

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 19, 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 19, 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 Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Pamela Martin, Director, Clinical Services, Health Department; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. David Thompson, Executive Officer, Sheriff's Department; Mr. Randy Duncan, Director, Emergency Management; 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

Reverend Dr. Thomas Hallstrom, Reformation Lutheran Church, Wichita.
King David Davis, Wichita.

INVOCATION

The Invocation was led by Reverend Dr. Thomas Hallstrom of Reformation Lutheran Church, Wichita.

FLAG SALUTE

Chairman Unruh said, "Dr. Hallstrom, do you want to just step back up to the podium for a minute. We have a comment that we would like to make here. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. To the general public, as you know we're just getting out of a very serious . . . as a matter of fact, probably the worst ice storm we've ever had and Pastor Hallstrom and his congregation at the Reformation Lutheran Church opened their doors and worked in conjunction with the Red Cross to provide a refuge for those people, families. And while I know the Reformation Lutheran Church wasn't the only church to do this, I'm convinced that without faith-based organizations such as your congregation volunteering to help people, we couldn't have survived and got through this disaster as seamlessly as we did. And I would just like to take this time just to publicly thank you and your congregation, in case any of them are watching.

Regular Meeting, January 19, 2005

Commissioner Winters and I had occasion to be on the bus when the governor toured it and we found everybody over there a little stressed, because you were working pretty hard, but very friendly and the people, I'm convinced, appreciated your efforts very much and we just want to say thank you too."

Reverend Dr. Thomas Hallstrom, Reformation Lutheran Church, Wichita, said, "Thank you and it was our pleasure to serve the community. We're proud to be a part and partners with you in the community. Thank you very much."

Commissioner Sciortino said, "And your congregation said it was better to compliment you than try to compensate you monetarily. Thank you very much."

Chairman Unruh said, "Dr. Hallstrom, thank you for being here this morning and thank you for your service to the community. It's good to see tangible expressions of faith at work, so we appreciate it very much. Thank you. Madam Clerk, call the next item please."

ROLL CALL

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

Chairman Unruh said, "Next item."

DONATION

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

A. DONATION OF \$2,700 BY THE EMPLOYEES COMMUNITY FUND OF BOEING WICHITA, TO BE USED FOR THE HEALTH DEPARTMENT'S MOLARDRAMA TOOTH FAIR.

Ms. Pamela Martin, Director, Clinical Services, Health Department, greeted the Commissioners and said, "Over the last several years, the Boeing Employees Community Fund has donated funding to the Children's Dental Clinic, which provides the Molardrama Tooth Fair to 2nd grade students from all districts within Sedgwick County.

At the Molardrama Tooth Fair, each child is given a bag that is filled with a toothbrush, toothpaste, dental floss and a free apple gift certificate. This is done in order to promote good oral health education. Our recommended action is to accept this donation and authorize the Chair to sign a thank you letter."

Regular Meeting, January 19, 2005

MOTION

Commissioner Norton moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Sciortino seconded the motion.

Chairman Unruh said, "Is there any discussion? Well, I'd just like to make a comment that I think that this is a wonderful program and I think we're all going to be very supportive of it. But there has been quite a bit of emphasis on healthy teeth and how important that is to overall, general health. So if we can teach these lessons at an early age, we're doing a good thing for our citizens. Any other comments? Madam Clerk, call the vote."

VOTE

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

Chairman Unruh said, "Thank you, Pam. Next item."

CITIZEN INQUIRY

B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS.

Chairman Unruh said, "Would you state your name please, for the record."

King David Davis, Wichita, greeted the Commissioners and said, "Commissioners, it is good to see you again, as I make my case for living in the Land of Oz, a time of inspiration, a rediscovering of ourselves and a land to think beyond the limitations of ones imagination. My name is King David Davis.

I can remember entering into Kansas for the very first time, looking for yellow bricks and telltale signs that I was now in the Land of Oz and how I felt sad, disappointed and disillusioned because what I had perceived in my mind was not what I experienced in reality. The land of enchantment had become the land of the humdrum, the mundane and the boring.

Regular Meeting, January 19, 2005

Little did I know at that time that the Wizard of Oz story would become a journey of my own life experience, a story that transcends all human boundaries. Imagine for a moment if you will what it would mean if you could find the yellow brick road to your hopes and dreams. Today, those yellow bricks are like the back of your hand, yellow bricks are going to be different for each person, yet in principle the same. For me it is knowing where to find men and women of honor and yellow bricks that are made of the finest principles that are indestructible, that are greater than the power of men, no matter how many times you stumble in the land.

Just think, knowing where to go to have a red carpet respect rolled out upon your arrival, meeting people who will be your average Joe suddenly become, through the power of respect, heroes. Yet despite all my challenges, setbacks and losses, I feel blessed beyond measure even though I now live at the bottom of the social, economic and political regions of our community, what others consider to be poor, broke and outcast, yet in my mind and heart I feel like one of the wealthiest men in the land. I wealth of the soul, where one discovers the yellow brick road while living in the Land of Oz.

I did a little survey, as it would relate to the lion who wanted courage, the scarecrow who wanted a brain and the tin man who wanted a heart. As I began to ask people whom they most connected to and why, I really began to discover just how much living in the Land of Oz was real and practical today, as it was many years ago.

Examples concerning the lion and why courage was his choice. He wanted courage to change the things that he could, courage to stand up to and do what is right and the courage to simply be himself, despite what others think, say or do. The tin man who wanted a heart so she could connect more with the people around her. You see, life had gotten lonely living in a plastic world. She had built up a shell around herself and had become like tin and for some reason no one could get in, or now she could not get out.

And there was the scarecrow who wanted a brain and when I asked why, he said no matter how many times he tries, he just can't figure out how to get out of his rut or why he is always ending up in the same old mess and how it is that the few exist at the expense of the many in the Land of Oz.

You see, there is a voice in the land, a big voice who handles all the grief. The Land of Oz is old and outdated and somehow we Kansans suffer from an inferiority complex. Will someone please tell the Lieutenant, if there's anyone in Kansas who is suffering from an inferiority complex, it is not the little guy, but rather the arrogant who suffer from a super-inflated ego, the ignorant who makes matters ten times worse because they live in a reality vacuum, the indifferent who hide behind artificial courage to somehow justify their acts, decisions and do nothing in the political spectrums of our community without having to have a conference.

Regular Meeting, January 19, 2005

Well now Kansas has a new slogan, 'Big as you think'. I thought it only appropriate, living in the Land of Oz, to declare 2005 the 'Year of the little guy'. Well the little guy is the new big guy. You see, we already are a wealthy people. Unfortunately, right now we still have some wizards, witches and dark lords that would like to keep the little people underfoot, in the dark and on a leash.

I was asked what character would I have liked to have been. I said 'The house that landed on the bad guys'. And if I can't be the house, I would like to be Toto the dog that doesn't stop barking, proving once again it really is a dog's life living in the Land of Oz, where the little guy is as big as he wants to be and the big boys, known as grasshoppers, well they're not as big as they think and it is they who are old and outdated. And the people are starting to see them for what they really are."

Chairman Unruh said, "Mr. Davis, are you about finished?"

King David said, "Yes. Remember, in the Land of Oz, you're as big as you think and we're planning on thinking pretty big. Join us, as we celebrate the little guy, living in the Land of Oz, thinking bigger than we've ever thought before. Thank you."

Chairman Unruh said, "Thank you for your comments. Madam Clerk, would you call the next item please."

PLANNING DEPARTMENT

C. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER ZON2000-00062 – EXTENSION OF TIME TO COMPLETE THE PLATTING REQUIREMENT FOR A ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "LI" LIMITED INDUSTRIAL FOR APPROXIMATELY 26 ACRES LOCATED NORTH OF K-96 AND EAST OF GREENWICH (DISTRICT #1.)**

POWERPOINT PRESENTATION

Mr. John Schlegel, Director, greeted the Commissioners and said, "This first item is fairly routine, request by the applicant to extend the deadline that you placed on a zoning request, a deadline for platting of this parcel that you placed on their zoning request back in February, 2001. At that time, you allowed the zone change from SF-20, Single-Family Residential to its current designation as Limited Industrial.

Regular Meeting, January 19, 2005

It's a 26-acre parcel, as you can see from this graphic, just on the northeast portion of the intersection of Greenwich with K-96. They've had several time extensions granted already. They are currently in the process of selling this parcel, and would like a little bit more time to get the plat done. The recommendation is to grant the plat extension."

Chairman Unruh said, "And John, last week, a couple of weeks ago we extended the platting time for the property just to the north. Is that correct?"

Mr. Schlegel said, "That's correct, it was just last week."

Chairman Unruh said, "So this just kind of completes the parcel."

Mr. Schlegel said, "Right."

Chairman Unruh said, "All right. Are there any other questions? Commissioner Sciortino."

Commissioner Sciortino said, "Thank you. John, just for my own edification, I know we always say when we start these things, 'Subject to platting within one year' and I know it's pretty well routine for us to give extensions. Is there ever a time where we say 'Well, apparently you didn't have any plans for this, so we're not going to . . .', I mean, this is now going to be the fourth extension, is that correct, on this?"

Mr. Schlegel said, "This will be, yes, the fourth."

Commissioner Sciortino said, "When . . . is there a time that we ever do say enough is enough, or is it just . . .? If that's the case, why do we say subject to one year?"

Mr. Schlegel said, "Well, I think under . . . there could be circumstances where the land uses or development activity in the vicinity of something that you previously zoned may change and at that point you may decide that we do not want to allow this extension of time and we'd like the zoning to go back to the way it was or to be changed to something else. And under those circumstances, you might deny an extension of a plat."

Commissioner Sciortino said, "Would that be something that the recommendation would be coming from the MAPC?"

Mr. Schlegel said, "Yes."

Commissioner Sciortino said, "Okay. All right, thank you. That's all I needed."

Regular Meeting, January 19, 2005

Chairman Unruh said, "Okay. On this particular piece of property though, there are some plans imminent?"

Mr. Schlegel said, "Right, there's some development activity underway for this parcel that had gotten delayed because of the downturn in the economy and this is very appropriate zoning and we think that . . . and the MAPC thinks that this extension of time is appropriate."

Chairman Unruh said, "Okay. Commissioner Winters."

Commissioner Winters said, "Well, Commissioner Unruh, I was just going to ask, this is in your district. You don't know any reason why we shouldn't just take this recommended action, do you?"

Chairman Unruh said, "No, I think we should do the recommended action."

MOTION

Commissioner Winters moved to approve a one-year extension of time to complete platting.

Commissioner Sciortino seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

Regular Meeting, January 19, 2005

2. CASE NUMBER DR 2004-13 – PROPOSED AMENDMENT TO THE WICHITA-SEDGWICK COUNTY SUBDIVISION REGULATIONS.

Mr. Schlegel said, “Okay, no graphics on this particular item. This is an amendment to the subdivision code. Back a number of years ago, there was a provision put in the subdivision code that required lot bundling, and I’ll explain what that is, for plats that were submitted within an area where municipal services were expected to be extended. That’s the growth areas or Wichita’s urban service area.

The application of this provision however has created some very practical difficulties for sub-dividers, particularly the sellers of parcels within these plats and also for a number of the buyers of lots within these bundled, lot bundled subdivisions. What a lot bundling provision does is it takes a subdivision where urban services are not currently available and typically the sub-divider would be looking to put in five or ten-acre . . . create five or ten acre lots within that subdivision. But this particular provision requires that they provide for the future subdivision . . . into the future subdivision of those five and ten acre lots into urban scale lots, so you wind up with a subdivision where you have five and ten acre lots, but within that there’s an overlay of another plat showing urban-scale lots with streets platted and easements for all the utilities and drainage that’s required in that type of a subdivision and it creates a very complicated plat, where the buyer of a five or ten-acre lot often has trouble even finding a suitable site within the plat to build a house. So we’ve had numerous waiver requests and numerous requests to vacate easements.

And what we’d like to do and what we’re proposing here today is to change one word and that’s the ‘shall’, which makes it mandatory, to ‘may’, which would make it optional. There have been some sub-dividers that have actually wanted to do this, despite the practical difficulties that this lot bundling creates, but what we think is appropriate is that it should no longer be mandatory. You’ll recall that not very recently I presented to you the urban fringe development standards and we’re moving ahead with creating the changes in the subdivision code that will implement that policy, and we feel that those changes are a much better way of handling the issues that lot bundling had attempted to address. So the recommendation is that we change the one word, ‘shall’ to ‘may’ and change this from being a mandatory provision to an optional provision.”

Chairman Unruh said, “Okay, thank you. Is there any discussion, commissioners?”

MOTION

Regular Meeting, January 19, 2005

Commissioner Norton moved to approve the amendment to the Wichita-Sedgwick County Subdivision Regulations as recommended by the Metropolitan Area Planning Commission, adopt the Resolution and authorize the Chairman to sign

Commissioner Sciortino seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item."

- 3. CASE NUMBER CUP2004-50 (ASSOCIATED WITH ZON2004-59) – CREATION OF NORTH RIDGE VILLAGE COMMUNITY UNIT PLAN (CUP); ZONE CHANGE FROM “SF-20” SINGLE-FAMILY RESIDENTIAL TO “SF-5” SINGLE-FAMILY RESIDENTIAL AND “LC” LIMITED COMMERCIAL; GENERALLY LOCATED AT THE SOUTHWEST CORNER OF K-96 AND RIDGE ROAD. DISTRICT #4.**

POWERPOINT PRESENTATION

Mr. Schlegel said, "Commissioners, on this item you can see on the graphic in front of you that the applicant would like to change the current SF-20 zoning to a combination of SF-5 on the western one-third and that dashed line that you see on the graphic represents the boundary between the SF-5 and the proposed LC district. It's actually two different applicants that are going together in this application request, and the dark line that runs east and west through there denotes the ownership, the different ownerships.

What they're attempting to create over here, and I'm going to skip ahead here, is an eight-parcel community plan for this approximately 52-acre parcel. Now parcels five through eight have

Regular Meeting, January 19, 2005

frontage along K-96, which is along the north boundary, and parcels one and eight have frontage along Ridge Road, and you can see from this diagram that there's a single street that's being proposed to provide access into this CUP. It's pretty typical for a lot of CUPs. There's a list of prohibited uses, the usual objectionable types of uses that they've included in the CUP. The three parcels closest to Ridge Road are proposed for commercial and retail activities. The other parcels in the 'LC' areas would be used for office development. And then of course the parcel furthest to the west, which is parcel five, is in the floodway of the Big Slough North and is limited to use as flood plain, open space, drainage lakes, landscaping and pedestrian access and it would be zoned 'SF-5'.

The site is currently vacant. Let's jump back to the aerial photo, and is abutted immediately to the south by another CUP called North Ridge Plaza, which has also been approved for commercial development. The MAPC heard this item at its December 10th meeting. No one was there to protest and the MAPC voted unanimously to approve the zone change and the creation of the CUP, as it's been presented. Be glad to take any questions."

Chairman Unruh said, "Commissioner Winters."

Commissioner Winters said, "Thank you. John, if I'm correct, this is in Commissioner Burnett's district I believe and she is out of town today and not able to be at today's meeting, but a couple of quick questions. I have not heard anything except positive. I mean, I've not heard anyone protesting this."

Mr. Schlegel said, "No, none at all."

Commissioner Winters said, "Where is the city limits? This is in the county now? Is that correct?"

Mr. Schlegel said, "Yes."

Commissioner Winters said, "And the city . . . there we go . . ."

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "My recollection is that it's at 37th and Ridge."

Commissioner Winters said, "Is the north city limits."

Mr. Spears said, "I believe so."

Commissioner Winters said, "Okay. I think that's probably right. Then . . . right there . . . I was a

Regular Meeting, January 19, 2005

little confused about then the activity that's going to take place in the far western part of this property? There's not going to be building on that? Is that correct?"

Mr. Schlegel said, "No, the CUP limits the uses there to things that are appropriate for that floodway: flood plain, open space, drainage, lakes, landscaping and pedestrian access."

Commissioner Winters said, "All right. And so that meets your thoughts about that or your staff's thoughts about activity to take place in that part of the property?"

Mr. Schlegel said, "Correct."

Commissioner Winters said, "Because that is a pretty interesting area out there when it rains."

Mr. Schlegel said, "Yes. Now the SF-5 zoning does not, in and of itself, preclude development of that, but they would have to do some pretty extensive, expensive things in order to be able to develop that residentially and from what they've submitted, it doesn't sound like they anticipate that they're going to want to develop that area."

Commissioner Winters said, "Okay. Thank you. That's all I have."

Chairman Unruh said, "Are there any other questions, Commissioners. What's the will of the Board?"

MOTION

Commissioner Winters moved to approve the zone change and CUP, subject to platting within one year and the recommended conditions; adopt the findings of the MAPC; direct staff to prepare an appropriate resolution after the plat has been approved; and authorize the Chairman to sign the resolution.

Commissioner Norton seconded the motion.

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

VOTE

Regular Meeting, January 19, 2005

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Absent
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item. Thank you, John."

NEW BUSINESS

D. SHERIFF'S OFFICE.

- 1. MEMORANDUM OF AGREEMENT WITH OFFICE OF THE ATTORNEY GENERAL OF KANSAS FOR A FEDERAL PROJECT SAFE NEIGHBORHOOD GRANT, TO BE USED TO FUND ONE DETECTIVE POSITION TO STAFF THE WICHITA AREA GUN TASK FORCE.**

Mr. David Thompson, Executive Officer, Sheriff's Department, greeted the Commissioners and said, "The Department of Alcohol and Firearms has created a taskforce to focus on the reduction of violent crime involving firearms in Sedgwick County and the City of Wichita. The purpose is to establish proactive enforcement of federal firearm laws committed by violent offenders, armed career criminals, armed drug traffickers and felons in possession of firearms.

The taskforce will be comprised of ATF agents, a Wichita Police detective and a Sedgwick County Sheriff's detective, and the MOU does provide funding for the position. Do you have any questions?"

Chairman Unruh said, "Commissioners, are there any questions? Well, I'd like to make a comment that I think it's a great . . . it's a great project when you can get cooperation out of federal and state and local officials to solve a local problem. And I think it's also great when the federal government is helping us out with a majority of the funding for this thing. So, I'll be very much in favor of it. But Commissioners, what is the will of the Board?"

MOTION

Regular Meeting, January 19, 2005

Commissioner Sciortino moved to approve the Memorandum of Agreement and authorize the Sheriff to sign.

Chairman Unruh seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Dave. Next item."

2. ADJUSTMENT TO THE SHERIFF'S OFFICE STAFFING TABLE TO INCLUDE ONE DETECTIVE POSITION, RANGE 22, TO STAFF THE WICHITA AREA GUN TASK FORCE.

Mr. Thompson said, "As this position on the taskforce is a full-time position and the taskforce provides the funding for it, we are asking the addition of a detective's position to the Sheriff's manning table to cover the duties."

Chairman Unruh said, "Commissioners, are there any comment?"

MOTION

Commissioner Winters moved to approve the adjustment to the Sheriff's Office Staffing Table.

Commissioner Norton seconded the motion.

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

VOTE

Regular Meeting, January 19, 2005

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Absent
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item."

3. ADJUSTMENT TO THE SHERIFF'S OFFICE STAFFING TABLE TO REALLOCATE 19 DETENTION DEPUTY POSITIONS, RANGE 18, TO 18 DETENTION CORPORAL POSITIONS, RANGE 19, AND ONE DETENTION SERGEANT POSITION, RANGE 22.

Mr. Thompson said, "These position reclassifications address issues and concerns raised by the ILPP study of last year and a National Institute of Corrections audit on our classification program. Both of these reports cited a need for a more structured inmate classification process to better assess the viability of inmates for alternatives to incarceration.

A formal classification unit will also help address other issues, such as those related to improper releases, misfiled paperwork and the foreseeable double-bunking of inmates. Therefore we would ask to reclassify these positions so that we can create a formal classification unit, as recommended by the consultants."

MOTION

Commissioner Norton moved to approve the adjustment to the Sheriff's Office Staffing Table.

Commissioner Winters seconded the motion.

Chairman Unruh said, "Is there a discussion?"

Commissioner Winters said, "I have just a question. Mr. Buchanan, I know that staff has been involved in Human Resources with the Sheriff's Department and as far as you can tell, you and your side thinks that this is a good project and you agree with the Sheriff's moving forward on this. Right?"

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "We've had several discussions and several meetings staff has participated in and we heartily recommend it."

Regular Meeting, January 19, 2005

Chairman Unruh said, “Well, this is kind of one of the early responses to some of the recommendations in the jail population study and if we’re going to move forward with solving the issue of overcrowding, one of the things we have to do is have the proper classifications so we can implement double-bunking and other programs that are appropriate to try to solve this overcrowding issue we have and try to keep from building more jails. So, I’m very much in favor of it and I’m glad that we’re moving ahead with it and setting up the structure where we can do this successfully.

Commissioner Winters, is this your light? Old light, okay. Is there any other discussion? We have a Motion and a second. Call the vote.”

VOTE

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

Chairman Unruh said, “Thank you, Dave. Next item.”

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

E. CONTRACT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) TO PROVIDE FUNDING FOR THE HEALTH DEPARTMENT’S WOMEN, INFANT AND CHILDREN CLINIC’S IMMUNIZATION PROJECT.

Ms. Martin said, “The Women, Infant and Children’s Immunization Action Plan program was developed and funded by KDHE in 2002. The purpose of the program is to improve the immunization rates of infants and children that are enrolled into the WIC program.

In 2002, WIC clients had a 66% immunization compliancy rate. In 2003, they had a 79% and in the third quarter of 2004, an 83% immunization compliancy rate. Our recommended action is to approve this contract and authorize the Chairman to sign the contract and any related documents.”

Chairman Unruh said, “All right. Thank you, Pam. Commissioners, are there any questions or comments?”

MOTION

Regular Meeting, January 19, 2005

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

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Pam, thank you. I do want to make a comment now, after the fact, that this has really been a successful program for us. I mean, each year we continue to increase our percentages of those who are eligible under this program and our percentage last year, I mean, wasn't it 80-some percent of those eligible and this is just another way for us to do a good job as being in charge of our public health department to make sure our citizens have the required immunizations. So, good job and I'm glad we're moving forward on it, but thank you. Next item please."

F. EMERGENCY MANAGEMENT.

Regular Meeting, January 19, 2005

- 1. GRANT AWARD FROM KANSAS DIVISION OF EMERGENCY MANAGEMENT, THROUGH SEDGWICK COUNTY EMERGENCY MANAGEMENT, TO THE LOCAL EMERGENCY MANAGEMENT PLANNING COMMITTEE, TO DEFRAID ADDITIONAL COSTS OF STUDENTS ATTENDING THE 2004 KANSAS HAZARDOUS MATERIALS SYMPOSIUM.**

Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, "Today I'm appearing before you to ask for what I think is a very beneficial thing. The State of Kansas has agreed to provide some additional reimbursement to us for a hazardous materials symposium, which occurred back in November. The reason we're getting the additional reimbursement is because we had a record number of attendees at this particular event. And I don't have the exact number in front of me, but it was well over 300 folks. As a matter of fact, this event is the single largest event providing training to hazardous material responders in the State of Kansas. And so we're very proud that the event has grown to that large."

There is a requirement for a 20% local soft match, and we meet that requirement by documenting the salaries of our firefighters and other attendees who go to that training while they're on duty and we have documented well in excess of the required 20%. So, if you all are interested, I'd be happy to attempt to answer any questions you might have."

Chairman Unruh said, "Well, I would just make a comment Randy, I was privileged to be at that symposium and bring a greeting from Sedgwick County. And I didn't count everyone, but I'm told there were about 460 people there."

Mr. Duncan said, "Well, I'm sure your figures are probably more accurate than mine."

Chairman Unruh said, "Well, I didn't want you to short yourself on those numbers, but I tell you, there were some enthusiastic, eager folks willing to enhance their understanding of these issues and how to apply good safety measures for the benefit of the citizens and it was very well done and you and your staff did a good job in presenting that."

The folks, I think, if we do this regularly, look to me like they're eager to come back and continue that training. Are there any other questions, Commissioners? If not, what's the will of the Board?"

MOTION

Regular Meeting, January 19, 2005

Commissioner Winters moved to accept the Grant Award and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as the Application; and approve establishment of budget authority.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Randy. Next item."

2. REALLOCATION OF \$5,000 OF 2004 STATE AND LOCAL ASSISTANCE GRANT FUNDS FROM SALARY REIMBURSEMENT TO VEHICLE SET ASIDE.

Mr. Duncan said, "You probably remember, each year we engage in an agreement with the State of Kansas where they tell us they're going to provide a certain amount of money to reimburse us for various types of operations that occur within our Emergency Management program.

There are a number of different types of expenses that can be authorized under that reimbursement, and in this case, this is a reimbursement from salary reimbursement, which is an allowed expense, to the operation of a vehicle, which was previously paid for through this same mechanism by the Kansas Division of Emergency Management. So I'd be happy to answer any additional questions, should you have any."

Chairman Unruh said, "Commissioners, what's the will of the Board?"

MOTION

Commissioner Winters moved to accept the Grant Award and authorize the Chairman to

Regular Meeting, January 19, 2005

sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as the Application; and approve establishment of budget authority.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Randy. Next item."

G. RESOLUTION DESIGNATING AND CLASSIFYING FREEDOM ROAD COURT TO THE MINNEHA TOWNSHIP ROAD SYSTEM. DISTRICT #1.

Mr. Spears said, "It is standard procedure that after a road is constructed within a platted residential subdivision in accordance with county standards, that road system is then assigned to the township road system. In this particular case, Freedom Road Court, located in the Savannah at Castle Rock Ranch 5th Addition, will become the responsibility of Minneha Township. The Minneha Township board was informed that this resolution would be on the County Commission agenda by letter, dated January 3rd. I recommend that you adopt the resolution."

Chairman Unruh said, "Commissioners, this is in my district and I have received no objection or comment about it."

MOTION

Chairman Unruh moved to adopt the Resolution.

Regular Meeting, January 19, 2005

Commissioner Sciortino seconded the motion.

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

VOTE

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

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

H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JANUARY 13, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of January 13th resulted in four items for consideration today.

**1) ROCK SALT- PUBLIC WORKS
FUNDING: AGGREGATE MATERIALS**

The first one is rock salt for Public Works. The recommendation is to exercise the third-year option with Ritchie Sand and establish contract pricing at a rate of \$23.93 a ton, for an estimated value of \$83,755.

**2) SAP LICENSE & MAINTENANCE RENEWALS- ENTERPRISE RESOURCE PLANNING
FUNDING: ENTERPRISE RESOURCE PLANNING**

Item two, SAP license and maintenance renewals for the Enterprise Resource Planning Department. Recommendation is to accept the expenditure with SAP Public Services Incorporated for \$193,055.29.

**3) ANNUAL LICENSE RENEWAL- ENTERPRISE RESOURCE PLANNING
FUNDING: ENTERPRISE RESOURCE PLANNING**

Item three, annual license renewal for Enterprise Resource Planning for the RCS cashiering system.

Regular Meeting, January 19, 2005

Recommendation is to accept the expenditure with Professional Consultancy International, Incorporated for \$55,566.

4) **SOFTWARE & EQUIPMENT SERVICE AGREEMENT- FORENSIC SCIENCE CENTER**
FUNDING: TOXICOLOGY/ CRIMINALISTICS

And item four, software and equipment service agreement for Forensic Science Center. Recommendation is to accept the expenditure with Agilent Technologies in the amount of \$51,337.36. Be happy to answer any questions and I recommend approval today.”

Chairman Unruh said, “Iris, on item number one, on rock salt, is that replenishing our supplies because of the recent storm or is that our annual purchase? Or maybe Mr. Spears can answer that question.”

Mr. Spears said, “Yes, this will replenish our supply. Right now, all the domes are full. We had domes at each of our yards. We also have a large, butler-type metal building at the west yard that has pure salt in it. The domes have a combination of salt/ sand and they’re full.

We have been getting, with the help of Iris, 200 tons per day of salt and we’re replenishing our butler building right now. We’re in good shape and this will keep letting us get about 200 tons a day. You see, Hutchinson, they distribute salt all over the nation in areas where there’s snow, and so they have a hard time supplying everybody a lot, so they limit what you can get. So right now we’re at 200 tons per day. So we’re in good shape. I don’t want the public to have any concern about it, because all the domes are full and we have a steady supply coming in. And we’re pretty happy about this bid because it’s only one dollar more than what we paid three years ago.”

Chairman Unruh said, “Okay, very good. Well, this supply, are we a depot for some of the smaller communities in our county to purchase from us or is this all our use.”

Mr. Spears said, “No, sir. This is all our use. We do not sell to other cities in the county.”

Chairman Unruh said, “Okay, thank you. Commissioner Sciortino.”

Commissioner Sciortino said, “Thank you, Mr. Chairman. David, I’m going to get . . . I’ve got one fellow that . . . someone that always watches this and asks me questions. All the domes are full and we’re still getting 200 tons a day. Where are we putting it?”

Mr. Spears said, “The 200 tons per day go in the large butler building that’s pure salt and we stored

Regular Meeting, January 19, 2005

it in there. Then we take it out of there and mix it at our west yard with sand, as the domes run out, and then we go fill the domes.”

Commissioner Sciortino said, “Good. Thank you.”

Chairman Unruh said, “Commissioners, are there any other questions or comments?”

MOTION

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

Commissioner Winters seconded the motion.

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

VOTE

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

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

CONSENT AGENDA

I. CONSENT AGENDA.

- 1. One Easement for Right-of-Way for Sedgwick County Project 634-E1/2 30, 31; 63rd Street South from Buckner to Rock Road. CIP# R-237. District #5.**
- 2. Notice of Public Hearing on March 23, 2005 for County-approved annexation of certain land to the City of Valley Center.**
- 3. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the

Regular Meeting, January 19, 2005

year 2004 and prior years have been paid for the following plat:

Cedar Lane Estates Addition

- 4. Order dated January 12, 2005 to correct tax roll for change of assessment.**
- 5. Payroll Check Register of January 14, 2005.**
- 6. General Bills Check Register(s) for the week of January 12 – 18, 2005.**

Mr. Buchanan 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 Winters seconded the motion.

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

VOTE

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

Chairman Unruh said, “Well, that concludes our agenda for this morning. We do not have a Fire District meeting and we do not have an Executive Session, so now is the time for other items of community interest, if there are any that you would like to report. Commissioner Norton.”

J. OTHER

Commissioner Norton said, “I have several. On Monday, I had the honor to participate in the Martin Luther King Junior celebration at the Hugh’s Metro Complex. And I got to hear Bishop Tyler from Omaha speak, really along the lines of revitalizing the dream that Martin Luther King had in the 60s and it was a pretty powerful message, good gospel music, good old-fashion preaching

Regular Meeting, January 19, 2005

and a message of hope and restoration for all of us to come together and celebrate our diverse community. And I was proud to also know, in the program, that Sedgwick County was the number one sponsor of the event, and it had our logo in it and I was proud to be there to represent Sedgwick County.

The second thing is, this week I participated in a township meeting with Salem Township and we had quite a few of our Public Works people pull together to talk about drainage issues and road issues in Salem Township. I think it's very important that we continue to work with our partners and I'm very complimentary of Dave Spears and his staff for really showing up en masse and making sure that they were there to answer the questions that the townships had. So many times, I get information from the townships and I don't know if it's right or wrong. I'm not a road and bridge guy and I just wanted to give a few accolades to Dave and his staff for being there, setting up the meeting and being very available to answer the questions that I have no really response to.

The next thing is on February 3rd I'm having a town hall meeting in my district for those that may be interested in what's going to happen with the location and zoning of a sandpit at 63rd and Grove. It is a town hall meeting. It's not a public hearing. It's open to the public. We'll talk probably about other issues also, but the main reason I'm holding that is just to let the public weigh in and let me hear what they're thinking about the sandpit that we're going to deal with probably in a couple of month. I'm not sure exactly when it will come before us.

And then finally, yesterday I was invited by the Kansas Children's Campaign to participate in kind of a lunch session to update us. It talked about what are the promises we have to kids in Kansas and their action is to put the needs of children and families at the center of political action and attention. And if you'd like more information, you could contact them at www.kansasforkids.org. And truthfully, as we talked about problems and issues at the table I was at, it was really interesting that it's exactly what we've been talking about at Sedgwick County, that getting to kids early, and I'm talking zero to three-years-old, makes a profound difference in their education, their ability to thrive in our society, their ability to stay out of the juvenile and adult detention centers and that's exactly what the kids' campaign is all about. What they're trying to do is to promote healthy kids, promote Smart Start, to promote those things that get to our kids early, so that they have every chance to succeed. So, if people want more information, they can contact that website. That's all I have, Mr. Chair."

Chairman Unruh said, "Commissioner Sciortino? Well, I'd just like to report that we went yesterday to Topeka to report on our county activities with our prescription drug program with our Health and Human Services cabinet team and they are excited about the successes we've had. We were well received there. And at the same time, we had a meeting with our Sedgwick County legislative delegation, talked about issues important to us. We were focusing on some of our concerns about legislation relative to human services, but we also, if you can imagine, talked a little bit about the arena, yeah we did, and a little bit about out-district tuition and our delegation is hard

Regular Meeting, January 19, 2005

at work, serving the citizens of our area.

Also wanted to make a comment about our Public Works Department and having our yards open this Saturday again, and Sunday, third weekend in a row we've done this. It's really a special effort on the part of those individuals and that department to take care of our county citizens, being open through the weekend, we appreciate that, same places, you can find them on our website, times and locations.

And I want to remind everyone that our Board of County Commission meetings are rebroadcast on Channel 7 during the week and you can also find them on our web page, and you can go to specific items to review activity of the board of county commissioners, so I would encourage you to avail yourself of that option. Other than that, I have nothing to report. One more?"

Commissioner Norton said, "Just to layer on what you said about the yards being open, it's interesting, we had that discussion on Tuesday, and I have received three e-mails and a couple of phone messages to please keep it open for this weekend, because people at least on the south side, because a lot of it was frozen to the ground and they couldn't get it pulled up. They think, with the thawing weather, that there's going to be a lot of people out this weekend trying to finish up. So, I think we made the right decision, Dave, to keep them open. I know it really stretches your manpower and they've worked awful hard to try to make sure the burn sites are working well, that they're manned, that people aren't just throwing junk in there too. But I think it was the right decision to keep it open for one more weekend."

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

Commissioner Sciortino said, "Well, I echo that, because we had turned that responsibility over to David to make a decision as to whether it should stay open or not and he made the right decisions and I think the public is going to appreciate it. So Dave, on behalf of the public, I thank you for making that decision."

Chairman Unruh said, "Well, extraordinary times and extraordinary response, so good job. Anything else to come before us? Mr. Manager? Mr. Euson? If not, we are adjourned."

K. ADJOURNMENT

Regular Meeting, January 19, 2005

There being no other business to come before the Board, the Meeting was adjourned at 9:52 a.m.

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

Regular Meeting, January 19, 2005

DAVID M. UNRUH, Chairman,
First District

BEN SCIORTINO, Chair Pro Tem
Fifth District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

LUCY BURTNETT, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2005