

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

September 14, 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, September 14, 2005 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Ben Sciortino; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Lucy Burtnett; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Jo Templin, Director, Division of Human Services; Major William K. Auchterlonie, EMS Division Officer, Division of Public Safety; Sheriff Deputy Charles A. Lee, Sheriff's Department; Mr. Randy Duncan, Director, Emergency Management; Mr. John Schlegel, Director, Metropolitan Area Planning Department (MAPD); Sheriff Gary Steed; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Colin McKenney, Director, Community Developmental Disability Organization; Ms. Kathy Sexton, Assistant County Manager; Mr. Dave Rush, Assistant Director, Kansas Coliseum; Mr. Jim Weber, Deputy Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Ms. Sherry Schoenebeck, CEO, Girl Scouts of the Golden Plains Council.

Mr. Fred Meijering, Scout Executive, Boy Scouts of America, Quivira Council.

Ms. Jo Ann Skelton, Member, National Society of the Daughters of the American Revolution.

Mr. Lyle Lashbrook, Member, Sanitary Code Advisory Board of On-site Wastewater System Installers and Sewage Haulers.

Mr. John Ferguson, Member, Sedgwick County Sanitary Code Advisory Board of On-site Wastewater System Installers and Sewage Haulers.

Mr. Randy Wirths, Member, Sedgwick County Sanitary Code Advisory Board of On-site Wastewater System Installers and Sewage Haulers.

Mr. Rob Hartman, Agent for Petitioner (George Laham).

INVOCATION

The Invocation was led by Reverend Darryl Fox of Second Baptist Church, Newton.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, August 24, 2005

The Clerk reported that all Commissioners were present at the Regular Meeting of August 24, 2005.

Chairman Unruh said, “Commissioners, you’ve had the opportunity to review the Minutes of the August 24th meeting. Are there any additions or corrections?”

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of August 24, 2005.

Commissioner Burtnett seconded the motion.

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

VOTE

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

Chairman Unruh said, “Next item.”

PROCLAMATIONS

A. PROCLAMATIONS.

- 1. PROCLAMATION DECLARING SEPTEMBER AS “SIGN UP FOR SCOUTING MONTH.”**

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

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PROCLAMATION

WHEREAS, the purpose of both the Girl Scouts and the Boy Scouts is to inspire girls and boys to the highest ideals of character, conduct and patriotism and service so they may become happy and resourceful citizens. The Girl Scouts of the Golden Plains Council serves 7,500 girls and 2,500 adults in Butler, Cowley, Harvey, Sedgwick and Sumner Counties and the Quivira Boy Scout Council serves 15,000 boys in 30 counties; and

WHEREAS, participating in activities that are fun and personally challenging, girls and boys learn valuable decision-making skills and build self-confidence. Where today's girls and boys become tomorrow's leaders; through leadership and service, the Girl Scouts and Boy Scouts enrich the lives of those around them; and through many enriching experiences grow girls and boys that are courageous and strong; and

WHEREAS, both the Girl Scouts and the Boy Scouts are dedicated to making scouting available to every girl and boy and welcome all racial, ethnic, cultural, religious and socioeconomic groups; and

WHEREAS, Sedgwick County is committed to supporting the programs provided by the Girl Scouts of the Golden Plains Council and the Quivira Boy Scout Council and encourages our citizens to support both organizations and the 'Sign Up For Scouting' night activities on September 15, 2005.

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September, 2005 as

'Sign Up For Scouting Month'

Commissioners, you've heard the proclamation. What's the will of the Board?"

MOTION

Commissioner Burtnett moved to adopt the proclamation and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

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VOTE

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

Chairman Unruh said, “And receiving the proclamation this morning is Sherry Schoenebeck from Girl Scouts and Fred Meijering from the Boy Scouts.”

Ms. Sherry Schoenebeck, CEO, Girl Scouts of the Golden Plains, greeted the Commissioners and said, “Well thank you very much for having us here this morning, commissioners. I apologize, this time I’m here empty handed, but we don’t start baking our cookies until winter. We really appreciate the proclamation. This has been a wonderful collaboration between our two organizations and we’re really excited to see members enroll. Fred.”

Mr. Fred Meijering, Scout Executive, Boys Scouts of America, Quivira Council, greeted the Commissioners and said, “On behalf of the Quivira Council and its executive board, we want to thank you for your action today, appreciate it.”

Chairman Unruh said, “Well, thank you very much. We would want you to know that we’re very supportive of the Boy Scouts and Girl Scouts and the character qualities that they build into our young people to make them better citizens and our leaders of tomorrow. I noticed on my way to work this morning, that there’s a big billboard, sign up talking about tomorrow night’s Sign Up For Scouting, so we hope that that will be very successful for you all. But we do have a couple of other comments from commissioners, before you sit down. Commissioner Norton.”

Commissioner Norton said, “Well I just want to congratulate you. Having raised five kids and been active in Cub Scouts and Boy Scouts and Brownies and Girl Scouts, it makes a difference, trying to parent your kids, to have other folks that join in and give them the values that you want them to have and it also brings parents and kids closer together.

I remember a time when I was the only male at Camp Weidemann, as a parent showing up, and you know, my job was to clean the spiders out of the shelter because nobody else wanted to do it, but it was a great opportunity for me to be with my daughter and be that father image for a lot of girls and I think that was a lot of fun for our family and scouting gave us that, as a family and I really applaud you for that.”

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Chairman Unruh said, "Okay, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "Well I also did the Camp Weidemann thing with my daughter and the fishing and all the other . . . But I just . . . whenever the cookies are ready, let us know. I mean, that's all I had. I just wanted to make sure we don't miss out on the cookies."

Chairman Unruh said, "Okay, well thank you both for being here and we appreciate your work on behalf of the young people in our community. Madam Clerk, call the next item."

**2. PROCLAMATION DECLARING SEPTEMBER 17-23, 2005 AS
"CONSTITUTION WEEK."**

Chairman Unruh said, "Commissioners, I have a proclamation for your consideration."

PROCLAMATION

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law, and

WHEREAS, September 17, 2005 marks the two hundred eighteenth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 17- 23, 2005 as

'CONSTITUTION WEEK'

in Sedgwick County and ask our citizens to reaffirm the ideals of the Framers of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Commissioners, you've heard the proclamation. What's the will of the Board?"

MOTION

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

Commissioner Burtnett seconded the motion.

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

VOTE

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

Chairman Unruh said, "And receiving the proclamation this morning is Jo Ann Skelton with the Daughters of the American Revolution. Welcome."

Ms. Jo Ann Skelton, Member, National Society of Daughters of the American Revolution, greeted the Commissioners and said, "Thank you. I represent seven different chapters here in the City of Wichita and we thank you very much for this proclamation, because the Constitution means very much to us."

Chairman Unruh said, "All right, thank you for being here and Commissioners are very supportive of this proclamation and think it's altogether fitting and proper that we should take a week to honor the Constitution. Thank you. Madam Clerk, call the next item."

APPOINTMENTS

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B. APPOINTMENTS.

- 1. RESIGNATION OF INSTALLER MICK HANSON FROM THE SEDGWICK COUNTY SANITARY CODE “ONSITE WASTEWATER SYSTEM INSTALLERS, MAINTENANCE, AND SANITARY SERVICE ADVISORY BOARD.”**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Commissioners, at this time, I would ask that you accept this resignation.”

MOTION

Commissioner Norton moved to accept the resignation.

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 | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, “Next item please.”

- 2. RESOLUTION APPOINTING LYLE LASHBROOK (AT-LARGE APPOINTMENT) TO THE SEDGWICK COUNTY SANITARY CODE ADVISORY BOARD OF “ONSITE WASTEWATER SYSTEM INSTALLERS AND SEWAGE HAULERS.”**

Mr. Euson said, “Commissioners, this appointment will fill the vacancy just created for a term to end in April of 2007 and I recommend you adopt the resolution.”

MOTION

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Commissioner Norton moved to adopt the Resolution.

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 | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, “And we have Mr. Lashbrook with us here today to receive a swearing-in from County Clerk Don Brace.”

Mr. Don Brace, County Clerk, greeted the Commissioners and said, “Please raise your right hand.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Sanitary Code On-site Wastewater System Installers, Maintenance, and Sanitary Service Advisory Board, so help me God.”

Mr. Lyle Lashbrook, Member, Sedgwick County Sanitary Code On-site Wastewater System Installers, Maintenance, and Sanitary Service Advisory Board, said, “I do.”

Mr. Brace said, “Congratulations.”

Chairman Unruh said, “Lyle, thank you for your willingness to serve and you’re sure welcome to make a statement if you’d like.”

Mr. Lashbrook said, “It’s just a privilege and an honor to serve on this board.”

Chairman Unruh said, “All right, thank you very much for volunteering. Madam Clerk, call the next item.”

3. RESIGNATION OF HAULER TIM LUBBERS FROM THE SEDGWICK COUNTY SANITARY CODE “ONSITE WASTEWATER SYSTEM

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INSTALLERS, MAINTENANCE, AND SANITARY SERVICE ADVISORY BOARD.”

Mr. Euson said, “Commissioners, you’ve received this resignation and I would ask at this time that you accept it.”

MOTION

Commissioner Norton moved to accept the resignation.

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 | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, “Next item please.”

4. RESOLUTION APPOINTING JOHN FERGUSON (AT-LARGE APPOINTMENT) TO THE SEDGWICK COUNTY SANITARY CODE ADVISORY BOARD OF “ONSITE WASTEWATER SYSTEM INSTALLERS AND SEWAGE HAULERS.”

Mr. Euson said, “Commissioners, this appointment will fill a vacancy just created and this is also an appointment that will expire in April, 2007 and I recommend you adopt the resolution.”

MOTION

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Commissioner Norton moved to adopt the Resolution.

Commissioner Winters seconded the motion.

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

VOTE

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

Chairman Unruh said, “And Mr. Ferguson is here to be sworn in by Don Brace.”

Mr. Don Brace, County Clerk, greeted the Commissioners and said, “Please raise your right hand.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Sanitary Code On-site Wastewater System Installers, Maintenance, and Sanitary Service Advisory Board, so help me God.”

Mr. John Ferguson, Member, Sedgwick County Sanitary Code Advisory Board of On-site Wastewater System Installers and Sewage Haulers, said, “I do.”

Mr. Brace said, “Congratulations.”

Chairman Unruh said, “John, would you like to say . . .”

Mr. Ferguson said, “Well I just want everybody to know that I’m pleased to be on this board and I think we have a good group going here.”

Chairman Unruh said, “All right, well thank you very much for your willingness and thanks for being here this morning. Next item please.”

5. RESOLUTION APPOINTING TIM LUBBERS AND RANDY WIRTHS (AT-LARGE APPOINTMENTS) TO THE SEDGWICK COUNTY SANITARY

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**CODE ADVISORY BOARD OF “ONSITE WASTEWATER SYSTEM
INSTALLERS AND SEWAGE HAULERS.”**

Mr. Euson said, “Commissioners, last week you approved a resolution to expand this board from five members to seven and these appointments would be the two newest members. They serve four-year terms and their terms would expire in September of 2009 and I recommend you adopt this resolution.”

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Winters seconded the motion.

Chairman Unruh said, “Is there any discussion? Commissioner Sciortino.”

Commissioner Sciortino said, “Yeah, just a question to Mr. Euson. Mr. Lubbers had resigned and now we’re reappointing him. Could you kind of explain that to me.”

Mr. Euson said, “We have, on this board, we originally had five members: two were installers and one was a hauler, one was a general public representative and one is an engineer. And we’ve expanded it to three installers and two haulers and Mr. Lubbers is going from the hauler category to the installer category and so he resigned as a hauler and he’s going to be . . .”

Commissioner Sciortino said, “Is that because we had another person that was a hauler that we wanted to put on the board and we wanted them to fill that slot, so if we move Mr. Lubbers to installer as opposed to hauler, we could use this other individual as a hauler?”

Mr. Euson said, “That I don’t know but maybe . . . I saw Glen Wiltse, maybe Glen Wiltse can answer that.”

Commissioner Norton said, “He’s nodding yes.”

Commissioner Sciortino said, “Is that what it was? Okay, thank you. It was just kind of confusing to me. He leaves and then he gets back on. Thank you, that’s all I had.”

Chairman Unruh said, “Okay. Any other questions, Commissioners? Seeing none, call the vote.”

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

Chairman Unruh said, “And one of these gentlemen is here, I think this is Randy and I appreciate your being here

Mr. Don Brace, County Clerk, greeted the Commissioners and said, “Please raise your right hand.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Sanitary Code On-site Wastewater System Advisory Board, so help me God.”

Mr. Randy Wirths, Member, Sedgwick County Sanitary Code Advisory Board of On-site Wastewater System Installers and Sewage Haulers, said, “I do.”

Mr. Brace said, “Congratulations.”

Chairman Unruh said, “Randy, would you like to make a comment?”

Mr. Wirths said, “I’d just like to thank everyone for giving me the opportunity to sit on the board. Appreciate it.”

Chairman Unruh said, “Well, thank you for your willingness to serve and to all of those that were sworn in this morning, we appreciate that you’re providing service to Sedgwick County. Thank you very much. Madam Clerk, call the next item.”

RETIREMENTS

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C. PRESENTATION OF RETIREMENT CLOCKS.

1. WILLIAM K. AUCHTERLONIE, EMS DIVISION OFFICER, DIVISION OF PUBLIC SAFETY.

Ms. Jo Templin, Director, Division of Human Resources, greeted the Commissioners and said, "As you heard before, this agenda item recognizes the contributions of two long-term Public Safety employees and we just want to celebrate their contributions to public service and the dedication they've shown to Sedgwick County government. As you can see, they are also joined by many colleagues and we just thank all of you for being here today to support these individuals."

The first retirement is William, most of us know him as Bill, Auchterlonie, EMS Division Officer, Division of Public Safety, will retire on October 1st, 2005 after 30 years of service."

Chairman Unruh said, "Bill . . . Major, on behalf of the Board of County Commissioners, we'd like to present you with this certificate that commemorates your 30 years of service to Sedgwick County, want you to have that. We would want you to know that we appreciate your service to the county. Thirty years is a long time. I guess that implies that you liked your job and it also implies that we liked the job you were doing, and I think that results in good service to our citizens, but we appreciate your dedication and hope that in the next chapter of your life, that you have a rich and fulfilling time. And speaking of time, we also would like to present you with this retirement clock and hope that has a meaning to you, because we give it to you with a great deal of meaning, so thank you for your service to the county and I think they'd like you to say a word, if you'd like."

Major Bill Auchterlonie, EMS Division Officer, Division of Public Safety, greeted the Commissioners and said, "Thank you. The years have flown by, 30 years went by pretty quick. And I'd just like to thank the Commission, my colleagues, for their support during my career here at EMS."

I learned a great deal about modern EMS here and I hope to extend that knowledge, as I go on to teach paramedic class at Hutch Community College, but it's been a very rewarding career, I enjoy it and I appreciate all your support and those of my colleagues as well. Thank you."

Chair Pro Tem Sciortino said, "Clerk, call the next item."

2. CHARLES A. LEE, SHERIFF DEPUTY, SHERIFF'S OFFICE.

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Ms. Templin said, “We also have Charles E. [sic] Lee, Sheriff Deputy, Sheriff’s Office. Mr. Lee will retire October 1st, 2005 after 23 years of service.”

Chairman Unruh said, “Well, we would also like to recognize you on this really important occasion in your life. After 23 years, it’s . . . we appreciate your long and faithful service to Sedgwick County and this is a certificate of recognition for that length of time. As with all of our employees, they’re valuable when we recognize the service that you provide for the county as being very valuable and 23 years stacks up a lot of good credits. We appreciate what you’ve done for us and we’re thankful that you’ve committed your life to the public safety in Sedgwick County.

So we’d like to give you this and also present to you this clock that commemorates your retirement and wish you the best wishes, as you go into this next phase of your life. Thank you very much. You’re welcome to speak.”

Mr. Charles A. Lee, Sheriff Deputy, Sheriff’s Office, said, “I just want to thank the commission and the county, as well as the Sheriff Department for 23 years of service that I’ve enjoyed. Thank you.”

Chairman Unruh said, “Thanks to all of you who showed up to help celebrate these retirements. Appreciate your presence here.”

Commissioner Sciortino said, “Feel free to stay around for the rest of the meeting if you want.”

Chairman Unruh said, “Commissioners, at this time I would like to recess the regular meeting of the Board of County Commissioners.”

The Board of County Commissioners recessed to the Fire District meeting at 9:29 a.m. and returned at 9:41 a.m.

Chairman Unruh said, “And before we proceed with our regular agenda items, we need to take an off agenda item.”

MOTION

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Commissioner Winters moved to consider an Off Agenda item.

Commissioner Sciortino seconded the motion.

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

VOTE

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

Chairman Unruh said, “And commissioners, at this time we’re going to have a report from Mr. Randy Duncan, our Emergency Management Director, about the events of these past couple of weeks.”

OFF AGENDA ITEM

COMMUNITY RESONSE FOR HURRICANE VICTIMS.

Mr. Randy Duncan, Director, Emergency Management, greeted the commissioners and said, “I’m pleased to tell you this morning that we have are in the process of putting the finishing details on probably our single most largest and successful disaster exercise we’ve had in recent history here, in terms of preparing to host guests within our community.

And I’m very proud of the partnership that existed between units of government, USD 259, everybody, private voluntary agencies that have been involved in helping to make this happen and I’d also like to point out for people, naturally that without your support, this couldn’t have occurred, so we’re very appreciative of that.

We’re in the process of putting things back to normal, as they were before we engaged in our ‘disaster exercise’ if you will. However, despite the fact that we are returning to normal, as far as our overall government operations are concerned, you should be aware that we still have a number

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of people within our community that have sought refuge here from Hurricane Katrina. I understand, from visiting with our friends over at the American Red Cross, there are approximately 100 or so cases currently open, in terms of assistance. I understand that translates, each case represents a family, which represents more than one person, so I understand that number translates into maybe as many as three people per case. I understand statewide we have about 800 folks who are still here within the State of Kansas seeking assistance.

One of the things that I'd like to tell you about that we're in the process of doing to help those folks who are still here with us, with the leadership of our partners over at United Way, we're putting together a one-stop center to help provide a whole list of services for folks that might be in need yet. Although we were primarily aiming to help the folks who were in Sedgwick County, and that's certainly our primary hope, we also want folks in other nearby counties to know that they can come to our one-stop center and receive assistance and help through the American Red Cross, which also serves more than simply Sedgwick County.

We're going to provide services like assistance with Unemployment compensation, school enrollment for any children who might have come with folks here, food assistance through the SRS, housing, jobs, Social Security assistance, Veterans' Administration, transportation, mental health concerns and spiritual connections.

And so the important thing to know about this is, we're going to begin engaging in this effort on Thursday, September the 15th, from 9 to 5, and on Friday the 16th from 9 a.m. to 3 p.m. at Century II and that's where people should go who need help.

We've been asking our local media partners to make sure that people are aware of this and we hope that they will get the word out and help us get the word out to people who need help, regarding this situation. I'd be happy to answer any additional questions that you might have at this time."

Chairman Unruh said, "Okay, thank you Randy and we do have a comment. Commissioner Sciortino."

Commissioner Sciortino said, "Yeah. I think that's tremendous what United Way is doing, but again, just to avoid any confusion Randy, is this assistance solely for people that have been directly affected by Hurricane Katrina? What happens if somebody is just in need, has just come to town and they're broke and need a job or need housing? Will they be assisting that person with the same level of intensity? How does that work?"

Mr. Duncan said, "Although our primary focus right now, commissioner, is Hurricane Katrina folks, I think the levels of assistance are going to be available to anyone in need who meets the criteria for the program, so I don't think there's going to be ultimately any discrimination with respect to whether the need originated as a result of Hurricane Katrina or not."

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Commissioner Sciortino said, "And are you up to speed enough to tell us what that criteria is to meet?"

Mr. Duncan said, "I can with respect to Hurricane Katrina victims."

Commissioner Sciortino said, "No. I mean, you were saying that if they meet the need, we'll take care of them with no discrimination. What is the basic need that they have to . . . or criteria they have to meet in order to get that assistance?"

Mr. Duncan said, "I understand your question, my apologies."

Mr. Bob Lamkey, Director, Public Safety Department, greeted the Commissioners and said, "Commissioner, let me add, no in fact this service is being provided for those who have evacuated here. You need to be registered with the Red Cross as an evacuee to get this service. These services are currently available in our community for folks to take advantage of, through the normal processes that are there. What we've decided to do for this group, because they are not familiar with our community and have no awareness of the services here, is to provide this in one location for a short period of time to get them connected, and then they'll get expanded services after that period of time as a result of those connections. So this is principally for those folks who have self-evacuated, or consolidate everything in one place, you must be registered with the Red Cross and you may do that before the event by telephone or on the day of the event."

Commissioner Sciortino said, "Okay, and am I right in assuming that if someone that doesn't qualify for this comes in, the people that they'll be in communication with will be able to direct them to other agencies?"

Mr. Lamkey said, "Correct. If someone is not qualified, they will advise them on where to go, in order to get in touch with the services that are here."

Commissioner Sciortino said, "Fine, thank you so much. Thank you, Mr. Chairman."

Chairman Unruh said, "Okay, thank you."

Mr. Duncan said, "Thank you, Bob. Any additional questions?"

Chairman Unruh said, "Well, I don't see any Randy, but I would just like to make a comment, as things kind of quiet down and we'll be hearing probably less and less from you and so forth, now is an appropriate time to make a comment I think, that it should be recognized that this management of a disaster falls upon the county and I just want to recognize that our Manger, Bill Buchanan, and

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Bob Lamkey, our Director of Public Service and Randy Duncan, our Emergency Management Director showed, I think, extraordinary leadership during this time. Leadership does make a difference and it requires that you're able to kind of rise above the adversity of the crisis and concentrate on those things that are most important and to engage the resources and the help of those people that have something to contribute. I think that our Emergency Management plan allows for that, is designed for that to happen and our leadership definitely applied that in this crisis.

So, you all did a great job, it needs to be recognized and although we didn't get the folks we thought we might get, we have demonstrated quite clearly that we're capable and able to do this. So, thanks to all of you who were in those leadership positions."

Mr. Duncan said, "Thank you, Commissioners."

Chairman Unruh said, "Thank you very much. We will return to our regular agenda at this time and Madam Clerk, would you please call the next item."

PUBLIC HEARING

D. PUBLIC HEARING REGARDING A PETITION TO WITHDRAW LAND FROM THE BEECH-WICHITA INDUSTRIAL DISTRICT.

POWERPOINT PRESENTATION

Mr. Rob Hartman, Agent for the Petitioner (George Laham), greeted the Commissioners and said, "This happens to be approximately an 80-acre tract of land that's located just north of 13th Street and west of Greenwich Road. This was part of an original Industrial District of about 1,200 acres that was set up in 1979 by the Beech Corporation for exclusively developing this land as industrial uses.

Since that time, they have found that they have not needed this land for future development and they have been selling off pieces of property. This is similar to the land that is directly to the west of this is now being developed as the waterfront district. It also was included in this industrial district and has been withdrawn prior to this and we're asking to do the same thing on this property.

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The developer on this is George Laham and he's proposing to use this land for commercial development, similar to the projects that he's also doing in this area. He's developing the property to the southeast of this called Blasio, as well as the area up on 21st and Greenwich, where the new Target store is and we perceive this property being used in a similar manner. I will answer any questions you might have at this time."

Chairman Unruh said, "Okay, thank you Rob. Commissioners, are there any questions directly of Mr. Hartman before we open the public hearing? The only . . . you haven't had any protest?"

Mr. Hartman said, "I haven't heard of any, no."

Chairman Unruh said, "Okay. Well I see no questions, so at this time I will open the public hearing and ask if there is anyone here who wants to speak to this issue? Anyone? I see no one moving, so at this time I will close the public hearing and ask Commissioners if there are comments and there are, so Rob, you stay close and John Schlegel is here, so I don't know if the questions are for one or the other or both of you, I suppose. Commissioner Winters."

Commissioner Winters said, "Thank you very much. I have a question of Mr. Hartman. Mr. Hartman, I believe I'm going to be supportive of this. This seems like to be a good activity. The question I had and this probably has an obvious answer is I know that the Raytheon Aircraft Corporation has been very protective of their runways and their ability to keep that runway opening. I know they've had some concerns about some other city/ county projects in that area. Have they taken into the full consideration what this might mean to their use of their airstrip?"

Mr. Hartman said, "Yes they have, sir. They have actually set up a restrictive covenant on part of this property to restrict it to strictly commercial industrial uses, which would be basically the east half of this 80 acres, which is directly underneath the runway itself. I know, in the past, they've objected to residential developments being located within that flight line and they have looked at that and have agreed on just using it for commercial industrial uses."

Commissioner Winters said, "All right, thank you. Well again, I'm going to be supportive. I just find it a bit curious that they've been so protective of that runway that now they're going to allow something to take place, but thank you."

Mr. Euson said, "I might add that Raytheon Aircraft Corporation is a co-petitioner in this matter, so just for the record, I'd like to add that."

Commissioner Winters said, "Thank you."

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

Commissioner Sciortino said, "Well, I don't know who it's . . . which of you two, so I'll just ask the question and everyone can respond. Is this basically a plan that Raytheon owns and they're selling the land to the developer and in order for the developer to develop it, it has to be withdrawn from the industrial district?"

Mr. Hartman said, "That's correct. They are selling the land to the developer in order to . . . I mean, he could develop it, but the way it's set up now, the only thing he could develop on it is industrial uses. It's restricted to the industrial uses under this original agreement, so we're taking it out, just so he has more flexibility and we'll be able to use it for commercial uses, as well as industrial if he would care to use it for industrial uses. Over on the west half, he can actually use it for residential or office uses."

Commissioner Sciortino said, "Okay, I understand that, and maybe that was the motivation not to protest it, since they were maybe going to have some monetary gains for selling the land, I don't know. Okay, that's all I had."

Chairman Unruh said, "All right, thank you. Well, as part of the restrictive covenant, or protective overlay, whatever the appropriate language is, there's a restriction on the height of the buildings and those sort of things."

Mr. Hartman said, "Yes, it's governed by . . . I think there's another plan that actually, I don't know if it's an FAA or some type of a guideline that establishes those minimum heights in areas of runways that would apply to this property."

Chairman Unruh said, "Okay, thank you. And they've obviously . . . it's going to miss the airplanes and no problems, or they wouldn't be going forward with it."

Commissioner Sciortino said, "And we hope the airplanes will miss them."

Chairman Unruh said, "Correct. We have more questions. Commissioner Norton."

Commissioner Norton said, "Will this change anything that has to do with the Fire District #1? I think we supply service to that area. Does it change our agreement or anything and then secondly, I think there's many IRBs and other kinds of things we're encumbered with. Does that change any of that? It doesn't seem like that it would, but I don't know for a fact whether it changes any of that."

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Chairman Unruh said, “Mr. Euson, can you . . .?”

Mr. Euson said, “I’m not really aware of the effect this might have on the Fire District. It is my understanding there are no bonds outstanding. Part of the industrial district, there may be Industrial Revenue Bonds but they wouldn’t be a lien on the property, so that wouldn’t be the effect on the Fire District, if any.”

Commissioner Norton said, “All right, thank you.”

Commissioner Sciortino said, “Well this is going to unincorporated. This is unincorporated area so I would assume it would be of benefit to the Fire District. New businesses are developed there, they’re going to be paying taxes and I would assume . . .”

Commissioner Winters said, “It will be annexed into the city.”

Chairman Unruh said, “Yes, very soon. Commissioner Norton, we kind of interrupted. Were you . . .”

Commissioner Norton said, “Well, I don’t know. I don’t know that I got an answer. I didn’t understand the answer on the IRBs, because I know we pay off the IRBs if anything goes wrong, but just certain things are encumbered, there’s liens on property and, you know, I don’t know what kind of improvements were ever made on that property, which I assumed it wasn’t, but as we look forward, I want to make sure that doesn’t come up later that that was somehow connected to anything we’ve done, because we have done IRBs for Raytheon for a lot of years. I don’t imagine it has anything to do with it, but . . .”

Mr. Hartman said, “It was my understand that there were no outstanding obligations on this property.”

Commissioner Norton said, “Okay.”

Chairman Unruh said, “Okay Commissioners, any other questions? What is the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Order of Withdrawal, and authorize the Chairman to sign.

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Commissioner Burtnett seconded the motion.

Chairman Unruh said, "Any discussion on that Motion? Commissioner Norton."

Commissioner Norton said, "That has to do with Fire District. I don't know that I still understand what that's going to do to revenues for the Fire District, if anything. Maybe it doesn't do anything."

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Currently, Raytheon does not pay Fire District taxes . . . well, I don't know, on this piece of property. Normally, because of the IRB status, they have not paid property tax to the Fire District."

Commissioner Norton said, "Okay. And then I guess my next question is it comes from under that. Now it falls into private property, unincorporated. Have we already negotiated with that developer, anything, to pay taxes?"

Mr. Buchanan said, "We'll just send them a bill."

Commissioner Sciortino said, "Until they get annexed, like Tom says that they'll probably be annexed and then we lose the revenue, or they'll annex it before they even start generating revenue or something."

Chairman Unruh said, "It's highly likely they'll be annexed before they get a bill from the Fire District, but should they not, the Fire District will reap benefits of that improvement. Any other questions? Seeing none, call the vote."

VOTE

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

Chairman Unruh said, "Next item please."

PLANNING DEPARTMENT

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- E. CASE NUMBER DR2004-16 – RESOLUTION ADOPTING THE CENTRAL NORTHEAST AREA PLAN UPDATE, GENERALLY LOCATED EAST OF MOSLEY, WASHINGTON, AND MEAD; NORTH OF KELLOGG AND CENTRAL; WEST OF EDGEMOOR, PINECREST, PARKWOOD, OLD MANOR, HILLSIDE, AND OLIVER; AND SOUTH OF 21ST, 17TH, AND THE UNION PACIFIC RAILROAD. DISTRICTS #1 AND #4.**

POWERPOINT PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “Most of you probably won’t recall that back in the mid-90s there was an effort in the central-northeast area of Wichita to develop a neighborhood plan and the city went through a process of extensive community involvement and technical analysis in order to develop a plan, the cover of which I’ve put up on the screen in front of you.

This plan was entitled ‘Rediscovering Community: Exploration of a Place and Its Promise’. And after . . . and this was completed in 1995, again as I said before, after a very extensive involvement by the neighborhood associations in the plan area.

And the graphic, the map that I’ve put up before you now shows the boundaries of that plan area, extending on the north from the Union Pacific railroad tracks, all the way, in some portions of it, down to Kellogg, although extending up to Central in the south also and all the way over to Edgemoor and the furthest eastern extreme and over the Washington and Mead and Mosley on the west.

However, for whatever reason, that plan was never adopted by the planning commission, city council or by this board at that time. So the plan sat on the shelf until last year, in ’04 when a group of citizens from that neighborhood approached the city, expressing their interest in going back and revisiting that plan and bringing it up to date, as they made efforts to try to provide clear direction of revitalization and redevelopment its strategies for this area.

So in January of this year, the planning department began, through the direction of the city council, began working with a 22-member steering committee, which was composed primarily of representatives of all the different neighborhood associations within that plan area.

And that graphic up before you that shows all those different neighborhood associations and the areas that they represent. This 22-member steering committee then met through the first half of this year, they held a total of 11 steering committee meetings plus two public meetings to which everybody, all the different stakeholders within this plan area were invited to review the plan.

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And at this point, now that steering committee feels that this plan has been updated and they feel that it's ready for adoption. They have taken it to the city's District Advisory Board 1, and that group approved the plan and recommended its approval to the city council and to you also on July 11th. It went before the Metropolitan Area Planning Commission on August the 11th and that group also has wholeheartedly endorsed the plan.

Wichita City Council considered the plan yesterday and adopted the plan as the plan for this particular neighborhood, so it stands before you today for your consideration and possible approval, as part of the Wichita/ Sedgwick County Comprehensive Plan and with that, I'll be glad to take any questions."

Chairman Unruh said, "All right, thank you John. We do have a few questions. Commissioner Burtnett."

Commissioner Burtnett said, "John, are the staff recommendations in this new one already or are any other staff recommendations still pending, because I noticed the MAPD said to approve, subject to staff recommendations. Were there any other recommendations, or this is the final plan?"

Mr. Schlegel said, "Yes, and that contains all the recommendations that came out of those meetings with the steering committee, represented by all the different neighborhood associations."

Commissioner Burtnett said, "Okay, great."

Chairman Unruh said, "Is that all? Thank you. Commissioner Sciortino."

Commissioner Sciortino said, "John, in my past life, if something was presented to me, I wouldn't have approved it unless I knew what the price tag was on it. What is the price tag for implementing this plan?"

Mr. Schlegel said, "I don't know what the total is. There are some cost estimates contained within that report. I haven't totaled all of those up. Those are all things though, at this time, are not programmed into anybody's CIP, but those are all things then that would be programmable in the City's CIP."

Commissioner Sciortino said, "Well the reason I asked that is that, you know, if we approve this plan and the city has approved the plan, the citizens, rightfully so, might be misled to mean that now it's going to happen and I've seen so many of these revitalization plans that people put a lot of hours and study in and put it in, as evidenced by this one in 1995, and it gets approved, what have you, and then it just gets filed and all that hard work is for naught. I want to make sure, if we're

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going to approve the plan that . . . I mean, it's hard for me to say 'Yes, we'll approve the plan' and we'll commit x percentage of the dollars, not knowing what the dollars are and I certainly would feel, even though this isn't in my district, I would feel reluctant if I represented those people, by maybe my action misleading these people into believing that we're ready to commit financial resources to implementing the plan. I think the plan is a great plan, but I just don't know what the price tag is on it."

Mr. Schlegel said, "Well it would be difficult to provide you with a price tag for every recommendation in there, because some of those recommendations are . . . will need to have more detailed planning and programming done before any kind of financial commitment would be made, and I'll give you an example; the recommendation in there for various street improvements in neighborhoods. We have not, as part of this six-month exercise in putting this plan update together, we weren't able to go back in and cost-out all of those street improvements. Each of those neighborhoods where that work would be further developed would have to work with the City's Public Works Department on a more detailed plan for those street improvements and it would require that more extensive effort before we would know exactly what those costs would be.

But I can say . . . well, first of all, that adoption of this plan is not a financial commitment to carrying out these recommendations. That would require additional action, such as programming projects in the City's CIP. But it does represent a commitment for the city to move forward and use what resources it does have available to make improvements in that neighborhood. And of course, those would be subject to the normal allocation of resources that the city goes through each year, as it develops its CIP."

Commissioner Sciortino said, "And so what is our involvement in adopting the plan, if this is a City of Wichita project?"

Mr. Schlegel said, "In order to make it part of the Wichita/ Sedgwick County Comprehensive Plan, which is what we technically do with neighborhood plans, you would also have to adopt it, in addition to your colleagues in the city."

Commissioner Sciortino said, "But the cost of implementing it would fall to the City of Wichita?"

Mr. Schlegel said, "Yes, I think that's the expectation is that those . . . the financial resources of the city would back this plan."

Commissioner Sciortino said, "Okay. I just . . . so this is just a perfunctory thing, in order to get it into their CIP, since it's the Metropolitan Area Planning Commission, so Wichita/ Sedgwick

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County Comprehensive Plan, we'd have to endorse it also and we're just allowing now Wichita to develop this at whatever speed and percentage of fulfillment they feel comfortable."

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

Commissioner Sciortino said, "Okay, thank you."

Chairman Unruh said, "Commissioner Burtnett."

Commissioner Burtnett said, "Well, I was at that August 11th meeting and a lot of this was discussed there too. They were talking about what is the price tag for this, this, this, this and this and they really didn't have that at the time.

But looking at their priorities, there's a lot of these things that can be done at virtually no cost, and this is a great jumpstart to this area, for them to have this plan and start going down their list of things, and then starting to prioritize and get things put into the CIP, so I'm very supportive of your plan. I've looked at the old one and then haven't had a chance to look through this new one, but I think it's a great tool for the community to go forward."

Chairman Unruh said, "Thank you. Well I'm going to be very supportive of the plan. You know, these sorts of projects won't happen if we don't take the first step, and it seems like we've taken the first step of getting some grassroots support, bring in community support and they've established a plan and a vision, a plan, priorities, those things that are necessary and good planning to get from here to there. And I recognize the fact that we are not committing finances to it, but I'm supportive of the group of people working on it and they're going to try to engage partners and they're going to try to improve this particular area of our community that needs some help and so, first step and it's a good first step, so I'm very supportive. Commissioner Norton."

Commissioner Norton said, "The only concern I have, and I'm going to be supportive, is you think there's a Mid-Town Plan, a 21st Street Corridor Plan, a South Wichita Plan, a Planeview/ South City Plan, a Delano Plan. Somewhere, I'd like to see a prioritization of all the plans and where money is going to be encumbered. Where Visioneering fits in to push some of these to be done. One thing that is always maddening to me is we study the heck out of stuff and come up with plans and then it

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goes on a shelf to be dusted off ten years later. I mean, this is ten years later, I can't even imagine what's changed in ten years. I know you updated it and relooked at it, but that tells the story that we thought this was important ten years ago and we're just now putting it into the priority list and that's a long time to wait to start making decisions.

Does this also tie in with the 21st Street Corridor, because there's a piece there that kind of plugs into the 21st Street Revitalization? Does that all go together?"

Mr. Schlegel said, "21st Street runs through this area, as you can see on the graphic. The emphasis on the 21st Street Revitalization Plan was more on transportation improvements and economic development and commercial revitalization within that 21st Street corridor.

This plan goes beyond that and looks at the individual neighborhoods and tries to present clear strategies and categories of actions that those neighborhoods can take in order to make improvements to their neighborhoods. It's meant to be a document to empower those neighborhood associations to move forward in seeking improvements to their individual neighborhoods, so it's a little different emphasis than the 21st Street Plan."

Commissioner Norton said, "Why was Northeast Heights and then the College Hill area, why was that not blocked out to be included. It appears to me that Northeast Heights is very close to those other areas, has some similarities and certainly south of Central, if you look at that stretch of Central, I believe, and Dave you and I've driven that quite a bit, it's starting to derogate a little. It's been a corridor through a city and it's gotten older, some of the businesses have fallen away, there are lesser uses and it seems like that whole area could certainly benefit from some re-thought."

Mr. Schlegel said, "Well the thinking was, I think back in the '90s, when this original boundary was drawn, was that those areas were not as in need of attention as the neighborhoods that were included within the study boundaries. Now that's not to say there aren't needs and that those neighborhoods shouldn't pay attention to problems that may be occurring there. It's just that that was the original study boundaries and we were trying to stay within those boundaries."

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

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

Commissioner Sciortino said, "Well I agree with what the concerns that Commissioner Norton has come up with, but again if I understood it correctly, this really isn't our responsibility. It's going to be Wichita, with all the other needs that they have out there to prioritize which of these neighborhood revitalization plans should be developed: first, second, third, to what extent the revitalization should go and I'm a little reluctant to start chastising or start trying to get my nose

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under their tent, telling them how to do something, since I'm not going to have any financial responsibility for it. I think the plan is good. I also agree that sometimes I look at these and they look like a great exercise, like we just recently did with the Katrina thing, but we never get to put it to practical use, but since this is something Wichita has adopted, I think it's very well thought out and I applaud the people that worked on it, and as I understood it, our vote is just a technicality to get it to be able get it into Wichita's CIP and wish them the best of luck in how they intend to execute it. Thank you."

Chairman Unruh said, "Okay, thank you. Well I don't see any other comment or any lights on for question or comment. I just want to make the observation that the various plans that have been mentioned, some are at various stages of activity in those plans, they're not in conflict with one another, the different revitalization plans. They may compete for attention, may compete for priority, compete for funding, but they're all good plans and we don't start until we start. This is the start. I think we should start, so any other comment? I don't see any lights on, Commissioners. What's the will of the Board?"

MOTION

Commissioner Burtnett moved to adopt the Resolution adopting the Central Northeast Area Plan Update as an amendment to the Wichita-Sedgwick County Comprehensive Plan.

Commissioner Norton seconded the motion.

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

VOTE

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

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

Commissioner Sciortino left the meeting room at 10:15 a.m.

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NEW BUSINESS

F. PARTICIPATION IN THE TO U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, 2005 SPECIAL SOLICITATION BULLETPROOF VEST PARTNERSHIP PROGRAM.

Sheriff Gary Steed greeted the Commissioners and said, “Commissioners, each year we participate in a program with the U.S. Department of Justice, Bureau of Justice Assistance, to receive funding that assists us with purchasing body armor or bullet-proof vests. This year, that same group is making available a special offer of funding to replace vests that contain Zylon. Zylon has proven to make vests less effective in their ability to stop bullets. We have eight of those vests, and so we need to participate in the program to receive funding to replace up to half of the funding to replace those vests. So we’re going to request funding from the government. Half of the replacement costs of \$4,920, or \$2,460. So, I would request that you approve our ability to register with the Department of Justice and work through this system of getting this funding for body armor replacement.”

Chairman Unruh said, “Okay, thank you Sheriff. We have more than eight vests. It’s just that we have eight that have . . .”

Sheriff Steed said, “We have hundreds of vests. We have only eight that need to be replaced, because they contain Zylon.”

Chairman Unruh said, “Okay. Well I think we ought to take advantage of this opportunity. So, commissioners, are there any question or comment? What’s the will of the Board?”

MOTION

Commissioner Norton moved to approve the jurisdiction registration, and authorize the Chairman or his designee to complete the registration and any other action required to complete the grant process through the OJP Vest Web Page.

Commissioner Winters seconded the motion.

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

VOTE

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| Commissioner Norton | Aye |
| Commissioner Winters | Aye |

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| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Absent |
| Chairman Unruh | Aye |

Chairman Unruh said, “Thank you, Sheriff. Next item please.

Commissioner Sciortino returned to the meeting room at 10:17 a.m.

DIVISION OF HUMAN SERVICES

G. AGREEMENT WITH TRIANGLE ASSOCIATIONS OF ST. LOUIS TO PROVIDE A FEASIBILITY STUDY REGARDING STARTING AN ADVANCED EDUCATION IN GENERAL DENTISTRY RESIDENCY PROGRAM.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, “I’m here today to ask for your approval of an agreement with Triangle Associates of Saint Louis that we would be entering into on behalf of Oral Health Kansas about starting an advanced education and general dentistry residency program.

The committee that this comes out of represents a wide range of individuals and groups, including local dentists, the State Dental Association, the dental school out Kansas City, legislature, W.S.U., the medical school and so we had a wide range of people who participated in putting this together.

The goal is really ultimately to increase the number of dentists and access to dental care in our community and the state, and this study will help determine about really what it will take to provide a quality residency program here.

It is going to be funded by four different foundations who are: the Kansas Health Foundation, the United Way of the Plains, Delta Dental Foundation, and United Methodist Health Ministry Fund. This comes out of two studies that are very recent, really documenting the declining number of dentists and dental services in our community and in the state, especially for those underserved.

And will this solve the problem? No, but it will be one part, or potentially one part of the solution. We will have to do a number of things in the state to solve that. I’d like to stress, this is not a dental school. It’s an advanced training program and data shows that about 40% of dentists do go on for some type of advanced training. It will be completed at the end of this year, and it’s going to cost

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around \$46,500. I would be glad to answer any questions.”

Chairman Unruh said, “Okay, thank you Debbie. The cost that you indicated, is that total cost or is that our county’s share of that?”

Ms. Donaldson said, “The amount I gave you is what is being paid for by the foundations. The county’s contribution, at this point, will be our willingness to provide the management and oversight of this contract.”

Chairman Unruh said, “Okay. So the feasibility study is the \$46,000, the foundation . . . okay, very good. Well, I’m going to be very supportive of this. I mean, I think dental health in our community is extremely important. If we can find ways to enhance that capability, we should do it. Providing access is critically important, but we can’t do that if we don’t have a trained workforce, people who are willing to reside here and provide that service, so this is I think very important and a good project for us to get involved in. Commissioner Norton.”

Commissioner Norton said, “Well as we had our Health Assembly a couple of years ago, this was one of the key learnings, as we talked about provision of dental in our community, one of the suggestions is that we took on advanced education in the field of dentistry and I think this is just another example of where that Assembly got us talking about some things that we could move forward on, and I’m going to be supportive of the feasibility study.”

Chairman Unruh said, “Very good. How long is it anticipated the study will last, or how long will it take?”

Ms. Donaldson said, “It’s should be completed by the end of this year, December 31st, ’05.”

Chairman Unruh said, “Very good. Commissioners, any other question or comment?”

MOTION

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

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Commissioner Sciortino seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Debbie. Next item please."

DIVISION OF HUMAN SERVICES
COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION

H. CONTRACT WITH STATE OF KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR PROVISION OF DEVELOPMENTAL DISABILITY SERVICES.

Mr. Colin McKenney, Director, Community Developmental Disability Organization, greeted the Commissioners and said, "We do have for your consideration this morning our annual contract with the State of Kansas Department of Social and Rehabilitation Services to provide developmental disability services here in Sedgwick County.

High points of this year's agreement include about 34.5 million dollars in funding that's identified through this agreement. We will also be billing for approximately an additional \$4,000,000 in state and federal funds for case management, so this agreement entitles us to something approaching \$40,000,000 in state and federal funds.

It also includes a slight increase. I'm glad to be able to tell you that today, reimbursement rates for the services that are provided through this agreement, those increases range from about 1% to slightly over 4% and it's not going to change the world, but it's certainly a step in the right direction. This agreement includes about \$780,000 in funds to serve people who have been waiting

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for services in Sedgwick County and create some new expectations for us, in terms of quality oversight of our system. So it took us a couple of months to come to terms on this agreement. I would recommend your approval and would stand for any questions you may have this morning.”

Chairman Unruh said, “Okay, thank you Colin. I think we’ll be very supportive of this weigh of funds, some of the core services that we provide. Forty-million dollars is a big number, but it takes a lot of money to do the things that we do for that segment of our population. So, Commissioner Norton.”

Commissioner Norton said, “Well, it is a lot of money and one of the things that’s interesting, you said that it provides for \$785,000 to give people that haven’t had the service. Now, we’ve had so much money in our community for developmental services, yet there’s still people that have need out there, that for one reason or the other, just don’t get into the system or there isn’t money for their particular developmental disability. I think it’s wonderful, but it does point out the need that our community has for these kind of services.”

Mr. McKenney said, “Absolutely.”

Chairman Unruh said, “Okay, thank you. Commissioners, is there any other comment or question? What’s the will of the Board?”

MOTION

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

Commissioner Burtnett seconded the motion.

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

VOTE

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| Commissioner Norton | Aye |
| Commissioner Winters | Aye |

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| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Thank you, Colin. Madam Clerk, next item please."

I. EMPLOYMENT OF RON ESTES AS FISCAL ASSISTANT FOR TWO WEEKS PRIOR TO HIM OFFICIALLY TAKING OFFICE AS SEDGWICK COUNTY TREASURER.

Ms. Kathy Sexton, Assistant County Manager, greeted the Commissioners and said, "As you all are aware this past November in 2004, the general election Mr. Ron Estes was elected to the position of county treasurer and he would officially take office, per state law, on October 11th. The request before you today is to hire him two weeks earlier, in a staff role as fiscal assistant. In other words, he would not be the official county treasurer, but he would be on the payroll at the county for two weeks.

The reason for this request is that we are trying to affect a smoother transition into this office than what has occurred in past transitional years. As you are aware, this elected position is highly responsible for tax collection, over \$500,000,000 in tax collection each year for Sedgwick County and the other agencies, governmental units in the county that taxes are then dispersed to for their revenues.

This position oversees 72 employees and administers for a more that \$4,000,000 budget. It is a highly responsible position and there are several software systems required to be used by this position for the treasurer's office and for the tag offices, the auto-license function of the treasurer's office. There are also orientation and mandatory training classes that we'd like to get Mr. Estes involved in participating in early, rather than waiting until mid-October when he takes office, because as you also know, as soon as the treasurer takes office, they are responsible for the tax roll that comes immediately into their office then in late October, to process that tax roll and get those tax bills out by early November. So, this was a plan devised by both current Treasurer Jan Kennedy and the County Management officials, working in cooperation with other officials in the Treasurer's Office and with Mr. Estes. We're all in agreement that this would provide the best success, the best chance for success in this transition and would respectfully request your approval of this employment."

Chairman Unruh said, "Well, I think it's a great management plan to go ahead and try to get this affected and I would want to thank and compliment Sedgwick County Treasurer Jan Kennedy for her willingness to partner with us in this effort and to Mr. Estes for his willingness to come in early. This in no way implies that he is not prepared or not qualified. It just means to coming in to a new

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department like this, with 72 people, a huge budget and different computer systems, it needs a transition period so I think it's good management. I compliment you on putting this together finally, so that we can finally get it done. I know that Mr. Estes has taken it upon himself to visit some other counties and investigate their procedures, so that he'd have that background before coming to our office and it's something we need to do.

It's probably an appropriate time now to comment that the time between election and taking office is just seems like unreasonable and illogical time frame and hopefully we can be involved in an effort to change that. This doesn't make sense to me that you get elected in November and you don't take office for a year later, but that's another issue. The issue before us right now is this and good solution, I appreciate your effort in bringing it to pass, but Commissioner Norton has a question."

Commissioner Norton said, "Well I think it is a good solution, but it also speaks to the issue that some of these positions that are highly administrative and highly technical really put us at risk of a good citizen person that is a democratic representative that's elected may need a lot of training to be the leader of an organization of a \$4,000,000 budget, 72 people that handles \$500,000,000 worth of funds and not be really prepared. So I think it does send a message for many of our elected officials that, you know, it's easy to run and say you're going to do things and then being put in that position of really having to know how to run the office and this is a solution, but I think there's a much broader dialogue that needs to be had in many of these kind of positions, because the training catches up much later than the swearing in and sometimes that can be a real disadvantage, a real disadvantage. That's all I have."

Chairman Unruh said, "Okay, thank you commissioner."

Commissioner Sciortino said, "Well, let me just make a comment here."

Chairman Unruh said, "Commissioner Sciortino."

Commissioner Sciortino said, "This brings to light the question why this position is an elected position. The treasurer sets no policy. Anyone can run for this office that wants to and if they get elected because they happen to be popular and have absolutely no knowledge, background,

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anything in how to do this job, and I have always felt for a long time that the treasurer, the register of deeds and the county clerk should be professionals that know how to do the job and hired because of their expertise and their ability to do the job, since no one of those three positions set any policy or direction for the county and I think the citizens would be better served if these were appointed and run just like another very important department within the county, so that we could hire the very best qualified person to do the type of work that those three departments are asked to do and in the past there's been a lot of embarrassment from the county because of various individuals that have held these jobs and have proven to be incompetent for the job. So it's just an editorial on my part that I think Ron Estes might be a notable exception to that, but the idea that these are elected has always bothered me and I think the citizens would be better served if they were appointed professionals doing these jobs, so that's just an editorial on my part."

Chairman Unruh said, "Okay Commissioner, thank you. You are a very brave person to . . ."

Commissioner Sciortino said, "I have the courage of my convictions, yes."

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

Commissioner Winters said, "Well thank you, I guess I just couldn't resist. I would like to say, Commissioner Sciortino, I do agree with you in a lot of aspects. I would just make the comment that I think we were very fortunate, here in Sedgwick County, to have some very qualified elected positions in the clerk, register of deeds. We've got Ron Estes coming on as treasurer, we've got an elected district attorney, elected sheriff and I think we've got just a great bunch of folks that are really working . . ."

Commissioner Sciortino said, "I didn't refer to the district attorney or the sheriff, I was doing it to the role offices. That was the only three and I believe in the past, you were agreeing with my position."

Commissioner Winters said, "Right. I think your position has some merits, but I just didn't want to say that I certainly am pleased with the elected officials that we've got. Thank you."

Chairman Unruh said, "Thank you. And I think that that would find unanimous consent, we've got great people that work for the county. Any other comment? What's the will of the Board?"

MOTION

Commissioner Burtnett moved to approve the employment.

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Commissioner Sciortino seconded the motion.

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

VOTE

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

Chairman Unruh said, "Thank you, Kathy."

Commissioner Sciortino said, "Mr. Chairman, could I just make one comment, not related to this item, but there's an individual in the audience that's going to have to leave here and I thought we would be done by 10:30 and that's Richard Taylor, representing the Building and Trades Union. I should have brought this up when we were discussing Katrina, but with all the outpouring of support, there's a lot of support that was offered that never makes the press or the paper and I got a phone call from Richard during the . . . a couple of weeks ago, to let us know that if . . . and we didn't know what the venue might be. We were going to rehab an old school or whatever it was needed, and he wanted to let us know that the Building Trades wanted to stand shoulder to shoulder with the county and if we needed any help, you know carpenter, plumber, electrician, to get a facility ready to go for these evacuees, that they stood ready, willing and very able to help us in this effort and that type of offer is invaluable and it never makes the press and I was remiss. I wanted to bring it up during the Katrina thing and I totally forgot. It's my age. But I just thought, publicly I wanted to recognize Richard, your organization and the good, hardworking men and women in your unions and we really appreciate the offer and we hope we never have to take advantage of it, but it's comforting to know that it's out there. That's all I wanted to say."

Chairman Unruh said, "All right, and thank you commissioner and Richard, that's unanimous opinion of the commission. Thank you for your involvement. Madam Clerk, call the next item."

J. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

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Mr. Dave Rush, Assistant Director, Kansas Coliseum, greeted the Commissioners and said, “The month of August we had eight events with 11 performances, we had a total attendance of 9,723 people and the income was \$51,844 for the month.

The U.S. Weapons Gun Show had an attendance of 2,567 people to it. The 4-H Horse Show had two shows that month up there with 170 participants. There’s very few spectators that come, it’s just their participants at the shows.

Alison Krauss was a fun night, some of you were there. We had 2,372 in attendance for that performance of Alison Krauss and Union Station. And then the Veggie Tales, we have 4,134 in attendance for two performances of Veggie Tales.

Upcoming events, it will be the 10th anniversary of the Gaither Family Reunion Tour on the 30th, which is always a big event. They were one of the first groups to open the Coliseum, years back.

And the Fall Circuit Futurity on the 29th through the 2nd. The Chisholm Trail Gun Show October the 8th through the 9th. The Worldwide Paint Horse Congress, which will be the 10th through the 16th. Park City Races, the Fall Blowout will be the 14th through the 16th. The Thunder opening night will be versus Odessa, and that will be on the 21st and then the Thunder versus Oak City on the 22nd.

If there’s any questions, I’d be happy to answer them.”

Chairman Unruh said, “Okay, thank you, Dave. And you have listed up there all the effort to prepare the Coliseum for our guests that didn’t arrive, but I know you put a lot of work in on that.”

Mr. Rush said, “Well, they had a lot of work and a lot of effort from a lot of people involved in that, throughout the county. I was not even able to get in contact. I was in the ocean, off of Alaska, when it come down and happened and I couldn’t even get cell phones to work, so I knew the Friday that it was possible it was going to happen, the Friday and worked on getting some of the stuff lined up, but I was in Alaska.”

Chairman Unruh said, “Well, for you, timing was everything.”

Mr. Rush said, “I kind of looked forward to all of it, the exercise and everything. It was a great effort on Sedgwick County to do this and be prepared. It showed that we are prepared to do this kind of thing.”

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Chairman Unruh said, "Okay, very good. Commissioners, are there any other questions or comment?"

MOTION

Commissioner Sciortino moved to receive and file.

Commissioner Burtnett seconded the motion.

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

VOTE

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

Chairman Unruh said, "Next item please."

K. PUBLIC WORKS.

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

Mr. Jim Weber, P.E., Deputy Director, Bureau of Public Works, greeted the Commissioners and said, "In Item K-1 we are requesting your approval of modification of plans and construction number six for the Haysville railroad grade separation project, designated as I-78 in the Capital Improvement Program. For the record, I would like to note that our agenda submittal incorrectly identified this item as modification number five. It is actually number six.

This modification adjusts the quantities for 28 bid items on the project and will result in a net increase of \$62,077.12 in our contract with Dondlinger. The project is not completely closed out, but we need to process this modification so that subcontractors on the project can be paid. We

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recommend that you approve the modification and authorize the Chairman to sign.”

Chairman Unruh said, “Okay, Jim we have a question. Commissioner Sciortino.”

Commissioner Sciortino said, “Jim, were these items just not considered or . . . when the original bid was put in or . . . some of these seem like fairly normal things that would be involved in bidding a project. How come they missed it by that much?”

Mr. Weber said, “Well, they’re all in the project. There are 157 bid items in the project. These are 28 of them and these are just adjustments that occurred in the field. If we need a little more fence, it gets added on. If we need a little less concrete, it gets taken off. If we found an additional sign . . . and I don’t know exactly what all is in here, but these are just those kind of adjustments that happen in a project of this magnitude. Contract total is around 5.8 million dollars, so this is a relatively . . . these adjustments are not welcome, but they’re relatively minor.”

Commissioner Sciortino said, “Okay, so this is normal, for a project this size, this is not an abnormal thing?”

Mr. Weber said, “Absolutely.”

Commissioner Sciortino said, “Okay. All right, thank you.”

Chairman Unruh said, “Well Commissioners, any other question? What’s the will of the Board?”

MOTION

Commissioner Norton moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner Winters seconded the motion.

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

VOTE

Commissioner Norton

Aye

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|------------------------|-----|
| Commissioner Winters | Aye |
| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Next item please."

2. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE NINNESCAH TOWNSHIP SYSTEM. DISTRICT #3.

Mr. Weber said, "It is standard procedure that after a road is constructed within a platted residential subdivision in accordance with county standards, that the road is then assigned to the township road system. We are requesting your approval of a resolution that will assign Prairie Grass, Prairie Grass Circle, Butterfly and Butterfly Court to Ninnescah Township. These streets are located within Prairie Meadow Estates Addition, which is located at 79th Street South and 135th Street West. The Ninnescah Township board was informed that this resolution would be on the county commission agenda by letter, dated August 24 of 2005. I recommend your approval of the resolution."

MOTION

Commissioner Winters moved to adopt the Resolution.

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 | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Thank you, Jim. Next item please."

CONSENT AGENDA

L. CONSENT AGENDA.

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- 1. Resolutions stating findings made by the Board of County Commissioners at the post-annexation hearings held August 31, 2005 for annexation numbers 00-01 and 00-08.**
- 2. Lease Agreement with City of Wichita for space at 1900 East 9th Street used by the Health Department for its Administrative and Womens, Infants and Children Offices.**
- 3. Agreement with Continental Title Company of Kansas, Inc. providing on-line access to Sedgwick County's electronic data.**
- 4. Agreement with Mental Health Consortium providing on-line access to Sedgwick County's electronic data.**
- 5. Amendment to Contract with Breakthrough Club for community-based services, to include a technical clarification.**
- 6. Amendment to Agreement with Self-Help Network: Center for Community Support and Research, to provide additional facilitation services.**
- 7. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2004 and prior years have been paid for the following plat:

Steffens' Estates

- 8. Order dated September 7, 2005 to correct tax roll for change of assessment.**
- 9. Payroll Check Register of September 9, 2005.**
- 10. General Bills Check Register(s) for the week of September 7 – 13, 2005.**

Mr. Buchanan said, "Commissioners, 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.

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Commissioner Winters seconded the motion.

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

VOTE

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

Chairman Unruh said, "Commissioners, I think we have completed our agenda. We've done Fire District and so at this time, if there are items, other items or items of community interest. Commissioner Burnett."

M. OTHER

Commissioner Burnett said, "Well I was at the Riverside Citizens' Association meeting last night and they were helping out the North Riverside Neighborhood Association get the word out that the Little River Bike Path is going to be open this Saturday, and the North Riverside Association has worked very hard to get this open. There's going to be a 10:30 ribbon cutting ceremony at the Minisa Bridge and there will be free hotdogs and ice cream and cake, so I thought you might be interested."

Commissioner Sciortino said, "Okay, are they going to have an inaugural bike ride?"

Commissioner Burnett said, "Yes, there's going to be a bike parade starting at 9:30 at North Woodland Park. Hey, and they'll have prizes for the youngest, the oldest and the best-decorated bike, so you may just want to do that. I'll be there for the ribbon cutting."

Commissioner Norton said, "So which category is he?"

Commissioner Burnett said, "He could fit a couple of those. Then also, so that's this Saturday. Cutest, would be, yeah that would be one. Then next Saturday, Valley Center is going to be having their fall festival and Sedgwick County will have a booth there and I will be meeting and greeting

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people, so come on out and there will be lots of food there too.”

Commissioner Sciortino said, “Okay, next Saturday?”

Commissioner Burnett said, “Next Saturday. And then I was going to . . . Oh yes, I failed to recognize the Chief Kelly Parks from Valley Center is in our audience today. There were so many people in the beginning, that I didn’t see him. I just wanted to thank him for coming today. And then, just wanted to say that I attended the Zoobilee party last weekend and that was a lot of fun and I got to adopt a flamingo and a gorilla, so I feel very proud.”

Chairman Unruh said, “All right, you’re connected to the zoo. Well, Zoobilee was a very successful fundraiser and I think had a little over 3,000 tickets sold and a successful live auction, so beneficial to the Sedgwick County Zoo and several of us spend quite a few moments, while we were down looking at the gorillas again. They were pretty active the other night. Somebody accused me, they thought I was looking in the mirror but that wasn’t the case.

Also, Race For the Cure is coming up. I’ve reminded folks before and remind you again that September 24th the Komen Race For the Cure, and invite your participation in that. Commissioners, anything else? Mr. Manager? Mr. Euson? We are adjourned.”

N. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:43 a.m.

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

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
Fourth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2005