

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

### **REGULAR MEETING**

**May 31, 2006**

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, May 31, 2006 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Ben Sciortino, with the following present: Chair Pro Tem Lucy Burtnett; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Jo Templin, Director, Human Resources Department; Mr. Robert W. Parnacott, Assistant County Counselor; Mr. Jim Weber, Deputy Director, Public Works; Mr. Bill Gale, Election Commissioner; Mr. Ron Holt, Assistant County Manager; Ms. Stephanie Knebel, Director, Facility Project Services; Ms. Pamela Martin, Director, Clinical Services, Health Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Tom Pollan, Director, EMS; Ms. Mary Orr, Criminal Justice Analyst, Division of Public Safety; Mr. Glen Wiltse, Director, Code Enforcement; Ms. Tonya Buckingham, Chief Deputy, Register of Deeds; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Mr. Rick Brazil, Deputy Chief, Fire District #1; Mr. David Spears, Director, Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Carol Johnson, Tobacco Free Wichita.  
Mr. I.D. Creech, City Administrator, City of Valley Center.  
Mr. Larry Hacker, Sand Bay LLC.  
Mr. Bob Kaplan, Representative, Kansas Paving.

### **INVOCATION**

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

### **FLAG SALUTE**

### **ROLL CALL**

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

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**CONSIDERATION OF MINUTES:** Regular Meeting, May 10, 2006

The Clerk reported that Commissioner Burtnett was absent at the Regular Meeting of May 10, 2006.

**Chairman Sciortino** said, “Commissioners you have had the chance to review the minutes of the May 10<sup>th</sup> meeting. What is your will?”

**MOTION**

Commissioner Unruh moved to approve the Minutes of the Regular Meeting of May 10, 2006.

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, “Next item please”

**PROCLAMATION**

**A. PROCLAMATION DECLARING MAY 31, 2006 AS “COMMIT TO QUIT ON WORLD NO TOBACCO DAY.”**

**Chairman Sciortino** said, “Commissioners I have a Proclamation I will read it the record for your consideration. It states:

**PROCLAMATION**

**WHEREAS**, tobacco addiction is a global epidemic that is increasingly affecting countries and regions that can least afford its toll of disability, disease, lost productivity and death.

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**WHEREAS**, tobacco use remains the single most preventable cause of death in the United States, and smoking is the most common risk factor for the development of lung cancer.

**WHEREAS**, the Tobacco Free Wichita Coalition is the oldest tobacco-related coalition in Kansas, and its mission is to protect the residents of Sedgwick County from the adverse effects to tobacco use.

**WHEREAS**, the Tobacco Free Wichita Coalition encourages Sedgwick County citizens to stop smoking because it lowers a person's chance of having a heart attack, stroke or lung cancer.

**WHEREAS**, there are valuable resources available to help a person to quite smoking. The Kansas Tobacco Quitline provides toll-free access to trained counselors, 24 hours a day, 365 days a year. Call the Quitline at 1-866-KAN STOP (or 1-866-526-7867).

**NOW THEREFORE BE IT RESOLVED**, that I, Ben Sciortino, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 31, 2006 as

**'Commit to Quit on World No Tobacco Day'**

in Sedgwick County and commend this observance to all our residents.

**Chairman Sciortino** said, "Commissioners, that's the Proclamation. What is your will?"

**MOTION**

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

Commissioner Unruh seconded the motion.

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

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**VOTE**

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

**Chairman Sciortino** said, "I understand that Dr. Carol Johnson is here to receive the Proclamation and may have a few words to say."

**Dr. Carol Johnson** said, "Yes, thank you. I am happy to receive this proclamation on behalf of Tobacco Free Wichita and actually on behalf of the other organizations and individuals who are committing to quit. And we're striving for tobacco free lives for those that we love, and in the communities that we live. I'd like to congratulate the community of Bel Aire, and their mayor Brian Withrow, and their city commission for making a smoke-free workplace community, and I'd like to continue to encourage the other communities in our county who are considering such ordinances.

I would also like to thank the restaurants and businesses and hospitals who have committed to smoke-free workplaces. And I would like to remind our own City Council here in Wichita, and County Commission that the health of its citizens, by accepting a similar or even stricter policy on smoke-free workplaces, would be desirable. World No Tobacco Day 2006; Commit To Quit, is set aside to draw attention to the global epidemic of death, disability, and disease caused by tobacco use throughout our world. It's the leading cause of preventable death, the leading cause of disability and disease. World No Tobacco Day has three objectives this year. Number one, it's to raise the awareness of how tobacco of all forms is deadly. It's deadly in any form, whether it's cigarettes, pipes, cigarettes, snuff, smokeless cigars, any form it's deadly. Don't be fooled. A second objective, I appreciate the background music, the second objective is to raise awareness about all types and flavors of cigarettes. It's deadly in any disguise.

Tobacco, whether it's mild, light, low tar, full-flavored, fruit-flavored, natural, additive-free, whatever the disguise, it's still deadly. The first goal of World No Tobacco Day 2006 is to raise awareness about the need for strict regulation of the toxin tobacco, and to encourage implementation of such regulations. The truth about the dangers of tobacco products need to be known as people make decisions for healthy living, whether the disguise is perpetuated by national corporations, or whether it is perpetuated by well intended, but uninformed shops, individuals, or families. The end product is the same death, disease and disability. Thank you for your willingness to raise awareness about tobacco and for recognizing World No Tobacco Day 2006."

**Chairman Sciortino** said, "Thank you. Clerk, call the next item please."

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**RETIREMENT**

**B. PRESENTATION OF RETIREMENT CLOCK TO DARRELL HENRY,  
EQUIPMENT OPERATOR 2, PUBLIC WORKS.**

**Ms. Jo Templin**, Director, Human Resources Department, greeted the Commissioners and said, “Mr. Henry informed me last night that he was not able to come today, but we still wanted to recognize him for his long commitment to Public Service. And as the agenda item read, that Mr. Henry was a Equipment Operator 2 in Public Works for seventeen years and will retire. And we will make sure that he receives his clock, and is awarded that before he leaves Sedgwick County. Thank you.”

**Chairman Sciortino** said, “Thanks Jo. Clerk, call the next item please.”

**PUBLIC HEARING**

**C. PUBLIC HEARING TO CONSIDER WHETHER CITY OF VALLEY CENTER,  
KANSAS HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN  
PREPARED FOR ANNEXATION ORDINANCE NUMBERS 995-01, 994-01, 980-00  
AND 968-00.**

**POWERPOINT PRESENTATION**

**Mr. Robert W. Parnacott**, Assistant County Counselor, County Counselor’s Office, greeted the Commissioners and said, “This is one of our post- annexation hearings we have five years after an annexation by city, where they had to provide a prepared service plan in connection with the annexation. We actually have four different annexations that we are bundling together for one hearing today, and those are the blocks, and the different colors there you can see.

There’s item number 968 that in the blue, down here. We have ordinance number 980, 995-01 here, and then down here, and this is all we’ve got. I believe this is, looks like Seneca right there maybe, and then 77<sup>th</sup>. This is the City of Valley Center that did these annexations back about five years ago, so the purpose of this hearing is to make sure that they provided the services as set out in their service plan.

We have sent notices out to the land owners, and to the city, I did not receive any responses back from anybody, any of the land owners. We do have a representative of the city here, I.D. Creech

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will be able to speak on behalf of the city. The services plans are set out on pages 18 and 30 of your back up and they are fairly limited service plans in the sense that the city just agreed to provide the typical kind of services that a city would provide police, I believe fire protection was already being provided under an agreement, street maintenance, code enforcement, animal control, city parks, recreational facilities, those kind of things. They would provide sewer and water upon petition.

I've got no indications whether or not petitions were filed, but I. D. might be able to speak to that. So at that point, unless you have any questions, I'd recommend opening the public hearing, receiving any testimony from the city or from anybody in the audience that wants to speak on this matter and then close the public hearing and make the appropriate finding."

**Chairman Sciortino** said, "Thank you, Bob before I open up the public hearing, can we take all of these individual ordinances as one collective unit or do we have vote, do we have to make findings on each one?"

**Mr. Robert W. Parnacoott** said, "You can funnel them together. If you have specific issues about a separate one, we can talk about that separately, but frankly I don't see issues right now that would keep us from bundling these together."

**Chairman Sciortino** said, "Commissioners, any questions of Bob before I open up the public hearing? Seeing none, I'll now open the public hearing, accept public comment. Is there anyone here in the audience that would like to speak for or against this item? Can we just get your name and address sir for the record?"

**Mr. I.D. Creech**, City Administrator, City of Valley Center, greeted the commissioners and said, "With regard to the annexations that occurred in the year 2000 by the City of Valley Center, representing the city council at this time, I will tell you that the service plan that was provided at the time has been followed. We have also received no petitions for services for water or sewer in the area. However, we have constructed a water and sewer main across the area that is south of the 995 annexation area that now services all the way across to Phillip's Creek, which is another area, and I have no pointer here so I couldn't help, yes I can.

This area in here is now served by water and sewer and the water service main goes across this area and encompasses an area much bigger than what this map shows for our special assessment district. The area to the South along here, 994, we currently have a grant application in to the Kansas

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Department of Health and Environment for a southeast diagonal water main that will run from 61<sup>st</sup> South and basically Seneca northwestward along the railroad tracks where it intersects with 69<sup>th</sup> Street and then across which will provide a 12-inch water main that will service this entire area also. Those things are already in place without petition, and water mains may be taken off of those for the other service areas. Beyond that, will stand for any questions you might have.”

**Chairman Sciortino** said, “I don’t see that there are any at this time. Is there anyone else in the audience who would like to address us on this item, either for or against? Seeing none, I’ll close the public hearing and limit discussion to the comments from the bench. Commissioners, do you have any questions of Bob or the presenter from Valley Center? Seeing none, what is the will of the board?”

### MOTION

Commissioner Burtnett moved to accept the findings that the City of Valley Center has extended services as provided for in the service plan.

Commissioner Unruh seconded the motion.

**Chairman Sciortino** said, “I have a motion and a second, I see no further comment. Excuse me, I do see a comment.”

**Commissioner Winters** said, “Again, Commissioner Burtnett mentioned that but the words in our recommended action are incorrect, so we need to make sure we want to have the correct wording.”

**Commissioner Burtnett** said, “Put Valley Center in, right.”

**Chairman Sciortino** said, “Yes, it should read ‘as to whether or not the City of Valley Center has extended services as provided for in the service plan’.”

**Commissioner Unruh** said, “And the motion is that they have.”

**Commissioner Burtnett** said, “Yes.”

**Chairman Sciortino** said, “Then we have a motion and a second. Clerk, call the roll.”

### VOTE

Commissioner Unruh

Aye

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Bob, thank you very much.”

**Mr. Parnacott** said, “Thank you.”

**Chairman Sciortino** said, “Next item please.”

**PLANNING DEPARTMENT**

**D. CASE NUMBER CON2006-00013 – CONDITIONAL USE FOR SAND EXTRACTION, GENERALLY LOCATED ON THE NORTHEAST CORNER OF 77<sup>TH</sup> STREET NORTH – 87<sup>TH</sup> STREET WEST. DISTRICT #4.**

**POWERPOINT PRESENTATION**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “The applicant in this case is seeking this conditional use in order to allow him to extract sand from this 160-acre piece of farmland. You can see its location on the graphic in front of you. It is currently zoned entirely RR, Rural Residential and is not platted at this time. He is proposing to excavate a 120-acre lake. You can see his site plan that he submitted in front of you now and that would occur over a 20-year time period. The applicant is in the construction business and needs a reliable supply of sand.

The subject site is located within the equis beds, groundwater management district two that will require that they apply for water rights from the division of Water Resources in Topeka. The site is located outside the Arkansas River’s flood plain boundaries. You can see the site outlined in red on the aerial photo in front of you and the surrounding land uses. Off to the northwest is a subdivision of rural estates. You can also see more homes off to the northeast and to the southeast.

The primary issue in front of you today is what to do about 77<sup>th</sup> Street North. It is expected that there will be heavy truck traffic generated by the operation of this sand extraction operation over that twenty year time period. Those trucks are expected to have an adverse impact on the existing

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sand and gravel road. When this item came before the Metropolitan Area Planning Commission on April 20<sup>th</sup> we presented our recommendations, or staff presented its recommendations, for conditions for approving this conditional use and that included condition number three, which would require that the applicant at the applicant's expense pave 77<sup>th</sup> Street and also provide for signage for directing truck traffic on the paved portion of 77<sup>th</sup> Street over to Ridge Road and this would all be done in conformance with that condition at the applicant's expense.

We had not received any type of protest, written protest or support for that condition prior to the meeting, although we did have a call from the Valley Center Township officials indicating that they were looking for this type of condition and we also knew that the County's Engineer's office was looking for this condition to be part of the approval. When this item was heard by the MAPC, the applicant stated that they would prefer not to have to comply with that condition. One individual was there to speak against paving of 77<sup>th</sup> Street. Another adjacent property owner was there to express her concern that she would be required to help pay for the paving of 77<sup>th</sup> Street and she was assured at that meeting that she would not have to. After the testimony that was given at the MAPC meeting, the MAPC did vote to approve the request, subject to all the conditions except for condition number three, which would require the paving of 77<sup>th</sup> by the applicant.

I am appealing that decision by the Planning Commission because of the concerns expressed by the Valley Center Township. There is a letter in your backup from them regarding that decision by the Planning Commission and I am also aware of the concerns by the County Engineer's Office. The reason I am appealing that to you is that I think that decision ought to be brought before you for you to make. I have been informed this morning that the applicant is requesting a thirty-day deferral of any decision on this matter, so that they are able to put together a proposal regarding 77<sup>th</sup> Street. They have not informed us what that proposal would be, but they would like some additional time to work with the County staff on developing a proposal.

So as things stand now, we have an approval of the conditional use by the planning commission that I have appealed for your consideration this morning. I do not know if there is anyone from the public here to provide any testimony, but you may want to ask if there are and with that I will be glad to take any questions."

**Chairman Sciortino** said, "I see we have a question. Commissioner Burtnett."

**Commissioner Burtnett** said, "On the paving, number three, it says to 'pave 77<sup>th</sup> Street from the site's point of interest onto 77<sup>th</sup> to Ridge Road'. How much? Is it half a mile that they would be paving to the entrance to their sandpit?"

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**Mr. Schlegel** said, “The plan that is before you now shows their operational plan and that little peninsula that sticks out into what will become the excavated lake would be the point of entry as it is currently proposed, so that would be about three-quarters of a mile.”

**Commissioner Burnett** said, “Three-quarters of a mile, okay.”

**Chairman Sciortino** said, “I do not see any other questions and while this is not required of us, our custom is to accept public input, so if anyone from the public would like to address us this is the time to do so.”

**Mr. Bob Kaplan**, Representative, Kansas Paving, greeted the Commissioners and said, “As Mr. Schlegel advised, I am asking for a thirty-day deferral. I came into this case and was retained after the public hearing, so I did not participate at any of the administrative hearings at the public hearing or the planning commission level.

The reason for the deferral is to give me an opportunity to present to the county, to present to you through the Counselor’s Office, and also to present to County Engineering and to present to Valley Center Township a specific proposal for the improvement and the maintenance of 77<sup>th</sup> Street North. I come to this position with a little bit of background, having had a virtually identical case on 73<sup>rd</sup> Street North, which was also a sand extraction operation. I have some folks here to speak to that but would prefer not to do that today.

I can have my folks back. If there are other folks in opposition, certainly you can take their testimony. I simply ask that you defer the decision until you receive the proposals to consider that I intend to submit and I intend to submit them in writing. We have spoken, at least my clients have spoken, to one of the township trustees with the Valley Center Township. The gentleman who wrote the letter, Mr. Mike Neal that you have in you packet, he has agreed to meet and discuss the situation, look at the site and to talk to us. He had made no commitment but he has agreed to hear us. I think that Mr. Weber and County Engineering will hear me out on the proposals. we want to make, so I am suggesting that the applicants be given a thirty-day deferral, in order to make specific proposals for your consideration.

I might point out, for the record, I would be happy with the recommended action. I am not sure that, on the agenda, that Mr. Schlegel intends what is stated there. It says ‘to approve the conditional use subject to the conditions recommended by the MAPC’. Of course the conditions recommended by the MAPC did not include paving, so for the record, I just want to call that out to

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you on your agenda, because I know that the paving is the issue and I know that is what promulgated the appeal.

So I'm asking for 30 days. I'll submit a specific written proposal, we'll come back at that time, I'll have my PowerPoint, I'll have my GIS and my photos and I would like to present that proposal, but I'll get it to you in advance, so that you can read it and it will have some specific suggestions, as an alternative to county standard paving. This is something that we've done before and I think in the case of 73<sup>rd</sup> Street North it's been very, very successful and the few folks I have up here I think, will confirm what I'm telling you. These are people who live on 73<sup>rd</sup> Street North and have seen the improvement and what we've done."

**Chairman Sciortino** said, "Mr. Kaplan, is it your hope that, if we were to give you that time, that you could get the people that are right now indicating they would prefer it paved, to change their mind and be comfortable with your proposal? Is that what you're hoping for?"

**Mr. Kaplan** said, "Well, I don't know that I've got that, Mr. Chair. The only . . . as I say, I was not at the public hearing. I have only the minutes from that meeting. I think that the only real opposition came from Valley Center Township, as I understand it, except the one lady that said she didn't want to participate in the cost and I do intend and have an agreement from the township to meet.

As you'll recall, on 73<sup>rd</sup> Street, we did enter into a maintenance agreement with the township, where we participated in the maintenance of the road and provided all the material. This applicant is the same company that's doing 73<sup>rd</sup> Street and I'm thinking along those lines, although there are other alternatives."

**Chairman Sciortino** said, "Understand. Commissioner Burtnett."

**Commissioner Burtnett** said, "When did you speak to Mr. Neal to set up this appointment?"

**Mr. Kaplan** said, "I did not speak to Mr. Neal. Mr. Hacker spoke to Mr. Neal. Larry, do you want to come up here and give her the date."

**Mr. Larry Hacker**, Sand Bay LLC, greeted the Commissioners and said, "I spoke to him on Friday and he asked me to call him yesterday and that he would meet with me and I tried him yesterday and he didn't return my phone call."

**Commissioner Burtnett** said, "Okay, because I'm kind of surprised he didn't call me to let me know that. On 77<sup>th</sup> Street, either of you can probably answer this question, is there going to be more traffic than 73<sup>rd</sup> Street?"

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**Mr. Hacker** said, "I would probably say there's going to be less, because up that far north, it's hard to get outside customers to come in to buy material. It will probably be more just our own trucking."

**Commissioner Burtnett** said, "And 73<sup>rd</sup> Street was going to be for how many years and 77<sup>th</sup> is for 20?"

**Mr. Hacker** said, "Yeah, 73<sup>rd</sup> Street, we're not the applicant, we're just the operator of the plant, but there's only one year left on that."

**Commissioner Burtnett** said, "But the 77<sup>th</sup> Street is a 20-year?"

**Mr. Hacker** said, "Yeah, and when I say one year, I believe they had an eight-year plan and we're going to have it pumped out within one year. It should be by the end of this year it will be pumped out, so it's going to complete in three years, instead of eight."

**Commissioner Burtnett** said, "Okay. That's all."

**Chairman Sciortino** said, "Okay. I don't . . . Commissioner Norton."

**Commissioner Norton** said, "John, do you know the present traffic flow along 77<sup>th</sup>? Do we have counts on that?"

**Mr. Schlegel** said, "I don't have a traffic count. Dave, do you . . ."

**Mr. David Spears**, Director, Public Works, said, "I believe it's township isn't it? So we don't do traffic counts on the township roads. We can do one though, we can put some counters out and get a traffic count."

**Commissioner Norton** said, "Well, I guess where I'm going with this, we've had large discussions about where there's development, leapfrog development and what happens to the roads along there, based on traffic count, threshold is 200 vehicles a day I think, if I'm not mistaken. You know, that

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was debated on developing as residential, but when you start developing anything that's going to increase the traffic, which this does, then that sets into motion some of our own thought processes as a county on what happens to the roads and we're not just going to allow them to be dirt roads any longer. That they're going to have to be some kind of hard surface and we've pretty well spent two years working on some kind of procedure that governs that.

So I think we need to put that into the mix of the thought process. Now that may not govern the whole final determination but the traffic will flow, the expected traffic flow, may dictate what our thought process is going to be, as to whether it needs to be hard surface or you know a real compact gravel road. So I'd like to see that information."

**Chairman Sciortino** said, "Okay."

**Mr. Kaplan** said, "May I make one additional observation, very quickly."

**Chairman Sciortino** said, "Certainly."

**Mr. Kaplan** said, "That would be that on 73<sup>rd</sup> Street, commissioner, there are two church camps, and that has increased the traffic substantially. I will come prepared, at the next meeting, assuming you grant me the deferral and I will have the demographics and I will have at least an estimate of the traffic that my clients will generate, so I can get you a little closer to the numbers that you want to consider, given the deferral, we can do those things."

My other comment is that we've recently allowed a citing of a sandpit off of 63<sup>rd</sup> Street South and that gives us an indication of how many trucks a day, what it does to roads, and we required that operator to upgrade that road to industrial standards. I mean if we're going to start looking at precedents and what we've done that becomes part of the mix of what we're going to have to discuss at some point. That's all I have."

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

**Commissioner Unruh** said, "Thank you, Mr. Chair. John, I had a question and maybe this is just a procedure question but I don't recall seeing, in my time on the bench, where the planning director registered an appeal. Is that because the commission made an adverse recommendation to the planning department's staff? Is that all that means, or does it mean something else?"

**Mr. Schlegel** said, "No. I normally would not appeal, if they just went against the planning staff recommendations, because what I try to do is bring you the MAPC's recommendations. However, in this case, because we had heard from the Valley Center township people and I knew from

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discussions from the County Engineer's office that they felt pretty strongly about this. I thought it was appropriate to bring it to your attention and let that decision be made here, rather than at the Planning Commission level."

**Commissioner Unruh** said, "Okay, thank you. So you're kind of red flagging it here for us or . . ."

**Mr. Schlegel** said, "Yes."

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

**Chairman Sciortino** said, "But the recommendation can only be what the MAPC has recommended and that's what the recommended action states, that we should just adopt the findings of the MAPC, because that's what the MAPC voted on."

**Commissioner Unruh** said, "I'm aware of that, Mr. Chair. I just have never seen the planning director register an appeal before."

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

**Commissioner Burtnett** said, "Well I noticed in the backup that Mr. Hacker said 'If it's a requirement, we will do and live with it, but we don't want to have to do that', and I can understand that because it's going to cost some money to pave this road. After having talked to our public works people, they're informing me, along with the township people, that less than a county standard road is not going to stand up to 20 years of truck traffic. And even if it becomes 15 years or 16 years, however many years it takes for this sand extraction. I didn't . . . I really wish I would have know that you had made the phone call to the township person, because I would like to hear what he has to say, and he has not called me to let me know that he was willing to visit with you on this, so I'd kind of like to talk to him. Do we need to have this 30 days, or can this be like a two-week deferral?"

**Mr. Kaplan** said, "I'll accept what you'll give me, commissioner. I would like 30 days, because I want to visit with Mr. Neal and of course he will be, I assume he will be at the next meeting. But please don't believe that we're suggesting that we go in with our plan and it's not going to require

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maintenance. It will require continual maintenance and we understand that. We understand that. We're not expecting this to be . . . to put this road in and then be done with it. We will have to maintain it and there are other alternatives besides road sand and gravel. I mean, we've got a number of surfacing alternatives that I'd like to discuss.

I can think of another case where we did go to hard surfacing and we contributed . . . it had to do with a residential subdivision. The applicant was one of the Eck developers. I can't think right now the location, but a similar situation. At that time is when you were just starting your policy, which you have I understand passed in the last six months or so, according to Mr. Parnacott, on the hard surfacing. And I want to look at that subdivisions, it's become a subdivision reg and I want to look at that too."

**Chairman Sciortino** said, "So was the answer to commissioner's question you could live with the two week deferral?"

**Mr. Kaplan** said, "I'd like 30 days, commissioner. If I get two weeks, you want to bring it back in two weeks, I'll be ready in two weeks. I'll do what I have to do."

**Chairman Sciortino** said, "I think that was the question. Okay, thank you. Commissioner Norton."

**Commissioner Norton** said, "John I'd like to take a look at a more comprehensive look at that area. Where are the growth area? You know, how soon is anything going to get out that way? Valley Center or some other . . . I mean, it's pretty far out from where the growth boundaries are, I think."

**Mr. Schlegel** said, "Right, the gray areas on that graphic are the growth boundaries."

**Commissioner Norton** said, "Okay. Is that Colwich?"

**Mr. Schlegel** said, "Just immediately to the south is City of Maize growth area boundaries. To the east is Valley Center's."

**Chairman Sciortino** said, "Could you get back to Commissioner Norton's . . . could you get Commissioner Norton's answers in two weeks, if we decide to defer this?"

**Mr. Schlegel** said, "Regarding the traffic count? Yeah, we'll make an effort to get that information, yes."

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**Chairman Sciortino** said, "Okay. The only . . . I don't see any other questions. Mr. Spears, I think a question I have is if we were to impose this paving to county standards or whatever, I'm sure it's not going to be cold mix. I mean, what is it and approximately how much additional dollars would we be asking the applicant to spend."

**Mr. Spears** said, "Well I would say we need to bring it probably to an industrial standard, which is thicker than a normal residential street. Cold mix will not stand up to this type of traffic. Don't know that we've put a pencil to that. Jim, have you put a pencil to the dollars on what it would cost for that half a mile with the new prices of asphalt that go up daily."

**Chairman Sciortino** said, "Now is it a half mile? We heard three-quarters of a mile."

**Mr. Jim Weber**, Deputy Director, Public Works, said, "Well, it's more like three-quarters and so we're programming \$500,000 a mile into the CIP for county standard road, so that would be about 323, 350, 375, somewhere in that range."

**Chairman Sciortino** said, "That's a sizable amount of money."

**Mr. Weber** said, "If I could have just a second, I went back to Commissioner Burtnett. I did talk to Mike Neal right before 5:00 last night and he was clear to me that he has a very strong preference that this be paved. I don't know, he didn't mentioned whether there was a meeting coming or not, but he was very clear that the township thinks this needs to be paved."

**Commissioner Burtnett** said, "Thank you."

**Chairman Sciortino** said, "Commissioners, any other questions or comments? What is the will of the board on this item?"

### **MOTION**

Commissioner Burtnett moved to defer Item C for two weeks.

Commissioner Norton seconded the motion.

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

### **VOTE**

Commissioner Unruh

Aye

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Thank you. Mr. Euson, just a point of question here, when it comes . . . we just deferred it, so if we make a change to the recommended action, does that require a super-majority? If we were to decide to impose the paving, would that require four votes?”

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “Yes sir, I believe it does. The same considerations that appear on page 42 of your backup.”

**Chairman Sciortino** said, “It says two-thirds.”

**Mr. Euson** said, “Would be in effect for the next meeting.”

**Chairman Sciortino** said, “So that would be a super-majority. Thank you. Next item please.”

**NEW BUSINESS**

**E. PRESENTATION OF A 2007 BUDGET UPDATE.**

**POWERPOINT PRESENTATION**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “This is our favorite time of year. This is the time when we begin to think about the budget for 2007. The staff has . . . department heads, elected officials, division directors have been working on that and I would like to take the opportunity just to remind us where we are in this process.

Our mission and goals, and we’re driven by our mission and goals, is to assure that quality public services that provide for the present and future well-being, that doesn’t mean that we have to do it all. That means that we can be partners with others or engage others to provide that service, but we are to assure that those services are provided. We try to recognize our employees for the good quality public service.

We have instituted, with Jo Templin’s help and others, customer service awards and other pay for performance ways in which we are compensating our employees. We are moving purposely into that method of pay that we believe does recognize folks for quality service.

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We try to build trust and confidence and teamwork and we do that, we've done that with the arena process, through timely and appropriate responses to the public. We hope that our responses are thorough and engaging and that they are responsive and that we have a thoughtful and open and transparent process.

And we try to provide basic and essential services that meet our changing needs and you will hear, throughout this report, about the changing needs of our organization. We have a strong financial standing. You'll recall that the last reports that we heard from the Chief Financial Officer, that the last several years that we have spent less, since 2001, we have purposefully worked very hard with your leadership and if we include the inflation rates, we in fact have spent less than we have in previous years.

We've reorganized. You'll recall that we now have the mailroom and the print shop combined and put into one unit that's more responsive than they ever have been. We've privatized, using the janitorial service to clean this building and other buildings. We have asked employees to share in that pain, and they have over the past several years and so we have, I think, done a superb job in making sure that this is . . . our strong financial standing continues in this organization and viewed, frankly, by the marketplace. The people that give us bond ratings every year indicate that is the fact.

The budget, as you know, is a plan of how we deliver services to citizens and of course our goal continues to be efficiency and effectiveness and maximize our resources, really the citizens' tax dollars. That's our resources. We assure, again, we assure that the basic and essential services for our citizens and we are responsive to the changing needs of the community. I think that's important to understand, that we are responsive to changing needs of the community because we are investing in jobs. We're thankful for the help that the state has given us in the airfares. That certainly is an economic development driver. But we also know that we have to be flexible for the changing demands placed on us by the state and the removal of the machinery, equipment tax. That will cost us about a million and a half dollars next year.

We are told that because of the reduction in that tax, more economic development will occur. People will invest more in this community. We need to figure out ways in which to recover that lost revenue, either by cuts or do we rethink how we do industrial development differently. Do we

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stop giving IRBs or do we stop giving tax abatements to those companies that have previously received those benefits, since now they're receiving the benefit of no taxes on machinery and equipment.

We're also about protecting people and so we are, in those two major businesses, investing for jobs and protecting people. What does that mean for the 2007 budget is that in fact 4,100 additional skilled workers are needed. We know that, industry has told us that, by our manufacturing sector, this year and more in the future and we need to make sure that we're geared up and responsive to that demand.

Other communities are hunting our companies, trying to lure them, are recruiting them to come to their community, so for us to be competitive, we need to retain the businesses that we have and we also need to strive hard to get some new businesses that are not here and we need them for people who are willing to build factories and buy equipment.

To do that, there's a number of approaches we have, but mostly it's the technical training at the Jabara Campus. That's a \$40,000,000 . . . plus the operating costs. We think the operating costs are going to be close to self-sufficient. We have decided that because of the changing needs of the community, that we are not going to do business as usual and not continue programs that just don't work or don't provide jobs to folks that are in a higher paying categories, that are needed by this community. Half a year costs for that will be about 1.5 million dollars and in succeeding years it will be around \$3,000,000 to do this new program.

We are in the job of protecting people. The Sheriff has indicated to us and made sure that we understood that the average daily population of the jail continues to rise. The current detention facility is at capacity. We know that we have two problems, one that that increase continues to rise at a rate that's hard to explain and that secondly, that we cannot afford after we're committed to make sure to deal with this problem, but this community is going to have a hard time affording to continue to build jails and staff them. We have to look at ways in which to solve that problem differently. So the jail expansion is will be a \$50,000,000 expansion and for a half a year next year, 2007, it will cost us about \$2,000,000 in funding to pay the debt on that interest and principle, and then in succeeding years about \$7,000,000 a year for operating costs for that new facility, additional costs."

**Chairman Sciortino** said, "That's on an annual basis then?"

**Mr. Buchanan** said, "Yes. We've looked at alternative programs and we are making sure that we thoughtfully go through this process, so that we have programs in place that stem the tide of that increase of jail population, so that we can manage it in a different sort of way. The second item, the

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day reporting system, we have under contract. They are in the process of gearing up. We hope that is up and running by the first or second week of July and that we have commitments for it to be successful from judges and others to see how that might work. It's going to start slowly and again, we are going to approach this in a very purposeful manner. We want to go slow to go fast later, and so we are intentionally gear up for 100 or so people off the bat, and as the program needs to expand, we can expand it.

The Sedgwick County offender assessment is a program to keep those who are mentally ill out of the system. We are working very hard with the prosecutor and others to make sure that happens and designing a system so that those who are mentally ill, that aren't a threat to themselves and are not a threat to others are given the medication, are kept out of our jail and are treated appropriately, in the right facilities and have the right kind of resources available to them to do that. We're working on a drug court and a work center and a mental health court, all of which will be tied together, but the first two are further down the road than the others.

Quality of . . . we've talked about this quality public service and frankly, skimming isn't the answer. We have, in the last two and a half, three years, worked very hard at reducing the staff size, at combining, as I previously indicated, worked at reorganizing, developed a call center to answer questions of the public differently that we think can save . . . has saved some staff and has saved some money. We have continued to look at ways in which to do business differently and we will continue to do that over the next several months.

The county government has a roll in assuring, and again that's part of our mission, that people are safe and healthy and we use . . . see what we can do to deliver that service and whom else we can engage to help us to take care of people, to build a strong community, to create an attractive community and conduct general work of government.

So in the next couple of days . . . in the next couple of weeks, you'll hear about or division directors and elected officials and department heads about some core . . . balancing the core services and the changing needs. We know that the changing needs includes a new jail. We know the changing needs includes programs to keep people out of jail. We know the changing needs is the Jabara campus, but we have all these core services that we deliver. So you'll hear in the presentations, in the future, on services and supplemental request, how to do business differently.

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And every decision you will be presented will have consequences. Consequences of adding resources and what might that mean to individual citizens. Consequences of not providing services and what that means to individual citizens, so you are going to have some difficult choices before you.

The budget process and schedule begins in earnest next week, Monday the 5<sup>th</sup>. We're pretty much scheduled half a day, all day Tuesday and then again Thursday the 15<sup>th</sup>. We will present to you, at the end of the budget session on Thursday, an overview of what we heard and some expectations of what might occur and that will occur on June 15<sup>th</sup>. You will again here the manager's recommendation. This is after we hear from you and after we hear from some citizens and after we hear from our division directors and elected officials, I will be putting together the recommended budget for your examination on July 19<sup>th</sup>.

And a week later will be the first public hearing and then the next thing that happens is a two week break. That's when the primary day is and we have traditionally not had a meeting after the primary or after the general elections and so we would come back in two weeks and adopt the budget on August 9<sup>th</sup> and that would be, of course, the last day also for the public hearing. And so that's the process that we will go through over the next several . . . a month and a half.

The 2007 budget is a plan to serve the needs of our community. We have a responsibility to core services. We know that. We have a responsibility for public safety and economic vitality of our community, and again, I think this year balance is going to be the key. We do have a start with a solid foundation. We have great capacity of employees to deliver services. We have great leadership, strong leadership from you, that you have practiced on the previous budgets when times were difficult and we have a great partnership going within this organization to provide and design the solution for 2007 and in the future and so that's our intensions for the next month and a half."

**Chairman Sciortino** said, "Well Bill, I just want to say something. First of all, thank you for that and I think it's very important that you have emphasized now something that Chris Chronis is good at saying is reprioritizing. We seem to never have a money problem. We just have a priority problem and this year, given the alternative programs that we're looking at to incarceration, with our commitment to increasing jobs through the Jabara campus project, that is the time that we're going to start thinking out of the box and we're going to have to maybe reprioritize what we do with the limited funds that we have and I appreciate you mentioning that and that's the mind focus, I assume, that you're staff will be working on this budget for and I applaud you for that. Commissioners, any other comments about Mr. Buchanan's presentation? Okay, what's the will of the board?"

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**MOTION**

Commissioner Unruh moved to receive and file.

Commissioner Burtnett seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, “Thank you, Bill. Next item please, Madam Clerk.”

**F. PRESENTATION REGARDING VOTING MACHINES TO BE USED IN THE 2006 ELECTION, AND BUDGET TRANSFER REQUEST TO PURCHASE ADDITIONAL VOTING MACHINES.**

**Mr. Bill Gale**, Election Commissioner, greeted the Commissioners and said, “Appreciate the opportunity this morning to not only present this request for additional voting equipment, but also to kind of give a presentation on voting in Sedgwick County and the many changes that are going on, not only here, but also across the country.

Voting is, I believe, very important, quite possibly the most important privilege and responsibility that we have as citizens. I think President Eisenhower probably would have agreed, because he once said ‘The future of this republic is in the hands of the American voter’ and our mission in the Election Office is to provide all citizens in Sedgwick County the opportunity to register to vote and to participate in the democratic process of elections.

What does voting in Sedgwick County currently . . . or previously look like? Well, we currently use Micro-vote and Micro-bot System, which was first used in 1995 and in fact, Micro-bot updated its system just a few years later, in '98 but we've since been operating from that previous system and has since become quite antiquated and operates on strictly Windows 98, in fact is a Dos based system, requires a great deal of maintenance each year.

Registered voters, currently we have approximately 229,000 registered voters in Sedgwick County,

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which that figure tends to fluctuate from year to year, as does election turnout. In looking at countywide elections here in Sedgwick County, we see turnout as low as 28,000, as we did in the April general election in 2001, up to the 179,000 that we saw turn out in November of 2004, in that presidential election.

We had previously used 208 polling places, which included churches, schools, other public building, such as city halls, rec centers, fire stations. With the Micro-vote machine we used, we had originally a total of 850 voting machines and has slowly been dwindling down to this last election, with 820 voting machines. They're considered direct recording electronic voting machine, in this case, was a push-button where you pushed the button next to the candidate or item you wanted to vote for. We used, in November of 2004, approximately 1,000 poll workers to conduct that important election that day.

And we've also seen advanced voting and the popularity of it and we tried to increase on that in the last couple of elections, with having actually two voting locations for in-person advancing voting going on at the same time, in the week or so leading up to the election. In November of 2004 we saw approximately 8,000 citizens take advantage of that.

There are changes happening in elections, not only here, but throughout the country. A lot being brought on by the 2002 Help America Vote Act, or HAVA for short, which congress passed and the president signed in 2002. It brought about a lot of changes and mandates of counties throughout the country. It was primarily the result of issues that happened in the presidential election of 2000 in many places throughout the country and problems they had in that election. One of the big ones was the issue with punch cards, punch card machines and fortunately we don't use punch cards here in Sedgwick County, never have, so that wasn't an issue for us but there were a lot of other aspects in HAVA that do affect us. HAVA did provide funds, federal funding to states and ultimately to counties to come into compliance, in many cases, replacing their election systems.

Also, a big part of HAVA was addressing the whole issue of accessibility, whether it's the polling place being accessible, the voting equipment itself being accessible, one of its main thrusts was to make sure that each and every voter had equal access to the voting process. It also focused on . . . as I mentioned, focused very heavily on access for the disabled in the voting process.

What's our situation here in Sedgwick County? Well, as I mentioned, we've never had punch cards, but we did have machines that as I mentioned no longer were manufactured, we've been cannibalizing the last couple of years and that was what causing our total number of inventoried machines to decrease each election.

We had the chance, a couple of years ago, and as we tried to prepare to come into compliance with HAVA, make sure that HAVA, the Help America Vote Act requires us to have each and every one

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of our polling places accessible on election day. With a lot of help from the Independent Living Resource Center, here in town, as well as a lot of county staff from many departments, helped us out and in 2004 we went out and surveyed each and every one of our polling places for accessibility and we found, through that survey, that practically all our polling places had issues of some sort of accessibility, whether it's the parking, accessible parking, proper signage or proper width and access isles all the way in, making sure there were no issues, proper ramps into the buildings, from the parking lot and into the building. Issues on lips on door entries, widths of doors, as well as the handles on doors, making sure those are accessible and able for people with disabilities even to get into the building and then on into the voting area.

Now, there was as I mentioned through the Help America Vote Act, there was federal and also matching state funding that was provided to help counties come into compliance with HAVA. And kind of touched a little bit about the challenges we had here in Sedgwick County, with the accessibility issues in our polling places. First of all, we have to get those polling places. These, as I mentioned, you know many are churches and schools and other public facilities. We were at the mercy of those facilities to let us use them, to let us camp out for that full day. So each year we have to send out contracts and contract with the facilities that we do use as polling places and most of the locations we use are older buildings and do have ADA accessibility issues. The Kansas Secretary of State, after the passing of HAVA, had made a commitment that throughout the state, polling locations would be accessible by 2004 and that we would have accessible voting machines in use by this year's elections.

Another big challenge that we face here in Sedgwick County is, as I mentioned, we've needed to get new equipment, accessible new voting machines for voters to be able to utilize on election day. HAVA required that of us. One option that may have seemed to being a possibility was why don't you mix/ match these new machines with your old machines. Well, that sounds easy enough, but in reality it's not. As we look at the issue of combining the use of new machines, as well as our old system of machines, they don't work together. As I mentioned, the old system was Windows 98 based, Dos based and the new requires newer technology than that and so, in talking . . . hearing from DIO/ IT folks, they can speak a lot more intelligently to that than I can, and they . . . in being asked, they shared only a 20% confidence level in making these two systems work together and work together well. So without running into the great possibility of errors in conducting the election.

Now, as we move forward, as I mentioned HAVA did provide a great deal of federal funding, as well as the state's match. County, we've matched funding as well, in the last couple of years, as you all know and have approved. We had a funding allocation here in Sedgwick County from the

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state in the amount of about 1.85 million dollars. That allowed us to purchase, as HAVA requires, one accessible voting machine per polling place. We were actually, with that allocation, to purchase 545 new voting machines, as well as the necessary software and other hardware, ballot readers etcetera to conduct elections.

How do we work to address . . . I mean, it comes into the whole issue of locations, as we make sure each and every one are accessible as we try to deal with the situation. As you see, 545 machines sounds like a lot, but that's still quite a bit fewer than the 850 or 820 we had before. As we tried to make the most, I feel, the most efficient use of your resources, whether it's voting machines, voting equipment, the election workers or poll workers that we secure each election time and I call them volunteers. I mean, we pay them for their work, but it's not a lot and they work hard, I mean, election day our polls are open from 6 a.m. to 7 p.m. I mean, that's a long day and they have to be there in time before that to even set up and then afterwards to close down and tabulate and close out the polling place.

So we're fortunate to have such a large number of committed volunteers in the county but that's a challenge every year, to secure the number that we need. So as you try to make the most efficient use of our voting equipment and our election volunteers, fewer locations is a very effective solution to that and not only making the best use of those resources, but hopefully provide the best service to the voter, when they show up to cast their vote.

We had other issues that were involved with some sites, everywhere from having adequate space, we were set up in hallways sometimes of basically a corner of a room. Security issues, whenever you're utilizing grade schools and the whole issues of security each day and anymore, with strangers walking into those facilities, the ADA issues that we faced. So as we looked at trying to address these issues and select the effective voting locations, we needed them to be ADA accessible, we felt it was very important to keep them as convenient as possible. We tried our best to locate a polling place within a two-mile radius of each voter. Now we were 100% successful on that but we weren't 100% successful on that before, with 208 polling places, especially as you get out into more rural areas of the county, voters oftentimes will have to drive more than two miles to get to their polling place, so that doesn't change for them, for many of them but more in the incorporated areas, I think we were again not 100% successful but very close, I would estimate about 95% successful in keeping each voter within a two-mile radius of their polling place. We wanted to do what we could to keep it as convenient as getting the grocery store.

We looked at the voting population, we tried to keep that as evenly distributed as possible and we don't want to overload any one polling location and especially more than others, and so we try to keep that distributed evenly. We looked at bus routes, the city's bus routes and where they run and where the polling locations . . . we used pretty much, by in large, polling places that we had . . .

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facilities that we had already used as polling places and we tried to basically pick the best we had, as well as we could, the most accessible as well as the best located, ones that we had the most space provided in, gymnasiums are ideal if you have a lot of room to use, utilize, a lot of parking. We evaluate the number of parking spaces that are available and will be available on election day. I mean, it's one thing to have parking. It's another thing to have available parking.

We looked at districts, county commission districts, state senate, city council. We felt that kind of base common denominator there was the state representative district because, out of all those, it's the smallest and we tried as best we could to keep voters that are going to a particular location voting on the same items, living in the same districts as much as possible, so that was another criteria we used. We even looked at traffic counts. We tried to, again it's not 100%, but tried to chose places that had good accessibility to drive, to people that are having to drive there or ride there.

We also kept in mind the vote center concept, you know, as we looked at . . . especially as we lined up advanced voting locations, connectivity is very important and so we try to keep an eye on the future too and the possibility of a vote center being a reality in Sedgwick County.

As I mentioned earlier, we enlisted the assistance not only from the Independent Living Resource Center, as they trained us, staff in our office, but staff throughout the county to be able to survey each site for accessibility issues.

As we came up with roughly 62 voting locations that best met that criteria that we used. We then notified in March all the registered voters in Sedgwick County, sent out the voter cards which showed their polling place and the new one, if it changed for them and it did change for many, as you can imagine . . . probably anywhere . . . I'm not . . . I don't have an exact number, but somewhere probably between a half to two-thirds had their voting place change. In some cases though we got calls from people who we actually, believe it or not, moved a polling place closer to them than they had before, so there wasn't . . . I mean, the change wasn't the same for everybody.

Just last week, we have been preparing and just now have gone over, switched over to using the call center, in being the first line of taking election office calls, and that is already, we can see the help that that's provides us and will provide us, especially as we get closer to the election and the higher volume of calls that will come in, as people may have questions about where it is they go vote or other questions, election related questions.

We also did, as you all know, advanced voting is gaining in popularity, not only throughout the country, but here each election time and we tried, the last couple of years, a idea of the roving satellite, advanced satellite which you can not only vote in person in the election office, but also at another location, which we moved around the county. And that was very popular, in fact so popular I often say that demand outstripped supply in that case, so we did planning since then to increase

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the options available to voters to cast votes in person before election day, including the Saturday before, which that has been found the most popular of times for people to cast their vote is the Saturday before election day, so we will have . . . the plan is to have actually 15 locations.”

**Chairman Sciortino** said, “Mr. Gale, just for a moment, you’re going to have 15 advanced locations this time. How did that compare to four years ago?”

**Mr. Gale** said, “Four years ago, well four years ago we had just the two locations, the election office and one other satellite location.”

**Chairman Sciortino** said, “And how did that compare to the presidential election?”

**Mr. Gale** said, “Again, we just had the two, here at the Historic Courthouse and then one other location, at the same time. I mean, we roved it around, from day to day.”

**Chairman Sciortino** said, “So it’s going from 2 to 15.”

**Mr. Gale** said, “That’s correct.”

**Chairman Sciortino** said, “That’s the point I’m trying to make. Okay, thank you.”

**Mr. Gale** said, “And that’s . . . you know, I’ve, in reading from counties across the country, that’s very aggressive. The most I’ve seen elsewhere utilizes four, maybe five and 15 is very significant and I think with our success from the last couple of years, I think not only will demand be there for it . . .”

**Chairman Sciortino** said, “When will you be able to give some kind of graphic where the media could pick it up and where you could pinpoint on a map where these 15 locations will be?”

**Ms. Gale** said, “We could do that now. We’ve got those locations secured and the date set to use them.”

**Chairman Sciortino** said, “I would encourage you to get to the media a copy of that, if it’s print or TV or something, where they could get it up on the screen so people can start to visualize where those advanced locations might be closest to them.”

**Mr. Gale** said, “Absolutely and those 15 locations, just like those two previously, any voter in the

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county can vote at any one of those locations.”

**Chairman Sciortino** said, “I understand that.”

**Mr. Gale** said, “And whereas we have used other county facilities for the advanced satellites before, this time we are actually using these 15, that includes here, the election office as one, but the other 14 will be actually part of that 62 polling places on election day, 14 of those will be used as well as advanced satellite locations, and they’ll be throughout the county, from Wichita to Valley Center to Derby to Bell Aire and Goddard. So I’m excited about those and the opportunity to see how people respond to those. It’s more convenient for them to stop by on the way to work, or home from work or on the way to shopping on Saturday to cast their vote prior to election day.

Now to the request before you today. As we looked at the whole issue of amount of voting equipment, whereas before we had 800 and some voting machines, now we have for sure with the Help America Vote Act funding through the state and the matching funds, 545. Is that enough? Well, in most all elections, that is. We only send, at the most, 500 and some voting machines out in all elections, other than November general elections every two years, so the real issue comes down to that one time every two years. What’s the answer?

Is the answer more voting machines? Well, that is an option but then you’ll have to ask how many? Is 100 more enough? 150? 300? Well, as we saw in November of 2004, even the 820 we had out when it happened that morning that everybody, it seems, showed up to vote in the morning that Tuesday, that even with 820 machines you had lines and people waiting. And as many of you may remember, from the canvass of that election, thousands of people, thankfully we had poll workers out there thinking quickly on their feet, because they weren’t trained for this or prepared for this, but they provided that paper ballot option to voters that needed to get on to work or wherever, instead of waiting for a voting machine to come available, to cast their vote on paper ballot and drop it off and head on. Thousands, if you remember, took that option and that was with 820 voting machines in place.

So the request before you today would be to purchase 60 Opti-Scan or optical scan voting machines, tabulating machines and we already have five of these in place. They are a proven entity. We’ve used them. We used one in the . . . just last month in the city elections in Colwich and Garden Plain. Now we used it not in the polling place. We used it in the election office. Those ballots that were voted by mail, that came back, we used an optical scan piece of voting equipment to count and tabulate those votes and successfully. So we have some. We’ve used them.

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With 60 additional, that would give us enough to provide one for each polling place, with a couple of spares or extra. Again, it utilizes the paper ballot and the paper ballots are changing from what we've had before. We had kind of the bubble cards, where you fill in the bubbles and you're looking at the information sheet. Now it's all going to be one piece of paper. It will probably be a legal size piece of paper and paper ballot with the bubbles still, but actually they'll be next to the candidate's names, for voters to fill out and then when they're done, they could walk over to the optical scan machine, feed it in and if everything is fine, it would accept it. If there are any issues, it will kick it back out and let them know what those issues are, so they can correct them.

These machines run \$5,025 each, through the contracted price we have with the state. Sixty would come to a total of \$301,500. Just quickly a run through of the election calendar. Chairman, you mentioned some of the information on advanced voting, what sites are available, when, what dates. Applications, if you want to vote by mail, can be received now for the primary. In fact we've already been receiving many and then also, dates for the general election. The primary is coming up August 1<sup>st</sup> and the general November 7<sup>th</sup>. We'll continue to do what we can and appreciate the assistance from you all and the rest of the county in helping get the word out. I mean, these are going to be new voting machines at polling places for people to use. We hit Century II heavy earlier this year, the Home Show, Garden Show, Boat Show, about every show they had in the spring and with one of the new voting machines out to give as many voters as possible a chance to see it before election day. And many tried it out and we had very positive reviews, all across the board. People found them easy to use and to figure out and so that was great and I think a confirmation that we went with a very good voting machine.

If people have . . . you still have the options to show up on election day, but as always and more so after to 2004 election, and I want to take any opportunity that I have to remind people that there are peak volume times, just like rush-hour traffic on the streets. I mean, there's rush-hour traffic in the polling places. Those tend to happen in the mornings, earlier in the mornings, before work for many people or in the evenings, after work for many folks. If you can, to vote in a mid-morning or mid-afternoon time, I might encourage you to do that. If you don't want to . . . if you want to be able to get in and out easier. I found that very effective in November of '04. I voted about 3:00 in the afternoon and had no line for the check in table and just a brief line for the voting machine.

And then, if any questions that people have, they can go to our website, we have a lot of good information there or call at 660-7100 and make use of the call center.

Finally just the next steps we have before us and the item before you of purchasing additional voting equipment, continued voter outreach, poll worker training. We're in the process now of securing now our election workers for the upcoming elections and then going through the process of training them all, which gets harder and harder every year, with all the changes going on, and we

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appreciate all the offers of assistance throughout the county's organization, whether it's DIO and technology or Facilities, Communications and others who have been most helpful and we appreciate them. We will continue to take them up on their offers for help as we again strive to meet our goal of providing all citizens in Sedgwick County the opportunity to participate in the democratic process of elections."

**Chairman Sciortino** said, "Okay, thank you Mr. Gale. Commissioners, . . . and I would encourage you too, Mr. Gale, if in this process, if there's anything else you can think of that the county could assist you on, don't hesitate to call Mr. Buchanan and I think you'll find him ready to offer the resources of his entire staff to help you in any way that we can. Commissioners, any questions of the presentation by Mr. Gale? Yes, Commissioner Norton."

**Commissioner Norton** said, "I don't know if any questions yet, but just some comments. First of all, I passed out a memo that I received from an individual that had e-mailed me that has met with Bill and has some provocative information in it and I thought I share it with you, as we go through the dialogue.

You know, change is tough in all parts of our lives and certainly we hold voting in the democratic process with such high regard that change is going to be tough there. I think we know that, and this change has spurred some controversy. I mean, we've seen articles in the paper. We've seen news reports, the editorial page today had some conversation about that. But controversy also spurs conversation, which spurs information sharing, which I think is good to this process, because as we go through this understanding of what our voting needs are and how elections are going to be handled in the future and what HAVA's implications are to our community and to voters, that ongoing conversation and sharing of information is going to be powerful to citizenry, I think because truthfully, voting is important to us, as elected officials.

I mean, we want every voter to get out and strike the ballot and either vote us in or vote us out, but be part of the process. It's interesting that when you're in a church building committee, do you build your church for Easter, which is the highest population you're ever going to have? Well, that's one of the dilemmas we have here. Most elections aren't like 2004 that everybody turns out and truthfully, most elections, the word that comes up is 'apathy', that people aren't engaged. They don't go to the polls. They don't put pressure on the voting system, so it's really an anomaly when 2004 comes along and people have to wait in line.

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Now I think it's important we continue to have public engagement, to try to interest people in voting and being part of the process and not letting apathy, that old line of 'my vote doesn't make any difference' prevail. And many times, it's not about where you have to go to vote. It's not about how many machines are available. It's not about whether you stand in line, because I've got to tell you, after running a Target store for 30 years, people will stand in line to save 50 cents on a toy item because it is the toy item that their kid wants for that Christmas. It's that important to them.

Well, it would really be nice that voting is that important to everybody. That okay, standing in line is not a big deal. Walking a little bit, because the parking is a little cramped, is not a big deal. It is the most important thing for me that day, or that time. Now that you've got two weeks to do it, so public engagement and eliminating apathy is more at issue here than I think, in a lot of cases, how many voting machines and places. Y

ou know, we have to understand that there is now a new generation of voters that we're trying to work with. As we look at voting, as it's been from the early days of colonial America, where you folded up a ballot and you put it in a box and it moved on to other kinds of machines and then electronic and digital machines. So many of our young people, the Gen Xers, I mean they're pretty savvy. I'm thinking they're going to be wanting to ride in their car, going to work, and engage into their cell phone and go into a computer system and vote on line, over their phone. I mean, I don't know what that looks like, but I think technology and new generations and young people and thought processes are going to change a lot of things about how we engage the public in the democratic process.

Truthfully, I think the primary this year will be a real test to this system, of how it works and what needs to be tweaked and if the new scanning machines really are valuable and help through the process. My final thought is we need to challenge ourselves to understand the voting public and what the through-put is and when those peaks are, and do you staff up a little heavier with people in the morning to take care of the morning rush, and then during the middle of the day, you know, slack up a little bit, and then build another peak later in the day. I don't know that we have that information exactly. It's pretty anecdotal.

I would challenge us to use technology that finds out when the voter does vote, what times of day, when do they advance vote, where do the advance vote. Where are the information that we can gather that, along the way, will make voting that much easier for the public. So I'm anxious to hear what my colleagues say and where we're going to go with this and spending money, but I thought I'd kick it off with my thoughts about this particular issue. It is an important issue. It spurred controversy and I'm glad that we've engaged in that, as a county commission, because it's not particularly our responsibility but we do have a responsibility to the voters to understand this issue and to help the election commissioner make the very best decision he can, so that's all I have, Mr.

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Chair.”

**Chairman Sciortino** said, “Thank you, Mr. Norton. You know, the one thing you said, Mr. Norton, that I really agree with I think voting is more than just a right. I think it’s an obligation and I agree with you. I wish people would be as fired up about executing this obligation as they are buying the next Nintendo toy for their kids or in fact voting for the next American Idol, which will probably have a better voter turnout than this election will. We all saw TV video of the people in Afghanistan and Iraq and the lines were three and four and five blocks long but people were so excited about having the right to vote for the first time, even including death threats if they did. And here, it seems like if it just isn’t just like this, then to hell with it, I’m not going to vote, and I would encourage everyone, at this election, regardless of who you’re voting for, what issue you’re voting for, make the effort to vote. As an elected official, we want to have as many people vote, because oftentimes we’re making decisions here, not just at this level, but all levels, oftentimes we’re talking to an empty room and we don’t know what the voters really . . . what their inclinations are and when it comes time for an election, that’s the time that you can let us know what your thought are. So that’s the end of my little Editorial. Commissioner Burtnett.”

**Commissioner Burtnett** said, “Well thank you, and I appreciate all Commissioner Norton’s comments also, but Bill I have a couple of comments and then I do have a question. And I realize we can’t have a polling place on every corner. That’s never going to happen, but with everything in moderation, it just seems kind of odd to me that we had to get down to so few polling places and when I looked through the list of the places that are no longer going to be polling places, I find it appalling that they’re in such poor ADA shape that we couldn’t have at least gotten a few more up to snuff for this election. If we had been looking at these accessibility issues since 2004, I guess I’m disappointed in the communication between your office and ours. I think we were all shocked when we heard the amount of polling places that were going to be reduced, and I guess I’m just disappointed that we could have had some conversation over the year or two years that the accessibility issues have come up, because maybe we could have had a few more polling places and gotten these places into ADA standards.

My question to you is, we’re only a couple of months from the primary, are these machines going to be available and be able to be set up by the primary or are you looking at more the general election, for these machines?”

**Mr. Gale** said, “Yeah, we’ve checked with the vendor and if we get the order placed this week, we would be able to have them in time for the primary. They said they could probably get them delivered by middle or late June.”

**Commissioner Burtnett** said, “Okay. I don’t like the word ‘probably’.”

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**Mr. Gale** said, "I'm sorry, they said definitely. They said probably Friday, but then yesterday they said they could definitely."

**Commissioner Burnett** said, "Okay. Well I realize, in two months there's no way we could get enough polling places up to ADA standards, so we're kind of at this point where we have to make change and change is hard, and I understand that but it's just I have really listened to a lot of the constituents in my district that are very, very disappointed in the amount of polling places that they're going to have to choose from. And like I say, I realize we can't have one on every corner, but I just think this has been such a huge shock to everyone that we are going to take some hits on this, but at least if we can get these others machines available, that might help defray some of the issues. So that's all I had right now. Thank you."

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

**Commissioner Unruh** said, "Thank you, Mr. Chair. Dale, I assume that you probably crunched the numbers to see how this is actually going to work on election day. I . . . averages probably don't work very well when you're trying to work with these numbers, but we've got, you know, 62 polling places and if we approve this request, then we're going to have 600 machines, or just over, so we've got approximately 10 machines per location. Do you have an estimate of how many voters you expect? What's the gross number, on average, you're going to have lining up at these 10 machines per location? And divide that by 13 hours a day, what do those numbers look like? The reason for the question is, in your analysis, is this going to work, I guess is the questions?"

**Mr. Gale** said, "Yeah, and you're right. We have crunched the numbers. The Budget Office has been very helpful in crunching numbers as well. As you mentioned, the polling places will be open 13 hours and on the one hand, you could evenly distribute the voter turnout throughout the 13 hours, but that's not realistic, because that's not how it happens in reality, where you do have those peak times.

With numbers that the Budget Office provided, I mean to have no wait at all would require 1,165 machines, based off of calculations of when voters tend to show up on election day. Now that's one of the benefits of the optical scan machines. One piece of optical scan equipment can accommodate . . . you could set up a folding table, set up dividers, to provide voters privacy and accommodate six, eight voters per table and to utilize just that one piece of equipment, so the equipment, between the voting machine that a voter uses versus the actual scan is a little apples to oranges on numbers of voters that it would accommodate. But . . . so in a presidential election, you know, you could add just with an optical scan machine, just add extra tables and extra spots for a voter to fill out their paper ballot and then go over and feed it into the optical scan machine."

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**Commissioner Unruh** said, "I understand that and I think that provides a great deal of flexibility, but are we anticipating a voter turnout of what percentage of registered voters?"

**Mr. Gale** said, "Well based off of looking at historical numbers would lead to predictions of a 25% turnout in the primary and a 45% turnout in November here in Sedgwick County, which with the total number of registered voters we have now, would be roughly 110,000 voters showing up in November to vote."

**Commissioner Unruh** said, "Okay. And using those numbers and with these scanner readers that you're requesting now, do you think that even in the peak periods, we've got minimal wait times? Or can you . . . would that be five-minute wait, a twenty-minute wait? Or have you even, or can you reasonably project that?"

**Mr. Gale** said, "We're projecting, looking at . . . shooting for a waiting period of 15 minutes are less."

**Commissioner Unruh** said, "At peak times."

**Mr. Gale** said, "At peak times."

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

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

**Commissioner Winters** said, "Well, thank you Mr. Chairman. Bill, can you talk to me just a little bit about the advanced voting again, and the 15 locations and the time frame. How long a period will people have the opportunity to advance vote?"

**Mr. Gale** said, "Well first off, and speaking of the conversation this has generated, as Commissioner Norton mentioned, advanced voting is one of the things we've gotten feedback from people who say 'Well, if I vote in advance, my vote doesn't count' or it only counts if it's a close race. Well that's just not true. In fact, when it all works well, they're the first ones counted and recorded, to the totals. Advanced voting, in person, commissioner right now we're scheduled in the primary for voting in the office, in the Election Office will start on July 19<sup>th</sup> and run through July 31<sup>st</sup> at noon. Now the additional 14 sites, we have found that people do like to vote early, but it tends to concentrate the closer you get to the election, so we're focusing those 14 sites on the Thursday, Friday, Saturday before election day in the primary and the Tuesday through Saturday in

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the week prior to election day in the November general.”

**Chairman Sciortino** said, “Do you have those dates? I know the primary is on the first of August, I believe, so you’re talking the 30<sup>th</sup>, the 29<sup>th</sup>, the 27<sup>th</sup>. Am I doing the . . . 30 days has September . . . 31 days in July, so if we’re voting on August 1<sup>st</sup> is the primary, 31<sup>st</sup> is Sunday, my math says 28<sup>th</sup>, 29<sup>th</sup>, and 30<sup>th</sup> of July is when those three dates would be open?”

**Mr. Gale** said, “I think that would be right, or 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>.”

**Chairman Sciortino** said, “To the media out there, I don’t know if that’s the right . . . but it’s Thursday, Friday, Saturday prior to the primary and Thursday, Friday, Saturday prior to the general.”

**Mr. Gale** said, “Yeah, 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup> of July, right and October 31<sup>st</sup> through November 4<sup>th</sup> in the general.”

**Commissioner Winters** said, “Okay, thank you very much.

I am going to be supportive of this opportunity to vote . . . to buy, purchase these 60 opti-scans. And part of that is just to follow up on Commissioner Unruh’s comments, I think I would have supported this in years past, because I’m not sure we can have enough regular voting machines in place for people to not wait at peak times.

And from my personal experience, I remember the election, presidential election of 1996, and I stood in line for over an hour and a half and we probably had 208 polling places and 850 voting machines at that time and still had a long wait. And I would have appreciated, at that time, the opportunity for someone to hand me a paper ballot and say ‘vote this paper ballot’ that then can be scanned into our machine. So I think, from what I’ve heard the election commissioner discuss, this scanner reader of a paper ballot could be the relief valve that every polling place will need, and if a citizens comes and they have some kind of a disability that they need to use an electronic touch screen machine that is as modern as they come, they’ll have an opportunity to do that, but if they’re on the way to work, they don’t want to wait, then they’ll have an opportunity to use an alternative.

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I do think that since that 1996 experience, I made the decision that I'm going to vote every year, but I also made the decision I'm not going to vote on the Tuesday of election day because I do not like to stand in those lines, and so I think, as people . . . if they go on Tuesday, then they know that there's going to be a possible wait and with all of these times we're going to have for advance voting, I think that the election commissioner is going to provide opportunities to use something other than the Tuesday normal election day.

I am a little bit disappointed in the communications we've had with the election commissioner's office, but on the other hand, I think we need to again understand county government. The board of county commissioners are not in charge of elections. I mean, we're politically elected people and the state legislature has not given us the opportunity to control or conduct elections. What we do do is we do fund the election commissioner's office and Mr. Gale has been selected by the Secretary of State and I think what we have seen since part of this has started is the willingness of the departments and employees to assist the election commissioner's office in putting together the best system that we can put together. So, I want to thank the election commissioner for trying to come up with some ways that are going to allow Sedgwick County to meet all the requirements of the 2002 Help America Vote Act, which is a pretty large piece of legislation that we don't want to be out of compliance with, so I appreciate his work there.

I again kind of share Commissioner Burtnett's feelings of disappointment that we took such a big step here, but again, the election commissioner is responsible for that and from this point forward, I certainly want to do all we can to support him. I know everybody is not going to be happy, but I agree with Commissioner Norton. For those folks who think it's important to vote, I just encourage you to find a way that best fits your needs of doing that. If it's standing in line on election day, so be it. If it's taking advantage of advanced or absentee voting, I just hope that you go ahead and make that commitment to vote. So, I'm going to support this request for the optical scan machines, giving the people the opportunity to vote a paper ballot, if they walk in and the lines are too long. Thank you."

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

**Commissioner Norton** said, "Bill, there's several voting places, I don't know how many, that are going to have a voting population that are much higher than others, that are 4,600 and above, several are 4,000 voters above. Is there any logical thought process that if the primary shows that those are getting overburdened, that we can add in other locations to offset that for a general election? I mean, what is your thought process to do error-corrects? I mean, going from the 208 or whatever down to 62 is a pretty dramatic cut and we hope that's the right number, 62, but what if it's 78 that really would maximize locations and population bases and number of people assigned to a certain polling place and on and on. Do you have an contingency plans to revisit this after the

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primary, engage staff again and try to understand whether you might need to add a few polling places or not.”

**Mr. Gale** said, “Well, that’s always gives the opportunity with the primary to see how it does work or doesn’t work, to reevaluate. Now I will mention that even though we will have fewer polling locations, at each location we’ll have multiple checking points, so it’s not going to be one line at each place. You know, it will be as many as four check-in lines and that can be the possibility to revise upwards within each location. Again, as we selected those 62 or so polling places, we selected as much as we could, those with ample parking and ample space provided, and so that could even be a possibility as well, to bulk up staffing in certain locations.”

**Commissioner Norton** said, “Well, certainly staffing over the years has been an issue. If you look at polling places and the volunteers, many years you’ve had real trouble staffing some of those polling places with volunteers. You’ve been down, right to the last minute, making sure you had people, and this should take some of the pressure off of that, as far as having adequate volunteers, very well trained volunteers and being able to have more volunteers to assist in less locations.

So I guess my challenge is to not make this the final determination today, but this is still a work in progress. That if we look at the primary and there is some glitches in the system, some holes in our polling places that we’ve selected, that we continue to look at it or you continue to look at it. It’s not really our responsibility but I would challenge you to not say that this is in concrete and it’s the only way we’ll ever do it again, because we know change is an evolution and we may have some learnings from this first time that we can apply to primaries and particularly other big elections, maybe not the small ones, but the ones that we know, coming up, a presidential election where it should draw a lot of interest and a lot of people to the polls and maybe we need to have contingency plans ready for those too. So just a challenges for us to be thinking about. That’s all I have.”

**Chairman Sciortino** said, “Thank you. Let me recap some of this, if I can and also want to make sure I understand it. The request before us is for 60 additional opti-scan machines. We already have two, so am I right in my assumption that there will be an opti-scan machine in each polling place. Is that correct?”

**Mr. Gale** said, “Pretty much. We have five already, so that would provide . . .”

**Chairman Sciortino** said, “So there will be at least one at every polling place, an opti-scan machine?”

**Mr. Gale** said, “Correct.”

**Chairman Sciortino** said, “And as I understand the opti-scan machines, Commissioner Unruh, is

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that it actually is equivalent to four or five additional voting machines because if you've got a fixed number of voting machines at a table here, you could be having five or six people doing paper ballots at the same time people are voting at the voting machine and then scanning into the opti-scanner. Is that the basic concept behind it?"

**Mr. Gale** said, "That's right."

**Chairman Sciortino** said, "And you're convinced that you'll be able to have these machines in time for the primary election."

**Mr. Gale** said, "Correct."

**Chairman Sciortino** said, "And if I heard you say right, you'll always going to be flexible to changing times and re-evaluating and what have you, with an idea of how to make voting as . . . providing all citizens in the county an opportunity to participate in the democratic process as easily or conveniently as possible."

**Mr. Gale** said, "It could be more advan . . . Correct. You know, that may be even more advanced sites, three or more days."

**Chairman Sciortino** said, "I understand. And I also agree with what I've heard from the colleagues. I prefer advanced voting. It's easy. You can pick an off-peak time, walk in, boom, boom and you're out within a minute. And we're going from two advanced voting locations to 15 and very shortly you'll be letting the press know where those locations are and you've given the dates and somebody can confirm the actually dates, but with the exception of the election commission office, the remaining 14 will be open the Thursday, Friday, Saturday prior to the primary and the Thursday, Friday, Saturday prior to the general. Will that also hold true for the election office, advanced voting location? Will the election office, for a location, be open Thursday, Friday and Saturday before the primary and general, or is that just the other 14?"

**Mr. Gale** said, "The election office will actually be open for advanced voting two weeks, the two weeks before the election."

**Chairman Sciortino** said, "Including the Thursday, Friday and Saturday before the primary and general?"

**Mr. Gale** said, "Right, and including the Monday morning before election day even."

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**Chairman Sciortino** said, “Oh, okay, all right. Okay commissioners, the request before us is to . . . Excuse me, Commissioner Norton.”

**Commissioner Norton** said, “Just another thought. I would be interested in finding out what implications the 15 voting places have on that voting place on the Tuesday, because in close proximity, a two-miles radius, will that diminish what will happen at those sites on election day? Does that take enough of the people out of there that maybe you move machines to other locations? Because those 15 locations that are open four or five days ahead of time may really diminish how many people in that precinct vote on election day, and those machines can be put . . . I mean, all this information will be power as learning, so I would encourage you to understand exactly what advanced voting at 15 locations will do to those locations on election day, because it may change the dynamics of them dramatically. So, thanks.”

**Chairman Sciortino** said, “All right, commissioners, we have a request before us. Is there any other questions or comments of Mr. Gale? What is the will of the board?”

**MOTION**

Commissioner Winters moved to approve the budget transfer.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, “And Mr. Gale, just as . . . you probably don’t need to have this again, but if there’s anything else this commission can do to assist you, in any election, please don’t hesitate to contact Mr. Buchanan. If it’s staffing requirements or if you need additional things from us, please call us. We’ll try to help you any way we can. Thank you. All right, next item please.”

**G. DIVISION OF CULTURE, ENTERTAINMENT AND RECREATION.**

- 1. REAL ESTATE PURCHASE CONTRACTS (TWO) WITH FRAN-MAR INVESTMENTS FOR PROPERTY LOCATED AT 305 SOUTH ST.**

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**FRANCIS AND ODD LOTS 45-65 (PARKING LOT) ON SOUTH ST.  
FRANCIS, IN SUPPORT OF THE SEDGWICK COUNTY ARENA.**

**Mr. Ron Holt**, Assistant County Manager, greeted the Commissioners and said, "I'm going to call on Stephanie Knebel from Project Services to actually present the item. But because we're going to be coming back quite often over the next few months with additional purchases, wanted to give you a very quick overview of the process we are using.

We've established a real estate acquisition review team that consists of myself, Stephanie Knebel, Rich Euson County Counselor, Troy Bruun from the Finance Department, Steve Claassen from Facilities, Mike Borchard from the Appraiser's Office and we're very grateful to John Philbrick from the City of Wichita, who is working with us and has been very helpful because of his experience in property acquisition efforts.

Let me just, very quickly, give you a 30,000-foot view of the process that we're using in acquiring property. As you know, we hired a fee appraiser consultant in February. We followed that up with the hiring of an acquisition consultant in March and the hiring of a relocation consultant in March as well. The reason for hiring these outside consultants is to make sure that we get good market-based appraisals and offers to the property owners, based on your direction and we want to be fair with the offers they'll be making to property owners and make sure that the relocation efforts are in place as well.

The fee appraisers completed their work in April and turned appraisals over to the acquisition consultant, after we'd had a chance to review them. The acquisition consultant, accompanied by the relocation consultant, made initial offers during the second two weeks of May. The acquisition process is that we negotiate with property owners, about two weeks after, for them to consider the initial offer. In our RFP, we said that we would have a minimum of three attempts to secure a deal. Now that's a minimum. We are dealing with each of these offers on an individual basis. We're negotiating, again, with property owners on an individual basis. Once an offer is accepted, the information is turned over to the county for your approval and for closing and that's what these two offers that we have for you this morning.

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Once it's determined that negotiations seemingly have stalled, then the review team, with the advice and counsel of the acquisition consultant, makes a decision about moving forward with condemnation. Of course condemnation is handled through you. It's a legal proceeding and it's handled through the County Counselor's Office. And also I should just mention, the condemnation proceeding is not if we can acquire the property. That's not the determination, but at what price. Once a filing with the district court is made, judge appoints three appraisers to get new appraisals of the property. The appraisers give their report to the judge, who then uses that information, along with what's been presented by the county, and what's been presented by the property owners to make a determination about the price. Sometimes, seldom we find in this community, but sometimes these can go before a jury. But again, we're hopeful that that will not be necessary in these case.

Minimum 90 days from the date of filing is the timeline for the judge to make a ruling and even during condemnation proceedings, I would just mention that we can and will be open to continual negotiation with the property owner for the property. Once the property is acquired, then the relocation process comes into play. As already mentioned, that the relocation consultant works with the property owner and now we have to mention the business owner, many of these properties have tenants, so not only the property owner but the business owner or the tenant has opportunity for relocation costs and a plan for relocation.

Relocation, while there are some required costs there, we do work on a negotiated process and those processes are pretty much prescribed by law. Again, when talking about condemnation, what I'm providing is a very broad overview, and any specific legal questions should be directed, of course to the county counselor.

Again, that's pretty much the process. It's a step by step process. Appraisals happen, then the acquisition process, then the relocation process and of course beyond that then, after we acquire the property, we look at asbestos survey and then asbestos abatement before we can do demolition.

Let me call on Stephanie Knebel now to present this agenda item to you please."

**Ms. Stephanie Knebel**, Director, Facilities Department, greeted the Commissioners and said, "These two real estate contracts, a slight clarification if I may. The first property, at 305 South St. Francis is owned by United Distributors. The second property, the parking lot is owned by Fran-Mar Investments, the same owner, just two different businesses involved here.

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These two parcels are the first of 26 properties that we'll need to purchase for the arena. There will be additional purchases, as we move through understanding what's going to be required along Washington Street. As Mr. Holt mentioned, acquisition offers when out to property owners the first two weeks of May. These are the first two to come back in agreement with what was initially offered. Both of these properties, the recommended acquisition amount is 100% of the fair market value.

For 305 South St. Francis, that 100% fair market value is \$915,000. The second, the parking lot, the fair market value is \$448,500. In addition to this purchase amount of just over 1.3 million dollars, the county will be responsible for all closing costs associated with these purchases. I recommend your approval and am available for questions."

**Chairman Sciortino** said, "I don't see that there are any questions. I see that there is a question or comment. Commissioner Burtnett."

**Commissioner Burtnett** said, "So your \$1,363,000 is including a fee from the fee appraisal process too? Because \$915,000 and 448.5 does not come to up to 1.3."

**Ms. Knebel** said, "No it doesn't, commissioner. I apologize for that."

**Commissioner Burtnett** said, "Yeah, because I show that that would be 689 . . . pardon me, 953,800. No wait a minute, 689,700 is what I come up with, when you add . . . I'm sorry."

**Ms. Knebel** said, "That's not right. 915 plus 448 . . ."

**Chairman Sciortino** said, "It was 1,363,500 it comes up."

**Commissioner Burtnett** said, "I'm sorry, I was adding the wrong numbers. I'm sorry. Well then my other question is, you're got a parking lot that is 44,850 square foot. Is that right?"

**Ms. Knebel** said, "That's correct."

**Commissioner Burtnett** said, "Okay. I guess parking lots are pretty expensive to come by, aren't they. Okay. I just wanted to clarify that. That is a pretty good sized parking lot then?"

**Ms. Knebel** said, "It's one of the largest out there, yes. There are several parking lots. This one is the largest."

**Commissioner Burtnett** said, "Okay. All right, that's all. Sorry about that. I was doing too many numbers here."

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**Chairman Sciortino** said, “Is that it? Commissioner Unruh.”

**Commissioner Unruh** said, “Just one question. Will we be doing most of our valuations based on the income approach?”

**Ms. Knebel** said, “It all varies. Most of the properties out there are leased to other businesses, so a good many of them are going to be income-based, but it will vary as we bring those forward. A couple of them I know are owned and operated by the business, so that probably would indicated a more sales comparison approach.”

**Commissioner Unruh** said, “Okay, because a sales comparison approach would probably yield a smaller number.”

**Ms. Knebel** said, “I’m not even going to generalize that statement.”

**Commissioner Unruh** said, “All right.”

**Ms. Knebel** said, “It will vary from property to property.”

**Commissioner Unruh** said, “Thank you. Mr. Chair, that’s all I have.”

**Chairman Sciortino** said, “Okay. I don’t see that there’s any other comments on this. So what’s the will of the board on Item G-1?”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Thank you very much, Stephanie. Next item please.”

**2. AGREEMENT WITH WELLINGTON LIONS CLUB FOR USE OF PORTABLE BLEACHERS SEPTEMBER 28 – OCTOBER 2, 2006.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, “This is our standard lease arrangement for the rental of equipment from the Coliseum. Our procedures are if the client pays the rental fee in advance, the client is responsible for transporting equipment to the site it is to be used and bring it back to the Coliseum and the client insured the equipment against full replacement value in case it’s damaged. We recommend approval.”

**MOTION**

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

Commissioner Winters seconded the motion.

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

**VOTE**

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

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

**3. AGREEMENT WITH AMERICAN RED CROSS FOR USE OF PORTABLE STAGE RISERS JUNE 23 – 26, 2006.**

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**Mr. Nath** said, “This is the same agreement, the same structure of the agreement as we had with the Wellington Lions. We recommend approval.”

**MOTION**

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

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, “Thank you very much, John. Next item please.”

**Commissioner Norton left the meeting room at 11:10 a.m.**

**DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT**

**H. AGREEMENT WITH WESLEY MEDICAL CENTER, LLC, WICHITA CENTER FOR GRADUATE MEDICAL EDUCATION, INC., AND THE UNIVERSITY OF KANSAS SCHOOL OF MEDICINE – WICHITA TO PROVIDE A NON-HOSPITAL SITE CLINICAL SETTING FOR MEDICAL STUDENT RESIDENTS DURING THEIR OBSTETRICS AND GYNECOLOGICAL MEDICAL ROTATION.**

**Ms. Pamela Martin**, Director, Clinical Services, greeted the Commissioners and said, “Historically, for the last 25 years, the Sedgwick County Health Department has partnered with Wesley Medical Center to provide a non-hospital site, clinical setting to residents during their residency rotation. Through this continued partnership, the residents are given a unique opportunity

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to observe and provide both prenatal and post-natal care to women with high-risk pregnancies in a clinical setting.

The residents selected for this rotation specialize in obstetrics and are therefore able to provide comprehensive, prenatal care at a low cost to eligible clients. The residents have completed four years of medical school and are in their fourth year of medical rotation . . . excuse me, medical residency.

The residents are directed and supervised by the University of Kansas School of Medicine-Wichita's OB/GN department. Our proposed recommended action is to approve this contract and authorize the Chairman to sign."

**Chairman Sciortino** said, "Thank you, Pamela. Commissioners, what's the will of the Board on Item H please?"

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, "Next item please."

**Commissioner Norton returned to the meeting room at 11:12 a.m.**

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**I. AGREEMENT WITH VIA CHRISTI SENIOR SERVICES, INC. FOR LEASE OF PARKING SPACES USED BY THE CLINICAL FUNCTION OF THE HEALTH DEPARTMENT, GENERALLY LOCATED AT 2716 WEST CENTRAL, WICHITA.**

**Ms. Knebel** said, “The county currently has a lease agreement in place at this same location. However, there has been a name change of the property owner. Currently, we are leasing that property from Via Christi Riverside. This lease agreement recognizes a change in that ownership to Via Christi Senior Services. All other terms and conditions remain the same and I request your approval.”

**Chairman Sciortino** said, “Thank you. I don’t see that there’s any comment, so commissioners, what’s the will of the Board?”

**MOTION**

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

Chairman Sciortino seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, “Thank you. Next item.”

**J. DIVISION OF PUBLIC SAFETY.**

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**1. AGREEMENT WITH HUTCHINSON COMMUNITY COLLEGE TRAINING PROGRAM FOR EMERGENCY MEDICAL SERVICE (EMS) TO PROVIDE FIELD INTERNSHIPS FOR TRAINING PROGRAM STUDENTS.**

**Mr. Tom Pollan**, Director, EMS, greeted the Commissioners and said, “This is a continuation of our partnership with Hutch Community College in providing internship for our paramedic students that are coming through the process. It is required by the state that they do attend about 400 hours of time with EMS crews. It could be other places, but they chose to come here, many of them. One, because we have the business and some of the excitement as well, so with that there is some risk and we do require them to carry an insurance policy and I have a copy of that insurance compliance and I would recommend you approval.”

**Chairman Sciortino** said, “Thank you, Tom. Commissioners, any comments? Seeing none, what’s the will of the board?”

**MOTION**

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

Commissioner Burtnett seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, “Thank you very much, Tom. Next item please.”

**2. GRANT APPLICATION TO BUREAU OF JUSTICE ASSISTANCE FOR ASSISTANCE WITH PLANNING AND IMPLEMENTATION OF MENTAL HEALTH DIVERSION AND MENTAL HEALTH COURT, AS DESCRIBED**

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**IN THE SEDGWICK COUNTY COMPREHENSIVE MASTER PLAN FOR  
SEDGWICK COUNTY.**

**Ms. Mary Orr**, Criminal Justice Analyst, greeted the Commissioners and said, "I'm here today to ask your approval to submit a grant to the Bureau of Justice Assistance. Last November, you were presented with our Criminal Justice Master Plan, that identified two jail alternatives for the mentally ill. The first program was the one designed to divert individuals, the Offender Assessment program that is currently funded and is being operationalized by COMCARE. The second is a Mental Health Court.

Through this grant, we are seeking support to expand both those programs and to plan and implement the court. What we're asking for is crisis intervention training for law enforcement. This is the expansion of the current program. We're asking to hire two consultants. One to provide facilitation in developing a strategic plan for the Mental Health Court. One is to conduct the evaluation process on both programs. We're asking for funding to conduct site visits, technology support from DIO and funding for travel, training and seminars.

The total request of the grant is \$102,600 and it does require a 20% match. The match requirement is \$20,520 and represents support of a project manager and miscellaneous office expense. This will be an in-kind match and will be funded from the program that's currently in the COMCARE budget. We are not requiring the approval of any additional funds.

Now that we have all of our alternatives in place, we are turning our attention to looking for grants and hope this is the first of many that we will be bringing to you for our jail alternatives. I can answer any questions, and ask your approval to submit the grant."

**Chairman Sciortino** said, "Thank you very much, Mary."

**MOTION**

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

Commissioner Burtnett seconded the motion.

**Chairman Sciortino** said, "I have a Motion and a second. Commissioner Winters."

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**Commissioner Winters** said, "Mary, what was the total amount of the grant request?"

**Ms. Orr** said, "The grant funding is \$102,600, plus we have the 20% match."

**Commissioner Winters** said, "My backup, if I'm on the right page, unless I'm using Commissioner Burtnett's calculator, says \$250,000."

**Ms. Orr** said, "Then your backup is incorrect and I will get you a corrected document."

**Commissioner Winters** said, "Well, we also have the application and it says \$250,000, again if I'm looking at all the numbers right. Look on page 99."

**Chairman Sciortino** said, "Yep, the application says 250 federal and it says 50,000 applicant, which that would mean . . . that isn't 20%."

**Ms. Orr** said, "That's for the maximum available from the grant. There should be a budget page at the back of your backup that does show the 123,120, which is the combined grant and match numbers. Those numbers will be fixed, prior to the grant being submitted. 123,120 is the total that we're asking, for the grant plus our match."

**Chairman Sciortino** said, "And what is grant funded 102,600? So that's the amount that you're . . ."

**Ms. Orr** said, "102,600 is what we are asking for in the grant, yes."

**Chairman Sciortino** said, "Oh, we had budgeted to ask for 123."

**Ms. Orr** said, "123 includes our match, so the total budget is . . ."

**Chairman Sciortino** said, "Got it, got it, got it. Okay, but what do these other numbers mean, the 250 and . . .?"

**Ms. Orr** said, "Those were the maximum numbers you could request, under this grant, and we just aren't prepared to ask for that much at this time."

**Chairman Sciortino** said, "All right. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Well, thanks for that explanation. I appreciate that. The end result of this activity though, as we get these programs in place, as I recall from our Criminal Justice Coordinating Council is that we anticipate perhaps reducing our

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bed requirements by 100 on each of these programs. Is that correct?"

**Ms. Orr** said, "That's correct. The big impact that we with these two programs is reduction of recidivism, and we do anticipate that we can impact up to 100 beds."

**Commissioner Unruh** said, "For each program."

**Ms. Orr** said, "Combined, yes."

**Commissioner Unruh** said, "Okay. Well, obviously I'll be very supportive of this agenda item, and I'm hoping that we hit the numbers we project and first step in just trying to help some folks with crisis training is what's really going to help make this program work, as we encounter these individuals out in the public, so very supportive. Thank you."

**Chairman Sciortino** said, "Now, just to clarify, the commissioner asked 100 reduced beds, 100 per program and you said 'Yes, combined'."

**Ms. Orr** said, "The combined programs."

**Chairman Sciortino** said, "So it's not 100 per program, it's 100 for the combined programs."

**Ms. Orr** said, "Yes."

**Chairman Sciortino** said, "I just wanted to make sure that you heard the answer to the question."

**Commissioner Unruh** said, "In our Criminal Justice master plan, I think that both of those programs are listed, ultimately, at 100 per program."

**Ms. Orr** said, "The mental health diversion program, the first program that is in COMCARE, mainly concentrates on screening individuals and keeping them from being booked. Even though we've identified them as separate programs, both components are required to fulfill the need of the mentally ill, so it's a combined, one program screens and diverts and the other one helps them, giving them alternative sentencing options and helps them get the treatment that they need so they don't come back."

**Commissioner Unruh** said, "Correct. Okay, thank you."

**Chairman Sciortino** said, "It's 100 combined, not 100 and 100 is 200, it's only 100, got it. I

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see no other questions. What's the will of the Board? We have a motion, so why don't you call the vote."

**VOTE**

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

**Chairman Sciortino** said, "Thank you very much, Mary. Next item please."

**K. GRANT APPLICATION TO KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR LOCAL ENVIRONMENTAL PROGRAM FUNDING.**

**Mr. Glen Wiltse**, Director, Code Enforcement, greeted the Commissioners and said, "This is a grant request to Kansas Department of Health and Environment for \$125,000. This grant allows us to operate our private waste water programs, water well mortgage inspection. This \$125,000 grant pays for two staff positions and educational opportunities, not only for staff but the general public is part of their requirements and we're required, if we receive this grant, to use this money for water type issues which involves waste water and we're requesting your permission to apply for the grant."

**Chairman Sciortino** said, "Thank you. Commissioners, any questions or comments? What's the will of the Board on this item?"

**MOTION**

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

Commissioner Burtnett seconded the motion.

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

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**VOTE**

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

**Chairman Sciortino** said, "Thank you. Next item."

**L. ADJUSTMENT TO THE REGISTER OF DEEDS STAFFING TABLE TO REALLOCATE ONE SUPERVISOR POSITION, B218, TO B219.**

**Ms. Tonya Buckingham**, Chief Deputy, Register of Deeds, greeted the Commissioners and said, "We are requesting a change to our staffing table from a range 18 to a 19. The budget impact can easily be absorbed in the current budget. Please approve the adjustment to the Register of Deeds staffing table."

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

**Commissioner Winters** said, "Just if I'm looking at this right, this adjustment is a total of \$1,398 would be the budget impact."

**Ms. Buckingham** said, "Yes, that's correct."

**MOTION**

Commissioner Winters moved to approve the adjustment to the Register of Deeds Staffing Table.

Chairman Sciortino seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye

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Commissioner Burtnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, "Thank you very much. Next item please."

**M. AMENDMENT TO THE 2006 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCREASE CIP PROJECT #R-175, PREVENTATIVE MAINTENANCE.**

**POWERPOINT PRESENTATION**

**Mr. Pete Giroux**, Senior Management Analyst, Budget Department, greeted the Commissioners and said, "Public Works has requested a CIP amendment to increase the funding in R-175, which is the annual highway maintenance program. This portion of the CIP performs preventive maintenance on existing roads and the roads are treated on a rotating basis, every five years and from a choice of various types of different overlays and that treatment choice is finalized early each year, after field inspections.

The last of these overlay bids was the Nova Chip, which is for 46 miles of roads within the county and while Public Works had seen increasing costs throughout the year, this one was a substantial increase and exceeded the available budget. The Nova Chip bid was 32% higher than the previous year.

Here are the Nova Chip overlays that are planned for this year. And a Public Works type priority of course is protecting the existing investment by accomplishing all those overlays. Once you begin to get behind, it's very difficult to catch up.

The amount of the increase requested is \$1,391,585. We have sufficient funds in the fund balance to support that increase, but there will be . . . or we anticipate that we'll have to make adjustments in future years to continue to protect the balance and maintain the fund balance and the desired level that will give you the flexibility, should we need it, to make later adjustments.

The CIP Committee had an extended debate on this issue, but recommended approval unanimously. Do you have any questions?"

**Chairman Sciortino** said, "Thank you. I see . . . you have a question on this item? Yes, Tom."

**Commissioner Winters** said, "Pete, then if I'm looking at this right, then later on in our agenda today, on the Board of Bids and Contracts, we'll have the item then to let this contract for Nova Chip. I see we had four bidders, but this will . . . taking this action will allow us to move forward with this Bid Board contract."

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**Mr. Giroux** said, “Yes sir.”

**Commissioner Winters** said, “Okay. Thank you. That’s the only question I had.”

**Chairman Sciortino** said, “Thank you. I don’t see that there’s any other questions or comments, so commissioners, what’s the will of the board on this item?”

**MOTION**

Commissioner Winters moved to approve the CIP amendment.

Chairman Sciortino seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, “Commissioner Norton.”

**Commissioner Norton** said, “Well, just a comment. This is a good example of you know we continue to try to stay within budgets and give the best service we can to the people of Sedgwick County, but this is just one of those volatile issues that we have to deal with. I mean, who would have thought that the bid process would take up that kind of material, 31%, in one bid and that’s just a new level for a lot of things we’re going to budget, particularly in Public Works, over the next couple of years. So as we try to be prudent with money spent, preventive maintenance is very important to a lot of people out in the county and it’s amazing how quick that material can go up, so just a comment.”

**Chairman Sciortino** said, “Thank you. Next item please.”

**N. PUBLIC WORKS.**

**1. AGREEMENT WITH BAUGHMAN COMPANY, P.A. FOR DESIGN OF**

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**STREET IMPROVEMENTS FOR EBERLY FARM OFFICE PARK  
ADDITION. DISTRICT #3.**

**Mr. Weber** said, "In Item N-1, we are requesting your approval of an agreement with Baughman Company for engineering design services and construction staking on the Eberly Farm Office Park Addition street paving project. This project is located on the south side of 21<sup>st</sup> Street North, between the Cowskin Creek and 135<sup>th</sup> Street West. The cost of this work will not exceed \$16,700 and all costs of the project will be paid by the owners of the benefited properties through special assessments. We request that you approve the agreement and authorize the Chairman to sign."

**Chairman Sciortino** said, "Thanks, Jim."

**MOTION**

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

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, "Next item please."

- 2. AGREEMENT WITH MCCONNELL TOP 3 / 22 LRS FOR THE SEDGWICK COUNTY ADOPT A HIGHWAY PROGRAM ON ROCK ROAD FROM OAK KNOLL TO 47<sup>TH</sup> STREET SOUTH. DISTRICT #5.**

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**Mr. David Spears**, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item N-2 is an agreement with the McConnell Air Force Base Logistics Readiness Squadron for the Sedgwick County Adopt-A-Highway program. They will be responsible for Rock Road, from Oak Knoll down to 47<sup>th</sup> Street South. I recommend that you approve the agreement and authorize the Chairman to sign."

**MOTION**

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

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, "Thank you, David. Come back when you have something less controversial. Next item please."

**O. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF MAY 25, 2006.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of May 25<sup>th</sup> results in five items for consideration today.

**1) ROAD IMPROVEMENTS- PUBLIC WORKS  
FUNDING: PUBLIC WORKS**

The first item, road improvements for Public Works. Recommendation is to accept the low bid, from Cornejo and Sons, Incorporated in the amount of \$2,807,755.13.

**2) CHANGE ORDER FOR THE 9-1-1 COMPUTER AIDED DISPATCH SYSTEM-  
EMERGENCY COMMUNICATIONS  
FUNDING: EMERGENCY COMMUNICATIONS EQUIPMENT**

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Item two, change order for 9-1-1 computer-aided dispatch system for Emergency Communications. Recommendation is to accept the change order from Northop Grumman in the amount of \$76,060.

**3) COMPUTER HARDWARE- EMERGENCY COMMUNICATIONS  
FUNDING: COMMUNICATION EQUIPMENT**

Item three, computer hardware for Emergency Communications. Recommendation is to accept the quote from Dell Computers in the amount of \$268,823.53.

**4) PATIENT TRANSPORTATION SERVICES- COMCARE  
FUNDING: COMCARE**

Item four, patient transportation services for COMCARE. Recommendation is to accept the proposal from Apple Bus Company to establish contract pricing and execute a one-year contract, with two one-year options to renew, for an estimated annual cost of \$40,000.

**5) FIRE APPARATUS, CHASSIS AND FIRE EQUIPMENT- FIRE DISTRICT #1  
FUNDING: FIRE DISTRICT SPECIAL EQUIPMENT**

And item five, fire apparatus, chassis and fire equipment for Fire District #1. Recommendation is to accept the proposal from Sutphen Corporation for item one at a cost of \$1,250,806 and recommend the low proposal from Danko Emergency Equipment Company for items two and three, for a cost of \$451,947 for a grand total of \$1,702,753.

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

**Chairman Sciortino** said, “Thank you, Iris. Commissioners, any questions of Iris on this presentation? I don’t see any, so what’s the will of the Board on this item please?”

**Commissioner Winters** said, “Maybe I have a question.”

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

**Commissioner Winters** said, “On the purchase of the fire apparatus, the aerial truck, is that a replacement or is that a new addition to the fleet?”

**Ms. Baker** said, “It’s a replacement is my understanding.”

**Commissioner Winters** said, “Okay, so do we have what we do with the other one? Are we

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keeping it do you know, or are we trading it in?”

**Ms. Baker** said, “Fire District can speak to that.”

**Mr. Rick Brazil**, Deputy Chief, Fire District #1, greeted the Commissioners and said, “The plan is to trade those two apparatus in, the two we’re replacing. We’re not going to get a huge amount. The other option is to the E-Bay.gov, so we’re going to explore both those options to get rid of those two old apparatus these are replacing.”

**Commissioner Winters** said, “Okay. I noticed here, and this . . . I certainly don’t have a problem with it, but I noticed that the aerial truck is going to be a single axle design instead of a tandem axle design. I guess more flexibility in weight conditions, or what’s the reasoning for that?”

**Mr. Brazil** said, “Well we looked at single-axle, we also looked at double-axle. This single-axle truck is giving us what we need. It has the highest tip load rating in the industry, with their ladder. It also gives us 500 gallons of water and a more conventional hose bed, it’s more like an engine company and 90% of the time these two ladder trucks will be operating is engine companies, so those were some of the factors that we looked at when recommended to go with the Sutphen Corporation.”

**Commissioner Winters** said, “All right. When you get it, bring it by so we can kick the tires.”

**Mr. Brazil** said, “We’ll do that, sir.”

**Chairman Sciortino** said, “Commissioners, what’s the will of the Board on Board of Bids and Contracts?”

### MOTION

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

Commissioner Norton seconded the motion.

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

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

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

**CONSENT AGENDA**

**P. CONSENT AGENDA.**

- 1. Easement for Right-of-Way for Sedgwick County Cold Mix Project R-175D on 87<sup>th</sup> Street South between Meridian and Broadway. District #2.**
- 2. Resolution authorizing donation of \$850.00 for the Mount Hope Bike Rodeo and Clinic.**
- 3. Order dated May 23, 2006 to correct tax roll for change of assessment.**
- 4. General Bills Check Register(s) for the week of May 24 – 30, 2006.**

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

**Chairman Sciortino** said, "Thank you."

**MOTION**

Commissioner Norton moved to approve the consent agenda as presented.

Commissioner Burtnett seconded the motion.

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

**VOTE**

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

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**Chairman Sciortino** said, “Just one item on the consent, if somebody could explain to me maybe after the meeting what this bike rodeo thing is. That sounds . . .”

**Commissioner Winters** said, “I’d be glad to.”

**Chairman Sciortino** said, “Is it motorcycle or bicycle?”

**Commissioner Winters** said, “Bicycle.”

**Chairman Sciortino** said, “Really, I want to hear about it. Okay. Okay, we’re at the ‘other’ portion and before we start talking about other, I see a stranger in the audience. Maybe you’d like to introduce this young lady, embarrass her.”

**Mr. Buchanan** said, “The new stranger. This is Jennifer Glusak is the new intern and just started Monday, full time, from Wichita State University.”

**Chairman Sciortino** said, “Well, good. Welcome aboard, appreciate having you. Commissioners, any ‘others’ going on this weekend? Commissioner Unruh.”

### Q. OTHER

**Commissioner Unruh** said, “Thank you, Mr. Chairman. Well I just want to emphasize one of the things that Kristi mentioned when she introduced our meeting this morning, about the zoo. About the concerts that are going to be starting out there, beginning June 8<sup>th</sup>, and the first people that are going to perform out there is a band call You Mamma’s Big Fat Booty Band, so I want you all to . . . that’s the name of the band. I want you all to put that on the calendar, and be out there. Also at the zoo, just would let everyone know, that we have started construction on the Cessna Penguin Cove. We moved a whole bunch of dirt a week ago getting ready for that and this time next year we’ll be able to all go out and watch the penguins swim around, so it’s a big event for the zoo.”

**Chairman Sciortino** said, “And penguins can survive in warm weather? I thought they were always a real ice cold place to be.”

**Commissioner Unruh** said, “These are not Arctic penguins. These are penguins, I think, that originally came from the west coast of South America and they are able to live quite nice here, but we’ll have the habitat established to where they will enjoy their stay in Kansas and we’ll all get to

## **Regular Meeting, May 31, 2006**

enjoy watching them. So anyway, those two things going on out at the zoo.

Would like to announce that tomorrow the Susan G. Komen Foundation is going to have a press conference to announce their Race For The Cure coming up later this fall and my wife is, once again, honored to be honorary chairman for the race, a co-chairman, and so we're going to be looking forward to the activities leading up to that race. It's an important health issue for citizens in our county and our state and a cure can be found, and I think that progress is being made, so we happy to be involved in that.

We have mayors dinner tomorrow night, don't we? All the mayors, so we have an opportunity to visit with them. That's always a fun event and opportunity to strengthen those relationships. And then on Saturday at 9 I'm going to be meeting with councilwoman Sue Schlapp, a little community meeting over at the Lady of Lourdes, so folks who are interested in finding out about city and county activities, up close and personal, those sort of things, will have an opportunity to do that. So that's all I have at this time, Mr. Chairman."

**Chairman Sciortino** said, "Okay. Well, the only thing I have is this entire weekend is Derby Days. It starts out with breakfast Friday at 7:00 at the commons area of the Derby High School and if any of you would like to come, I'll buy breakfast.

And then it has a parade and I'm going to try to jog the whole course, since I'll be running for reelection, going to try to run slowly, but I might walk a little more than I run and then just a lot of fun activities and rides and food and funnel cakes and just the general smaller town festival, so that's what's going on in Derby, so if you have . . . after you've looked at the zoo, and what have you, want to stop by and enjoy a little time with your family, please stop by. I'm not going to pay for all of that, but if any of you wanted to have breakfast with me, down there for some reason early Friday morning, I'll buy. Okay, that's it, so this meeting is now adjourned."

## **R. ADJOURNMENT**

**Regular Meeting, May 31, 2006**

There being no other business to come before the Board, the Meeting was adjourned at 11:35 a.m.

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

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

\_\_\_\_\_  
**LUCY BURTNETT**, Chair Pro Tem  
Fourth District

\_\_\_\_\_  
**DAVID M. UNRUH**, Commissioner,  
First District

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

\_\_\_\_\_  
**THOMAS G. WINTERS**, Commissioner  
Third District

ATTEST:

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

APPROVED:

\_\_\_\_\_, 2006