

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 12, 2005

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, January 12, 2005 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 Lucy Burtnett; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Mr. John Nath, Director, Kansas Coliseum; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Jim Carlyle, Director of Engineering, Law Kingdon Architects and Engineers.

INVOCATION

The Invocation was led by Commissioner Unruh.

FLAG SALUTE

ROLL CALL

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

Chairman Winters said, "Before we proceed, I would like to just take this brief opportunity to welcome Commissioner Burtnett to the board. This is the first meeting that she has served with us, and so congratulations on getting this far and we look forward to working with you, so welcome to our commission."

Commissioner Burtnett said, "Well, thank you very much, appreciate it."

Chairman Winters said, "All right, Madam Clerk, next item."

CONSIDERATION OF MINUTES: Regular Meeting, December 22, 2004

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The Clerk reported that Commissioner Sciortino was absent at the Regular Meeting of December 22, 2004.

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

MOTION

Commissioner Unruh moved to approve the Minutes of the Regular Meeting of December 22, 2004.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Abstain
Commissioner Sciortino	Abstain
Chairman Winters	Aye

Chairman Winters said, “Next item.”

NEW BUSINESS

A. DIVISION OF HUMAN SERVICES – COMCARE.

1. AGREEMENT WITH DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES (SRS) FOR COMCARE TO PROVIDE VOCATIONAL REHABILITATION SERVICES.

Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, “And I’d also say welcome to Commissioner Burtnett. I enjoyed showing you around COMCARE on Monday.

This item has to do with an agreement with SRS. COMCARE has been working with the SRS Vocational Rehabilitation Office for a number of years to provide support, or vocational support for

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individuals who have severe and persistent mental illnesses. We've done that in the past through grants, but this year for the first time SRS has decided to pay providers on a fee for service arrangement instead.

So, what this agreement says is that each community mental health center did work out a case rate per individual with SRS. Our particular rate is \$6,500 per client. SRS VR will give us 20% of that case rate when they make that referral to us. They'll give us 30% when we demonstrate that the consumer is placed in a competitive job and then we get the remaining 50% of that case rate when and if the individual maintains that employment for 90 days.

We are recommending that you approve the agreement and I'd be happy to answer any questions you might have on that."

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

Commissioner Sciortino said, "If I understood the payback, I kind of liked it, because they're wanting to see that there's something productive has been done and they want an outcome and they don't want to pay up front and have the person leave the program in two weeks or something and I think that's a very wise way of spending the taxpayers' dollars. Give us something and then if the person actually sticks, then I think that's a great idea."

Ms. Cook said, "And that was the purpose of it, to incentivize good outcomes."

Commissioner Sciortino said, "I think that's smart. Thank you. That's all I have."

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

MOTION

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

Commissioner Sciortino seconded the motion.

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

VOTE

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Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "Next item."

2. CONTRACT EXTENSION WITH CITY OF WICHITA, KANSAS FOR COMCARE TO CONTINUE PROVIDING DRUG TREATMENT FOR MUNICIPAL DRUG COURT CLIENTS.

Ms. Cook said, "Commissioners, this is a two-month extension on the current agreement we have with the City of Wichita. COMCARE has had the contract with the City of Wichita for drug court for about six years. The contract went out for RFP in November, that responses were due back in December, but they haven't picked the provider yet. COMCARE and others have responded to that RFP, but this extension provides them time to make that final decision and for us to continue until that decision is made.

It is . . . when a new agreement is made, it will be for one year, with an option for a three-year extension. And we have about 250 clients at any given time that are open in that drug court. We recommend that you sign the extension."

Chairman Winters said, "All right, thank you. Commissioners, are there questions or comments? Does it appear that they may change vendors, or is that just an unknown factor at this time?"

Ms. Cook said, "It's unknown, but we have provided a really good service for them at a very reasonable price, so when we attended the pre-bid conference, we were certainly the most knowledgeable group in the room. So we're hopeful that we'll continue with it."

Chairman Winters said, "Okay, very good. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Is it proper for you to let me know the names of the people that were on the panel? Is that proper to share the names of the people? Maybe there is some lobbying that we can do."

Ms. Cook said, "On the panel for who is making the selection?"

Commissioner Sciortino said, "Yeah."

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Ms. Cook said, "I don't know if it's proper or not. I don't have that, but I can get those names to you."

Commissioner Sciortino said, "Okay. And Mr. Euson, is that . . . lobbying is still a respected profession for the most part, except if it's Greg Farris doing . . . no, that was a joke. He's a good friend of mine. But is that proper? I mean, that a couple of phone calls could be made on behalf of COMCARE, or not? Is that something we should just stay away from?"

Mr. Richard Euson, County Counselor, said, "I think if you're just gathering information, fine, but maybe you ought to allow the process to move forward."

Commissioner Sciortino said, "Okay, all right. Thank you. I won't do anything."

Chairman Winters said, "Okay. Commissioner Norton."

Commissioner Norton said, "When did you say that the RFP went out and when was the decision due to be made?"

Ms. Cook said, "It went out in October and we had until November to respond. We thought that decision was going to be made by December, but there was a little extension there, so they are hoping the decision will be made, obviously by the end of this extension time, by the end of February. There was not a large amount of time to prepare for it."

Commissioner Norton said, "Okay, thanks."

Chairman Winters said, "Well, I think we just need to let the process work and they'll select what works best for them, whatever that may be. Any other discussion on this particular request for the two-month extension?"

MOTION

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Commissioner Sciortino moved to approve the Contract Extension and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "Next item."

3. GRANT AWARD FROM SRS FOR FUNDING OF SCHOOL VIOLENCE PREVENTION PROGRAM.

Ms. Cook said, "I brought with me today our new children's director and I wanted just to introduce her to you so you could see who she is, Jody Patterson, in the back of the room. Jody was the one that prepared this and has just done a remarkable job since October in leading our children's program. Thanks, Jody."

This is a grant award from SRS with three goals: to reduce the presence of violence in schools, to improve peer relations and to improve grades and attendance for students. We have had this money since Columbine, in 1999. We have used it for different things. The last two years, we have been using this money to evaluate our Campus Connections program.

This year we decided, once again, to put the money into direct services, and as a result of that, we are contracting with Communities in Schools to provide a clinician to administer the Second Step curriculum, the curriculum we started with in 1999, which is a curriculum that's aimed at building empathy skills in kids, teaching them anger management and problem solving skills, and that's a curriculum that is K through 9, really wonderful curriculum. We recommend that you approve this grant award."

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

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Commissioner Norton said, "You said K through 9?"

Ms. Cook said, "Um-hum."

Commissioner Norton said, "What schools is that in?"

Ms. Cook said, "Well, we have eight schools that are Communities in Schools. I don't have the names of those schools but there are eight different schools. They're hoping to serve 150 kids in those schools. I can get the names of the schools for you."

Commissioner Norton said, "All 259 schools or outlying schools also?"

Ms. Cook said, "Yes, 259 is my understanding."

Commissioner Norton said, "Well, as always, one of my values is that if you talk about Columbine, that wasn't an inner-city school. That was a rich school out on the fringes that had that problem. So any of these kinds of issues, violence, don't necessarily happen in a poor, urban neighborhood. They can happen anywhere and I would hope that, at some point, we could expand into the outer reaches of the county, where school systems are growing awful fast. We're packing a lot of kids in schools that probably need to be subdivided and that piling kids on top of each other adds to that quotient of violence, I believe, so just a thought. I'd like that information, if you could get it to me."

Ms. Cook said, "Sure, be happy to."

Commissioner Norton said, "That's all I have, Mr. Chair."

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

Commissioner Sciortino said, "Well, I want to follow up on what Commissioner Norton just said. A lot of the outlying school systems have Wichita children attending them, because of the different zoning and it does seem like a lot of times these things are skewed to if they deal with 259 that solves the entire problem of the entire county and I echo his thoughts and concerns. I would like to see SRS or other entities at least taking a look at other school districts and giving them some fair consideration also. Thank you, that's all I have."

Ms. Cook said, "Sure."

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

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Commissioner Unruh said, “Well, I would echo those comments. However, it seems like a pragmatic approach. We have to start where we have the partners and where the resources are dedicated and where the issues and the problems are most prominent. And to start the conversation, it’s just too bad that we have to have these types of programs anyway. That our family structure is such that kids need this sort of extra help. I’m happy we’re able to do it and I think we need to focus where we can get the most results for our investment. So, I’m very supportive of it, but it’s . . . Well, I’m distressed we have to have it, but if we’re going to have to have it, it does need to have, I think, a wider universe of students that we can attend to, but I’m supportive of this item.”

Ms. Cook said, “I would add on comment, one of the things that make this difficult is this is money that comes down through the legislature each year. This particular funding always is in jeopardy at the end of the session. It’s not awarded until right before Christmas time, when part of the school year is already started, so it’s really difficult, sometimes to gather all those partners, knowing that it’s just part of a school year that it’s covering and so that makes it complicated as well.”

Chairman Winters said, “Okay. Commissioner Norton.”

Commissioner Norton said, “Well, and I know contracting with CIS, their system, they’re out in some of the outlying areas. They’re out at Oaklawn and Colvin. They’re in Haysville. I think they’ve done some Derby 6th Grade Center, so they’re reaching out to that. So I think they’ll have some systemic affects. And Commissioner Unruh is right. You’ve got to start where the problem is the worst and then try to spread out.

It is just my hope that at some point we make sure we consider that even the suburban schools, as evidenced by Columbine, end up having these kind of violence problems. They’re not insulated from that, just because they’re maybe in a more affluent area or in a small town and that we need to be holistic about our viewpoint. That’s the only point I was making. Thanks.”

Chairman Winters said, “All right, thank you. Commissioners, are there any other questions of Marilyn?”

MOTION

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Commissioner Sciortino moved to accept the grant award and authorize the Chairman to sign all necessary documents containing substantially the same terms and conditions.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Thank you, Marilyn and Jody, thank you for being here and for your work on this project. Next item.”

B. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “This morning we’re going to talk about the activities at the Coliseum for the month of December, 2004 and we’re going to talk maybe a little bit about how the year turned out for us.

The month of December, we had nearly 25,000 people attend nine events, net revenues were nearly \$150,000. That’s a little bit of an increase over last year. Highlights were Martina McBride’s Christmas Show. Obviously, she’s a local celebrity. We had nearly 5,000 people in attendance at that concert, which is kind of surprising, considering she was just here in March with Alan Jackson. That concert happened to be our highest attended show for the year of 2004. We had over 9,000 people at that show.

Then we had Rascal Flatts in concert. That’s an up and coming country band. We set them up in our theater configuration, and basically sold it out. We had 5,800 people in attendance at that.

In the sports zone, we had nearly 12,000 people attend five Thunder Hockey games and that rounded out the month.

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Now for the year, we had nearly 600,000 people through the doors, which is a little bit of a decrease over the previous 2003. However, we're just mirroring the nation. Attendance at events is down. We had a little issue with the economy. There was a huge rebellion against high ticket prices for concerts worldwide. People do not want to spend \$100 for medium-tier acts. They just are not going to do that. So the industry has gone back and has regrouped.

Next year is going to be pretty interesting. I've heard things like John Mellencamp is going to go out with a \$19 ticket, something like that. He's trying to reproduce what Garth Brooks was doing several years ago, reinvent rock and roll all over again, but we'll see what happens. It's going to be kind of interesting.

All in all, we had seven of the top twenty tours stopping at the Kansas Coliseum this year and three in the top ten: Metallica, Van Halen and Toby Keith. I think that's a pretty good representation of our ability to attract top tier acts to our region. If there's any questions, I would certainly be happy to answer them at this time."

Chairman Winters said, "Okay. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. It looks like we had a great year and you're doing a great job. This is probably off target with your report, but how are we doing with respect to our next year's bookings, relative to the arena downtown and the fact that we were going to close and now we're getting started again. I mean, can you speak to that?"

Mr. Nath said, "Uh, yes I can. Uh, we are about five events off of having a full calendar in the pavilions and that is one of the things that we were really concerned about. Hockey will be back next year. Hopefully we will have a few other surprises, which we are not ready to announce right now, in the sports scene. Hopefully, that will come up here very soon, but the concerts are starting . . . we're starting to get the calls from the promoters and the agents and it could be a pretty good year for us, hopefully. But if I had the crystal ball, I guess I'd be in Vegas making a real call, but we're going to keep on plugging away and we call promoters every week, they call us every week and hockey is doing very well. We look for an upsurge next year again. They're having a great year this year."

Commissioner Unruh said, "Well, I appreciate that. I mean, I didn't want to take away from the celebration of a good year, but I mean, it's like that's over, what's coming up, so appreciate the good effort."

Mr. Nath said, "We're going to get after it."

Commissioner Unruh said, "All right, very good, thank you."

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

Commissioner Norton said, "Elaborate a little more on the Thunder, John. You know that was a real media thing all of last year, are they going to stay, are they going to go. We closed down for the Coliseum and we're going to have troubles there. They've had a pretty good season and that looks like the relationship is pretty solid right now for next year."

Mr. Nath said, "Commissioner, the relationship was always very solid. Obviously, they're in business to try to do the best job they possibly can. We respect that. We're in business to try to do the best job that we possibly can. We meet somewhere in the middle.

They're up about 1,000 people over what they were doing per game over last year and that's attributed to the fact that they're winning a lot of games and they're playing very, very well. So I have a lot of hope for the Thunder, I think they're going to do very well."

Commissioner Norton said, "Does the new contract arrangements that we finally negotiated with that increase really stabilize them pretty well in the market? I know you don't want to share any numbers, but does that give them a stabilization, better than they had?"

Mr. Nath said, "Well, it certainly has helped them out a little bit and the fact that they're selling more tickets and more people are coming to the games, which is the idea, is helping us out on our side and that's one of the reasons why we structure our sports deals to basically cover our expenses, and the more people they draw in, the better they do, the better we do, because we take care of them once they come into the building.

It was a one year deal. It looks, due to the uncertainty, as it were, with the legislature, we're going to do another one-year deal for next season, since we're going to be open again in 2006. However, we're going to have option years after that to extend it beyond, until the new building comes online, so we'll be in good shape."

Commissioner Norton said, "Okay. Talk a little bit about the Stealth. Is that a dead deal?"

Mr. Nath said, "The Stealth is a dead deal. There's no owner. They're not on the AF-II schedule this year. However, I have received calls from several other indoor football leagues. They want to buy the carpet from AF-II. They're looking for local ownership. It's getting kind of late to start

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2005. I mean, that season is right around the corner, but we remain optimistic. In the meantime, we're holding the carpet and it's here if somebody wants to come and play."

Commissioner Norton said, "What does that do with dates? Because some of those were pretty good dates for other things, like concerts."

Mr. Nath said, "Well, especially in the summertime, you get concerts as they fall. You'd love to get them on a Saturday night or a Friday night. A lot of times, it doesn't work out that way, so you grab a concert on whatever date it comes to you. The Stealth generally played on a Saturday evening, and from May to August, we have a lot of Saturday evenings available."

Commissioner Norton said, "Okay. That's all I have, Mr. Chair."

Chairman Winters said, "Okay. Are there other questions or comments for John? All right, do I have a Motion to receive and file?"

MOTION

Commissioner Norton moved to receive and file.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, "John, thank you very much. Next item."

C. RESOLUTION DESIGNATING AND CLASSIFYING HIDDEN CREEK ROAD TO THE GRANT TOWNSHIP ROAD SYSTEM.

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

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said, "It is standard procedure that after a road is constructed within a platted residential subdivision in accordance with county standards, that road is then assigned to the township road system. In this particular case, Hidden Creek Road, located in the Hidden Creek Addition, will become the responsibility of Grant Township. The Grant Township Board was informed that this resolution would be on the County Commission agenda by letter, dated November 29th, 2004. I recommend that you adopt the resolution."

Chairman Winters said, "All right, Commissioners, are there questions or comments about this road transfer? Seeing none, is there a motion?"

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Sciortino seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

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

D. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JANUARY 6, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The

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meeting of January 6th resulted in three items for consideration today.

- 1) **RECONSTRUCT FIRE STATION SEWER & DRIVE- FACILITY PROJECT SERVICES**
FUNDING: CAPITAL IMPROVEMENT PROJECT

The first item, reconstruction of the Fire Station #34 sewer and driveway for Facility Project Services. Recommend the low bid from Brecko Construction for \$41,500.

- 2) **CHANGE ORDER FOR DISTRICT COURT CLERICAL REMODEL**
FUNDING: CAPITAL IMPROVEMENT PROJECT

Item number two is a change order for the District Court clerical remodel for Facility Project Services. Recommend that you acknowledge the change order with Robl Construction in the amount of \$60,211.

- 3) **BUS DUCT REPLACEMENT- FACILITY PROJECT SERVICES**
FUNDING: CAPITAL IMPROVEMENT PROJECT

And item three, bus duct replacement for the Main Courthouse for Facility Project Services. Recommend the low proposal meeting specifications from Linder and Associates in the amount of \$249,550.

Would be happy to answer any questions and I recommend approval of these items.”

Chairman Winters said, “All right. Commissioner Norton.”

Commissioner Norton said, “On number one, and maybe Dave will know this, the reconstruction of the sewer and drive at Station 34, is that just maintenance to take care of some of the sewer lines and road entering in?”

Mr. Spears said, “Commissioner, that is not our project. It is not a Public Works project, no sir.”

Commissioner Norton said, “Oh, it’s not.”

Ms. Baker said, “It’s replacement of the sewer line, going from the station to the septic and then they’ll replace the driveway that gets torn up replacing the line.”

Commissioner Norton said, “Okay. I know, as we’re looking at stations and what we’re going to

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do, that we're looking at reassigning some different equipment to different stations. One of the conversations is that Station 34 is going to pick up maybe some heavier equipment. I'm just wondering if we've taken that into consideration when we put that road back there, that it maybe needs to be widener, that it needs to have a different entryway or whatever. I just want to be sure that we're thinking about what we're doing with station relocations and moving equipment around and infrastructure, as we upgrade our facilities. I don't know if that's the case, but wanted to be sure we considered that before we did this project. It's a good project. That's all I have."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. Iris, just on item number three, first of all it seemed like the original proposal, Linder was substantially lower than the other ones that bid it the same way, but then Linder also came up with an alternate aluminum and an alternate copper, and their bid on those was substantially lower than the ones that bid an alternate. But can someone explain to me why the alternate of aluminum or copper just wouldn't work, because it looks like we could save almost \$100,000 if we went with that alternate?"

Ms. Baker said, "I'll defer that question to the design team architects and engineers who put the specifications together."

Chairman Winters said, "And I think, if you would, please give your name and address for the record and perhaps a little more about this. I mean, this is a critical project, I think, for the courthouse and if you could talk to us a little bit about this, it would be helpful."

Mr. Tim Carlyle, Director of Engineering, Law Kingdon Architects and Engineers, greeted the Commissioners and said, "We design the system that's being considered right now. Electrically, this bus duct for this building is the backbone of all your systems on all the floors, all your lighting, all your power, computers, air conditioning, the whole thing."

Electrically, copper material is a much better material than aluminum. This particular bus duct had been damaged by water in its existing location. Water damages aluminum much easier than it does copper. Aluminum oxide is not a good conductor, while copper oxide will conduct electricity. We feel that copper is a better material. It's the material you have now in the present bus duct."

Commissioner Sciortino said, "Let me ask, Linder actually put three proposals and one was an alternate copper square-D bus duct and that proposal was \$158,600 and then their other proposal, they don't list if it's copper or aluminum. I assume it's copper was 249, so my question was, between that and the alternate copper square-D bus duct, is there something you could let us know

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why it's so crucial for us to go with one that's \$90,000 more?"

Mr. Carlyle said, "The alternates that were submitted were listed as non-compliant alternates, and the reason they're non-compliant is because the square-D bus does not contain a ground bus, which was specified. A ground bus is important in this facility mainly because of all the electronic that you have and will have for the next several years.

We felt that a ground bus was necessary. Your existing system has a ground bus. It would not be proper, I don't feel, to provide a bus duct without a ground bus."

Commissioner Sciortino said, "And the alternate D does not have a ground?"

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

Commissioner Sciortino said, "Okay. I thank you for that, because I think the citizens want to know that we're spending their money wisely, and you've given us now justification as to why an additional \$90,000 is pretty pertinent for us to consider. Thank you."

Chairman Winters said, "And I think I am correct, we were without power in this building about six or nine months ago for an extended period of time because of the oldness of these bus duct and it took an incredible amount of work and it was not a pleasant thing, so it's my understanding that this will help alleviate any of that possibility in the future. Commissioner Unruh."

Commissioner Unruh said, "Thank you. With either proposal, are we going to eliminate our exposure to water contamination? It seemed like that was one of the main reasons to go for the copper. Is there a way to avoid that or is that an issue?"

Mr. Carlyle said, "No, it is an issue. The bus duct that will be used is water resistant, where the old, existing one was not. There's no guarantee of anything, of course, but the present specified system will resist the damage that the original bus duct experienced."

Commissioner Unruh said, "Okay, I understand that, but I mean, we can't stop the water contamination, I guess is my question? I mean, wherever it's located, is it just normal humidity type moisture? Are we putting this in the river? Why are we having water, I guess?"

Mr. Carlyle said, "No, the bus duct shares a space with piping and pumps. There had been a failure of a pump last summer that created the water damage, but we have protected those pumps to prevent that from happening again."

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Commissioner Unruh said, “Okay. Thank you. That’s all I had, Mr. Chair.”

Chairman Winters said, “All right, thank you. Are there other questions concerning the report of the Board of Bids and Contracts? And if not, we’re ready for a motion.”

MOTION

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

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Jim, we certainly appreciate your being here to help us with those questions. Next item.”

CONSENT AGENDA

E. CONSENT AGENDA.

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- 1. Notice of termination of contract with Via Christi Regional Medical Center d.b.a. Preferred Medical Associates to provide medical services to inmates at the Sedgwick County Detention Facility.**

- 2. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V04096	\$267.00	5	Oakview at the Park
V04098	\$436.00	5	Hearth Hollow Apts.
V05001	\$287.00	Butler	John Pratt

- 3. The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V94012	\$340.00	\$288.00
V020012	\$573.00	\$573.00
V04006	\$507.00	\$267.00
V01036	\$332.00	\$326.00
V020014	\$323.00	\$328.00
V2029	\$200.00	\$199.00
V04004	\$640.00	\$640.00
V01041	\$493.00	\$549.00
V04005	\$362.00	\$230.00
V04003	\$442.00	\$425.00
V2028	\$90.00	\$106.00
V200120	\$227.00	\$212.00
V020009	\$264.00	\$251.00
V200116	\$355.00	\$373.00
V200115	\$265.00	\$246.00
V04008	\$251.00	\$273.00
V200113	\$356.00	\$379.00
V03078	\$428.00	\$376.00

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V04050	\$350.00	\$350.00
V20128	\$348.00	\$361.00
V03061	\$69.00	\$385.00
V03093	\$475.00	\$452.00
V2002	\$258.00	\$278.00
V99073	\$251.00	\$271.00
V03013	\$148.00	\$238.00
V010114	\$178.00	\$443.00
V2001	\$173.00	\$193.00
V04077	\$182.00	\$255.00

- 4. Order dated January 5, 2005 to correct tax roll for change of assessment.**
- 5. General Bills Check Register(s) for the week of January 5 – 11, 2005.**

William P. Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, you have the consent agenda before you and I would recommend you approve it.”

MOTION

Commissioner Norton moved to approve the consent agenda as presented.

Commissioner Sciortino seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Commissioners, that concludes most of the business that’s on our agenda. Before we get into the selection of chair for next year though, we would take time for community comments, if any commissioner has any community events that they need to visit about or would like to. Commissioner Unruh.”

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Commissioner Unruh said, "Thank you. Well, this weekend will be a very busy weekend for those who are celebrating Martin Luther King Junior celebrations. Several of us have . . . or all of us have on our Martin Luther King buttons today. We'd encourage everybody to buy a button and wear it.

On Friday the 14th, the celebration kick-off down at the Wichita Boat House in the evening and on Saturday, January the 15th, Martin Luther King Junior parade begins at noon and starts at McAdams Park, goes east on 17th at W.S.U. if you want to observe or participate in that parade, whatever that takes. And on the 16th, the Kansas African American Museum will host a celebration at the Orpheum theater beginning at 4:00. On the 17th, Monday, the Ministerial League will host a celebration at the W.S.U. Metroplex at 12 noon and Carol, our secretary, tells me there's going to be a big choir there and lots of good music and she's singing in it, so I know it will be good. But anyway, invite you all to take advantage of some of those opportunities to celebrate Martin Luther King and the events of this weekend. That's all I have."

Chairman Winters said, "All right, thank you very much. No zoo business going on."

Commissioner Unruh said, "Oh, the zoo is still open."

Commissioner Sciortino said, "Oh, why did you bring that up."

Commissioner Unruh said, "And the baby lion is out with mom and dad now. And when daddy lion gets tired of the new baby, Majola, he just jumps up on the next ledge and the baby can't get to him. And the baby rhino is over double in size.

The Zoo had almost 600,000 visitors last year, had a wonderful year, and we hope everyone will be very active in their support of the Zoo again. We have a wonderful Zoo."

Chairman Winters said, "Thank you very much, commissioner."

Commissioner Norton said, "One million by 2010. Is that what we're going for? That's our goal now?"

Commissioner Unruh said, "Well, we could do a million next year."

Commissioner Norton said, "If you say it, you do it."

Commissioner Unruh said, "Well all right, let's say it."

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Commissioner Norton said, "One million by 2010."

Chairman Winters said, "All right, let's change the subject. Commissioner Sciortino."

Commissioner Sciortino said, "Well, I just want to let all those that are actively involved in the promotion of Martin Luther King, especially on button sales, that your agent in our office is alive and well. Carol Cole, I won't mention her name but that's her initials, wouldn't let the commissioners pass the front desk until we purchased a Martin Luther King button, so she's doing her job to promote it and it's a great and wonderful celebration and I encourage everybody that wants to get out a little bit this weekend that some of the events that Commissioner Unruh has just mentioned would be very worthwhile. Thank you."

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

Commissioner Norton said, "Just a thought on that. If you want to hear some wonderful, awe-inspiring gospel music, Metroplex at noon on Monday is the place to be. It is just awe-inspiring to hear the message of hope and unity and diversity that is delivered that day and there is a choir of, I don't know, 100 people generally, that are there that just are wonderful. It's great gospel music, very inspiring, so I would encourage people. The county is closed, a lot of buildings are closed that day and if you have nothing on your calendar, noon at the Metroplex would be the place to be."

Commissioner Sciortino said, "Is there going to be any food?"

Commissioner Norton said, "Food for the soul, I guess."

Commissioner Sciortino said, "Well, I like soul food."

Commissioner Winters said, "I'm sure you can find it this weekend. All right, commissioners, are there any other community comments? All right."

Commissioner Unruh said, "Well, Mr. Chairman, if I might interrupt, one other item of business we need to take care of and that is, I just want to say on behalf of the commissioners, and actually the whole of county government, we want to express gratitude and appreciation for the great job of leadership that you've demonstrated as our chair during this last year.

We've had a year of a lot of challenges. We've had annexation problems, and we've had problems with budget, we've had problems with arena . . . they're not problems, they're opportunities."

Commissioner Sciortino said, "Opportunities to excel."

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Commissioner Unruh said, "Zoning issues, and you've led us through all that with dignity and graciousness and a sense of purpose and efficiency. You know, there's a couple of reasons I think why you've been able to do that. One, it's just who you are, it's part of our character. You're a man of industry and intelligence and you have a heart for Sedgwick County. These are true things.

The second reason though is, well for crying out loud, this is the fourth time you've been chair and we expect . . ."

Commissioner Sciortino said, "Once it went twice in a row."

Commissioner Unruh said, "I think so. Well, we just . . . on behalf of commissioners and staff and I think citizens of Sedgwick County, everyone has really been proud to say that Tom Winters is our chairman and we appreciate the work that you've done and I suppose the other commissioners would like to say a word before we go on."

Chairman Winters said, "All right, well I'm prepared to move forward."

Commissioner Norton said, "No, I'm going to say something."

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

Commissioner Norton said, "Well, as I gave up the reins last year and passed it to you, I felt like I was giving you that year that was going to be a huge year for Sedgwick County. Many struggles were going to happen and many issues did come to the table that had to be resolved that we couldn't dodge. And I am certainly tickled with the kind of leadership that you gave us last year, Commissioner Winters. It was a tough year, the budgets restraints were terrible. Dealing with all that went on with the Coliseum and the downtown arena and how that stirred up emotions, plus and minus, in our community and the way you led that with great integrity just really makes me proud to be part of this county commission and willing to follow you during your leadership role. And that certainly makes it easier for all of us that serve as county commissioners to make sure that we have somebody in that leadership role that really that we can follow without any hesitation and you really gave us that last year and I appreciate it."

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

Commissioner Sciortino said, "Tom, the thing that's always impressed me about you, and everyone knows what my initials are, but I'm going to get serious here and not kid around. The thing that I have really come to respect in you is the fact that when you believe that something is right, you end all the polls. You don't wait to see how you're supposed to react based on the

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Monday morning polls that come in. If you believe it's right, you go forward. There's no rearview mirror, there's no second guessing and that's the type of leadership, I think, Sedgwick County has come to kind of take for granted but that isn't the case in a lot of governments that they don't know for sure what their position should be until they take another poll.

And it was evidenced . . . I remember when we were going through the controversy of EMS, you took a position. On the arena, you took a very strong position. I was very proud to join with you in that. And that's the type of things that you have shown to me and I think the rest of this board, that when you're the chairman, we can rest a little easier, especially knowing the fact that you have to do about 125% more signing than we do and we appreciate that too."

Chairman Winters said, "Well, thank you. Commissioner Burnett."

Commissioner Burnett said, "Yes. I just wanted to say, I haven't had the opportunity to work with any of the commissioners that long, but in the last month I've been attending the meetings and your professionalism has definitely shown through and I look forward to working with all of you."

Chairman Winters said, "Well, thank you very much and again, we certainly say welcome to you and we look forward to the next couple of years of working and getting to know you better.

You know, as I said Sunday at the swearing in, Sedgwick County government is involved in some pretty large issues affecting our community and in fact the whole region of south central Kansas. It was a year of opportunities in considering the Kansas Coliseum versus a new regional event center.

We made some tough choices, but one of the things that is becoming more and more a county value as we went and we talked to the people, we spent a whole month of August visiting with 800 people with different folks in different venues in Sedgwick County and made, I think, some very good choices.

Sedgwick County has stepped up to the plate in listening to business and industry talking about future workers that they will need and how we're going to play a part in that and how we're going to make sure there's people there to fill those roles, and again as I said Sunday, jail overcrowding continues to be an issue that we're not going to be able to just leave at the status quo. It is going to need to be addressed.

I think we're capable of meeting all these challenges and for a couple of reasons. One is because we do have a good group of working commissioners who know how to work together to overcome a challenge and really turn that into an opportunity and I've been fortunate to serve with many commissioners over the past years. All of them very good in the things that they do say and the actions they take, but I think that we have got an exceptional group of commissioners now that

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really know how to work together, even though we don't always disagree [sic]. And as Commissioner Sciortino and I were talking the other day, there really needs to be that time when you disagree on this subject, but once that subject is done, it's on to that next opportunity and I think we do that extremely well.

And I guess lastly, the thing that I'd want to do is thank the staff of Sedgwick County. A number of them have come into the room and there are many, many more out there besides these folks, but again I think under the leadership of Bill Buchanan, we all each of us attempt to work on several of the County's value statements, but I think the two that mean the most to me are professionalism and respect. And I think we all continue to strive to do that and I encourage all county employees to continue to work on the professionalism of this organization. I think it continues to improve almost weekly in the things that we do that are really outstanding.

So with that, I would just say thank you to the commissioners and thank you to all the staff and employees of Sedgwick County."

Commissioner Unruh said, "Well, Mr. Chairman, on behalf of the Commissioners, I would like to present this gavel to you as just a symbol and a token of your year of leadership with this commission for the fourth time."

Commissioner Sciortino said, "One thing I have to . . . Could you call . . . I have an aunt that I'd like for you to call and explain that philosophy that once you disagree, you forget about it and go on to the next thing."

Chairman Winters said, "Well, it's not easy to do but I think we've done it quite well. Commissioners, we have two other agenda items we need to take care of this morning and that is the selection of one member of the Board of County Commissioners to serve as Chair, so at this time we will take Item F, which is that selection."

SELECTIONS

F. SELECTION OF ONE MEMBER OF THE BOARD OF COUNTY COMMISSIONERS TO SERVE AS CHAIR DURING 2005.

Chairman Winters said, "And Commissioners, are there nominations and a second for this

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position? Commissioner Sciortino.”

MOTION

Commissioner Sciortino moved to place Commissioner Unruh in nomination as Chair for 2005

Commissioner Norton seconded the motion.

Chairman Winters said, “We have a second for that nomination. Are there any other names that need to be placed into nomination for Chair position?”

MOTION

Commissioner Sciortino moved to close nomination for Chairmanship for 2005 and cast a unanimous ballot for Commissioner Unruh.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Chairman Winters said, “Now Madam Clerk, would you call Item G.”

G. SELECTION OF ONE MEMBER OF THE BOARD OF COUNTY COMMISSIONERS TO SERVE AS CHAIR PRO TEM DURING 2005.

Chairman Winters said, “Commissioners, are there nominations and a second for Commissioner Pro Tem?”

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MOTION

Chairman Winters moved to nominate Ben Sciortino for Chair Pro Tem.

Commissioner Norton seconded the motion.

Commissioner Winters said, “We have a Motion and a second. Are there any other nominations for Chair Pro Tem? Is there a Motion that nominations cease and we cast a unanimous ballot?”

MOTION

Commissioner Unruh moved that nominations cease and the commission cast a unanimous ballot.

Commissioner Norton seconded the motion.

There being no discussion, the vote was called.

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

Commissioner Winters said, “At this time, Dave Unruh will be Chair for 2005, Ben Sciortino will be Chair Pro Tem. Congratulations. Commissioner Unruh, if you’d come to the front, I will pass the gavel to you and you can ask if there is any other business and then adjourn this meeting.”

Chairman Unruh said, “Okay, well thank you. Well, hand me that little note card. I wanted to say a few things.

Well, I have just lavished high praise on Commissioner Winters and it’s all been well deserved but now I’m somewhat intimidated by the standard that he has set as Chairman. However, I’m also confident at this time that all of the commissioners, along with the county staff and its management team, they will all work diligently together to ensure another year of progress in Sedgwick County.

And I’m confident of that because there is a cultural climate that exists here in Sedgwick County that values teamwork and accountability and commitment and professionalism and so I’m

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optimistic that we'll have another year of progress and good government for our county.

We are, however, in the midst of a time that is really pregnant with possibilities and challenges. For example, some of these things we're in the middle of and Commissioner Winters has just mentioned them, but we have an opportunity to add form and substance to our vision of a regional events center. We have the opportunity to participate in the development of a strong and flexible educational and workforce development capability for the south central Kansas area through the Sedgwick County Technical Education and Training Authority. We have the opportunity to reconfigure and strengthen our public health department, as that department undergoes a season of change. And we face the challenge of meeting the crisis of overcrowding in our adult detention facility. Our Criminal Justice Coordinating Council will soon be offering strategies for our evaluation that hopefully will bring some solution and resolution to that problem.

And hopefully, we will bring resolution and some final decision to the lingering issue of a comprehensive solid waste disposal plan. Now none of these higher profile issues will diminish the effort or the high caliber of services that are delivered every day by our division directors and their organizations: COMCARE mental health, Aging, Developmental Disabilities Organization, our Division of Community Development, Public Works, Public Safety, Division of Culture and Recreation, all these will continue to serve responsibly and creatively, as we continue to deliver services for Sedgwick County citizens.

Sedgwick County government is good government and we will make ever effort this year to continue to deliver the good government that our citizens expect and demand. So thank you for this opportunity to serve as your Chair.

Well, I'm ready to adjourn the meeting if there are no other items, but I would . . . Excuse me, I haven't learned how to work the lights. Well, before I go to you, Commissioner Norton, I want to recognize that Mayor Gary O'Neal has just entered the room and Councilwoman Sue Schlapp. We appreciate your attendance and thanks for being here today.

Commissioner Norton.”

Commissioner Norton said, “Chairman Unruh, I just wanted to give you my unwavering support for this next year. Being the Chair puts an extra burden on and you know, we all represent an individual constituency of around 97,000 people, but at the end of the day, we represent everyone in the four walls of Sedgwick County. We all vote on those things and we have to accept the leadership of our chair for the year he's there to try to support that individual for the good of all of Sedgwick County and put aside what some of the individual quirks are for our districts and I wanted to pledge my unwavering support for your strategic efforts, the ideas that you bring, the intellectual capital you try to expand and the inspiration you try to give to our organization for this next year.”

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Chairman Unruh said, “Well, thank you very much commissioner and I anticipate and I need that support from each of you, so thank you all very much. Is there anything else to come before the board this morning? Mr. Manager?”

Commissioner Winters said, “We’re having a reception at 10:00.”

Chairman Unruh said, “At 10:00, in the County manager board room. Is there anything else I’m forgetting right now? Okay, very good. Well, that being the case, I’ll declare this meeting adjourned.”

I. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 9:55 a.m.

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

THOMAS G. WINTERS, Chairman

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Third District

DAVID M. UNRUH, Chair Pro Tem
First District

TIM R. NORTON, Commissioner
Second District

LUCY BURTNETT, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2005