciortino seconded the motion.

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

**VOTE**

|                        |     |
|------------------------|-----|
| Commissioner Unruh     | Aye |
| Commissioner Norton    | Aye |
| Commissioner McGinn    | Aye |
| Commissioner Sciortino | Aye |
| Chairman Winters       | Aye |

**Chairman Winters** said, “Rich, is there anything else?”

**Mr. Euson** said, “No sir, thank you very much.”

**Chairman Winters** said, “Mr. Manager, you have anything else?”

**Mr. Buchanan** said, “No sir.”

**Chairman Winters** said, “All right, this meeting is adjourned.”

**K. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:17 a.m.

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

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

**Regular Meeting, November 10, 2004**

\_\_\_\_\_  
**DAVID M. UNRUH**, Chair Pro Tem  
First District

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**TIM R. NORTON**, Commissioner  
Second District

\_\_\_\_\_  
**CAROLYN McGINN**, Commissioner  
Fourth District

\_\_\_\_\_  
**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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

APPROVED:

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