

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

### **REGULAR MEETING**

**September 20, 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, September 20, 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 Burnett; 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, Division of Human Resources; Mr. Brad Snapp, Director, Housing Department; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Robert Bardezbain, Major, Sheriff's Department; Mr. Robert Hinshaw, Undersheriff, Sheriff's Department; Dr. Timothy Rohrig, Director, Forensic Science Laboratories, Regional Forensic Science Center; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Kevin Myles, Director, Fleet Management; Mr. Boyd Powers, Light Equipment Shop Foreman, Fleet Management; Ms. Claudia Blackburn, Director, Health Department; Mr. Jim Weber, Deputy Director, Bureau of Public Works; Mr. David Spears, Director, Bureau of Public Works; Mr. James McComas, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Mary Galvin, Director, Inpatient Services, Via Christi Rehabilitation Center Our Lady of Lourdes facility.

Mr. Russ Ewy, Baughman Company, agent for Builder's Inc.

### **INVOCATION**

The Invocation was led by Pastor Bob Hartmann of Sharon Baptist Church, Wichita.

### **FLAG SALUTE**

### **ROLL CALL**

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

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**CONSIDERATION OF MINUTES:** Regular Meeting, August 16, 2006  
Regular Meeting, August 23, 2006

The Clerk reported that Commissioner Unruh was absent at the Regular Meeting of August 16<sup>th</sup>, 2006 and that all Commissioners were present at the Regular Meeting of August 23<sup>rd</sup>, 2006.

**Chairman Sciortino** said, "Commissioners, let's take these items individually. I think you've had a chance to review the Minutes of both of the meetings, but let's just take August 16<sup>th</sup> first if we can, since one of us was absent, so what's the will of the board?"

**MOTION**

Commissioner Burtnett moved to approve the Minutes of the Regular Meeting of August 16, 2006.

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Chairman Sciortino** said, "Then would you take the other."

**MOTION**

Commissioner Burtnett moved to approve the Minutes of the Regular Meeting of August 23, 2006.

Commissioner Norton seconded the motion.

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

**VOTE**

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

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

**PROCLAMATIONS**

**A. PROCLAMATIONS.**

- 1. PROCLAMATION DECLARING SEPTEMBER 17 – 26, 2006 AS "REHABILITATION AWARENESS CELEBRATION DAYS."**

**Chairman Sciortino** said, "Commissioners, I'll read this proclamation into the record for your review. It states:

**POWERPOINT PRESENTATION**

**WHEREAS**, Sedgwick County recognizes and values the educational, social and humanitarian contribution of its many citizens with disabilities; and

**WHEREAS**, those citizens have found hope, spirit and dignity through the services of rehabilitation medicine; and

**WHEREAS**, rehabilitative services throughout our nation help to restore people with disabilities to independent, productive and fulfilling lives; and

**WHEREAS**, Sedgwick County is proud and honored to have Via Christi Health System Our Lady of Lourdes facilities to serve those in need in our community.

**NOW THEREFORE BE IT RESOLVED**, that I, Ben Sciortino, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 17-26, 2006 as

**'Rehabilitation Awareness Celebration Days'**

and encourage all citizens to renew their commitment to people with disabilities and to the efforts of rehabilitative medicine in improving the quality of life.

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Commissioners, that's the proclamation. What is your will?"

### MOTION

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

Commissioner Norton seconded the motion.

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

### VOTE

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

**Chairman Sciortino** said, "And I believe we have someone to accept."

**Ms. Mary Galvin**, Director, Inpatient Services, Via Christi Rehabilitation Center our Lady of Lourdes Facility, greeted the Commissioners and said, "I have Brenda Davis, our chief operating nurse. On behalf of Via Christi Rehabilitation Center, Our Lady of Lourdes, we thank you for your recognition of our 2006 national rehabilitation awareness campaign.

This awareness campaign's mission is to educate people about the benefits and impact of physical rehabilitation and the programs that increase the opportunities for nearly 50,000,000 Americans with disabilities and help those who are disabled live up to their fullest potential. Our Lady of Lourdes is a 60-bed, free-standing rehabilitation hospital that offers comprehensive inpatient and outpatient care for children and adults. We treat approximately 1,000 inpatients a year who suffer from strokes, head injuries, spinal cord injuries, multiple traumas, amputations, burns and orthopedic injuries.

We are proud to have played a part in the healing process and sometimes what is a very long road home. For example, the six-year-old girl who suffers severe burns while celebrating her birthday or the 26-year-old man who loses his wife in a fiery crash and suffers extensive burns but is now back

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home and running marathons again and working, or the 84-year-old woman who suffers a stroke and comes to our facility and can't even take three steps, but by the time she leaves she can take 384 steps and she can count every one of them, but it enabled her to take the two steps she needed that led up to her home so she could live independently again. Or the young mother who gives birth and after giving birth to a baby suffers from toxic shock syndrome and ends up losing both legs and returns back home able to care for her children and now is a volunteer in this community, who also visits other young people who are faced with the same loss of limb due to a disease of illness.

This is made possible by the dedicated staff that's passionate about their work and very passionate about returning people back home. Through this awareness campaign, it is our hope to focus this community's attention on capabilities, rather than disabilities and to increase the awareness, the tremendous power and impact rehabilitation has on the community. Thank you."

**Chairman Sciortino** said, "Thank you. Commissioners, any comments or questions? I might just say here something about rehabilitative medicine. Quite some time ago I had . . . I suffer from Gilligan Barre and I was paralyzed from the chin-line down and laid in a ventilator for 60 days and as it started to leave, I had to learn actually like a baby. They had to get me on the floor and roll me and teach me how to crawl. They brought in my little son and I was learning how to crawl by watching him, believe it or not. And I can't tell you what you all do to restoring pride and hope and encouragement to people that are suffering some really debilitation illnesses and to see them get on with their lives again has got to be very satisfactory to all of you, so from a personal point of view, I really do appreciate the hard work that you do."

**Ms. Galvin** said, "Thank you, thank you very much."

**Chairman Sciortino** said, "All right, commissioners, next item please."

### **2. PROCLAMATION DECLARING SEPTEMBER 17 - 23, 2006 AS "CONSTITUTION WEEK."**

**Chairman Sciortino** said, "Commissioners, I have another proclamation that I'll read into the record for your review.

## **POWERPOINT PRESENTATION**

**WHEREAS**, the Constitution of the United States of America, the guardian of our liberties,

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embodies the principles of limited government in a Republic dedicated to rule by law; and

**WHEREAS**, September 17, 2006, marks the two hundred nineteenth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

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

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

**NOW THEREFORE BE IT RESOLVED**, that I, Ben Sciortino, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim September 17-23, 2006 as

**‘CONSTITUTION WEEK’**

in Sedgwick County and ask our citizens to reaffirm the ideals of the framers of the Constitution by vigilantly protecting to us through their guardian of our liberties.

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

**MOTION**

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

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh

Aye

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

**Ms. Kristi Zukovich**, Director, Communications, greeted the Commissioners and said, “They did call yesterday and said they were not sure if they would be here to accept the proclamation, but we’ll make sure it gets sent to them.”

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

**AWARD**

**B. PRESENTATION OF THE 2006 AGING ACHIEVEMENT AWARD, PRESENTED TO DEPARTMENT ON AGING/CENTRAL PLAINS AREA AGENCY ON AGING BY THE NATIONAL AREA AGENCY ON AGING ASSOCIATION FOR COORDINATION OF THE AGING AND MENTAL WELLNESS COALITION OF SEDGWICK COUNTY**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, “I’m pleased to bring to you this today this award we received in August of this year, at the National Association of the Area Agencies on Aging annual conference. We were awarded an award, an N4A Aging Innovations and Achievement Award. This is for our Aging and Mental Wellness Coalition of Sedgwick County that was established in 1998 by Sedgwick County Department on Aging and the Central Plains Area Agency on Aging.

This group continues successfully today. This Aging Achievement Award recognizes unique and creative programs that meet the needs of older adults and serves as models for excellence for the Area Agencies on Aging across the United States. This was the only program that included mental issues, mental awareness issues that received an award across the entire United States, 655 Area Agencies on Aging, so we’re very honored to receive this award.

This coalition was established through a collaboration of ten local agencies interested in mental wellness for older adults. The goals of this coalition is to provide education, advocacy and training for public and professionals working with older adults. The board gets to improve the quality of

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services for older adults by breaking barriers to accessing services and mental health services, dispelling myths about aging, promoting the value of older adults and offering training. The coalition has been maintained for eight years by our department and continues to provide regular outreach, education and events each year to promote positive aging and mental wellness. Some of the events we have done over the years include annual depression screenings, mental wellness presentation, suicide prevention and wellness events. Just the beginning of 2006, we made some changes with the local coalition. We wanted to expand it to include a more holistic approach to aging and wellness and through this we've included aspects of health, physical fitness, nutrition and spiritual aspects.

Today, as this coalition continues, we've expanded to 30 members. We meet on a bi-monthly basis and it is open to anybody who wants to be involved with that. We've had some recent events this year to include wellness in the park, and we're doing a booth at Senior Expo, so we continue to do that and I wanted to bring this award today and to express our appreciation to you, the Board of County Commissioners, for your continued recognition and awareness of the importance of mental health and your commitment to improving mental health through the various activities that you allow the various departments across the county to do. So I bring this today and thank you for your support and recognition."

**Chairman Sciortino** said, "Thank you. Well, that's pretty wild. Commissioners, any comments? Yes, sir."

**Commissioner Unruh** said, "Thank you Mr. Chair. Well Annette, I just would want to say congratulations and thanks to you personally for your leadership in the coalition and the Central Plains Area Agency on Aging, on the Sedgwick County Department on Aging, I mean you are thoroughly saturated with these issues and you're doing a great job of leadership in providing, as you said in your presentation, a holistic approach to aging, so that we're trying to be of service and help to folks in this whole area, as they face aging issues, so great job to our department, I mean thanks to them and thanks to you for your leadership, good job."

**Chairman Sciortino** said, "Commissioners, any other comments. Annette, let me just say this because I think one of the things that your department does is, you know, in helping fund all of the senior centers that we have in the area and actually if I understand it right, one of the benchmarks of continuing to get funded is how many activities are they providing seniors, because these people . . .

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we seniors still have a lot to give to the community and it's . . . the brain is a muscle too and if you can continue to exercise it through activities and I know personally in Derby they get involved in computer training, they've got just a plethora of activities going on every day, plus outings and what have you. That keeps that brain still functioning and they have a lot to give back to our community. They still have, well they have years of experience that they could tutor other people, they're willing to volunteer in various groups or boards or what have you, and as opposed to just sitting at home, really focusing on gee, I'm getting old and gee I'm losing my hair, etcetera and so forth, we're going out into these senior centers and they're having very active lives and they're enjoying it. You've seen . . . you go down to some of these senior centers, you hear laughing and joking and they're really involved and it's because I think of what your department is doing to help fund that and help encourage them to be as active as physically they can so congratulations too. Thank you. Madam Clerk, what is the next item please?"

### **RETIREMENT**

#### **C. PRESENTATION OF A RETIREMENT CLOCK TO DANNY BARDEZBAIN, SHERIFF MAJOR, SHERIFF'S OFFICE.**

**Ms. Jo Templin**, Director, Division of Human Resources, greeted the Commissioners and said, "This agenda item recognizes Danny Bardez Bain as a valuable contributor to public service here at Sedgwick County and for the citizens of our community. Danny will retire October 1, 2006 after 31 almost 32 years of service. And most recently, has served as a major in the Sheriff's Office, but certainly Danny has been around the county a long time and has held many positions within the Sheriff's Office and so we would like to congratulate him and thank many people from the Sheriff's Office today who are here in support of Mayor Bardez Bain."

**Chairman Sciortino** said, "Thank you. Well Major, you just shared with me you started at the Sheriff's Department when you were 12 and I don't know what you're going to do with yourself. You're too young to really retire but anyway this is a certificate of recognition of your 31 years serving the citizens of Sedgwick County in the Sheriff's Department and we also have a retirement clock. You could do curls with this one. Again, from all the citizens of Sedgwick County, it's a small token of our appreciation for the tireless effort that you have done, keeping us safe and sound in our homes for 31 years. So if you would, I'd like to shake your hand and you can now applaud if you'd like."

**Major Danny Bardez Bain**, Sheriff's Department, greeted the Commissioners and said, "Thank you Commissioners. I thought I knew what I was going to say, but I'll just shoot from the hip I guess. Really what I want to do first is acknowledge and thank the three sheriffs that I worked for for these 31-plus years, Johnny Darr, Mike Hill and Gary Steed. It was a hell of a ride, but also I want to

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acknowledge not just the sheriffs I worked for, but as you can see, some of my coworkers . . . or I guess former coworkers, thank you for coming. But also I want to acknowledge, throughout these years I've made a lot of friendships with various electeds and department heads, many again sitting in this room and that's probably what I'm going to miss the most, not the work but the friendships and the relationships that I made along the way.

It was a real privilege and an honor to work in the Sheriff's Office, to serve the citizens of Sedgwick County and people say 'well what are you going to do now, you're too young to retire?' I'm already teaching a little bit to WSU and the University of Phoenix, the local campus, I'm going to spend more time of the golf course and more time on my Harley. I don't know what else to say but again, thank you. It was an honor and privilege."

**Chair Pro Tem Burtnett** said, "Commissioners, are there any comments? Madam Clerk, would you call the next item."

### **NEW BUSINESS**

#### **D. AGREEMENT WITH COMMUNITY HOUSING SERVICES/WICHITA- SEDGWICK COUNTY, INC. FOR PROVISION OF GAP FINANCING FOR HOME BUILDING IN OLDER COMMUNITIES IN SEDGWICK COUNTY.**

### **POWERPOINT PRESENTATION**

**Mr. Brad Snapp**, Director, Housing Department, greeted the Commissioners and said, "The item before you this morning is an agreement with Community Housing Services to act as a developer on four new houses to be built in Sedgwick County in existing neighborhoods. The selected areas must have significant neighborhood revitalization efforts underway. Ideally the houses will be built close together, to maintain property value and make a greater impact on the area.

Homes will be sold to low-income, first-time homebuyers. When building houses in an older neighborhoods, there's a significant gap oftentimes between the development costs and the appraised value, so this agreement has gap financing with it of \$114,000 for all four houses. That funding comes from the administration piece that we get off of the single-family mortgage revenue bond program and every couple of years we restructure a program, call old bonds that are ten years

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old or older, and sometimes get significant money to the county. This year, we got \$120,000 so we're going to use a big portion of that, or hopefully, on this program.

Upon your approval, this will be the second project like this that Sedgwick County has undertaken. The first time was between 2003 and 2005, when we built four houses in Oaklawn and I have some pictures to show what those houses look like. All three . . . on three of the houses, we had contracts for purchase before they were completed, and all four homebuyers still occupy the houses. These houses . . . you can see, this is the front elevation of the house on Cedardale and right behind it on Jade is another house that was new and that's the real elevation on the Cedardale house and that was build down the 4900 block of Cedardale.

All four houses have three bedrooms upstairs, two bathrooms, a full basement, a two-car garage and you know, full basement and two-car garage is something that Oaklawn hasn't ever seen and these will be the houses, the floor plan will be used on the next phase. Looking through the livingroom, through the dining area, into the kitchen and then there's another view of the kitchen.

So our goals remain the same for the second phase, to increase home ownership in areas dominated by rental housing, to cluster the houses of two or more to support impact on appraised value, to remove blighted structures and empty lots that can be dangerous or a target for trash dumping and encourage other homeowners to invest or improve their property in adjacent owners.

One change that we're adding is to have the gap financing be secured by a lien. It will be for the life of the ownership of the property. Community Housing Services will secure a homebuilder, use the same plans shown in the photos, pay for construction draws, utilities and insurance until the homes are completed and sold. We expect all homes to sell for the appraised value of at least \$81,000 and the gap financing should be no more that \$28,500 per unit. CHS has an active waiting list for this program so if you have any questions, I'll be glad to try to answer them for you."

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

**Commissioner Unruh** said, "Thank you Mr. Chair. Well Brad, it seems like this is really a winning strategy to accomplish your goal of revitalization of these communities, and so I commend you for that. I noticed in your presentation and backup material indicates that this is for Sedgwick County, outside the City of Wichita. Can you explain that thinking just a little?"

**Mr. Snapp** said, "Well the City of Wichita has federal dollars from HOME and CDBG, so they have plenty of money for redevelopment and revitalization. Sedgwick County doesn't. We have to rely on other means to get our little bit done, so that's why we wanted to limit it to outside the city limits of Wichita."

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**Commissioner Unruh** said, "Okay, very good. Thank you."

**Chairman Sciortino** said, "Any other questions, Commissioners? I'd like to just make a statement on this. Three years ago, we did build four of those homes and I was there at the ribbon cutting, where a young couple were actually taking ownership of their home and in visiting with those two young people, I found out it was the first time on either side of the families, that they were the first member of their individual families to have ever actually owned a home. It had just been a history of parents, grandparents, great . . . just always renters, renters, renters and you could see the pride swelling up inside of them where they were going to grab onto the American dream and I have to tell you, you couldn't go and find a dealer selling any kind of drugs that would have given a better high than these two people were feeling right then, that they had actually been part of the American dream.

What it's doing down in Oaklawn is that it's changing the ratio of rentals to home ownership and getting it more in balance. Plus what Brad didn't show us here was what it was that we took off of that lot in order to build that house. I mean, there was one that Brad walked me through and it was just rodent-infested, mold, dung, and somebody was actually living in there, somebody was living in one of the rooms in there, which was just horrendous and now we've taken that blight away and built a brand new home and these are very nice. They're small, but they're very nice homes and people are actually, as Brad said, waiting in line to actually purchase a house in Oaklawn.

To tell you some of the positive impact of it, in the year 2000 25% of all crime was in Oaklawn, of all crime in the county, was in Oaklawn. Last year that figure was down to 13%. These people are taking back their streets. They're making it a very uncomfortable place of crack dealers and gang bangers to hang out. And it's kind of enlightening, or makes me feel pretty darn good to see a community like Oaklawn wanting to get involved and knowing that they can make a difference, if they want to work with people and they don't ask us for handouts, they ask us for a hand up and the gap now financing, as I understand it, because of increased property values, is shrinking, which means that the values of their homes are going up.

So I'm very happy that we're able to continue this program and it's my hopes that in the future we can even branch out to other areas in Sedgwick that we have concentrated neighborhoods that need revitalization because this is something that it doesn't really cost the county that much and it's an investment in our future and it makes me feel good that actually county government can do something productive to help somebody up, not just hand some money out. Commissioner Norton."

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**Commissioner Norton** said, “Well I’m . . . affordable housing is so important to our community and I applaud Brad for working on this but really I wanted to point out that June Bailey is here today with us, his partner from the city and she’s had a wonderful opportunity to expand her horizons with the fellowship she’s gotten and I want to congratulate her on that, because I think that will bring some valuable information and recognition to our community when you talk nationwide, that she gets to go to I believe Harvard and perform a fellowship there. So that’s a wonderful thing for our community and I know Brad is proud of her because they work together a lot. That’s all I have.”

**Chairman Sciortino** said, “Thank you. All right, we don’t have anything else so Commissioners, what’s the will of the board on this item?”

### **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, “Brad, thank you very much, and continue the good work. Next item please.”

## **PLANNING DEPARTMENT**

### **E. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

### **POWERPOINT PRESENTATION**

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1. **CASE NUMBER ZON2006-00027 – ZONE CHANGE FROM “RR” RURAL RESIDENTIAL TO “SF” SINGLE-FAMILY RESIDENTIAL, GENERALLY LOCATED 1/8 MILE SOUTH OF 61<sup>ST</sup> STREET NORTH AND WEST OF RIDGE ROAD AT 5943 NORTH RIDGE ROAD. DISTRICT #4.**

### POWERPOINT PRESENTATION

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “For this case, the applicant is requesting the zone change in order to be able to plat this approximately 17 acre site into nine home sites and a platted drainage reserve. He’s looking to put in lots of about 40,000 to 41,000 square feet in size, which would not be allowed under the current RR zoning, so for that reason they’re seeking the SF-20, single family residential zoning.

They are proposing to put in on-site, alternative septic systems and would be putting in individual water wells for each lot. You can see on the graphic in front of you that the entire area surrounding this site is currently zoned RR and on the aerial photo you can see that it’s primarily agricultural and large-lot residential land uses surrounding this property. To the south, you can see that there’s been a history of sand extraction. There’s some active pits and some that have already been completed.

On this map, from the comprehensive plan, you can see the site in relationship to the Wichita growth area, which is the orange slashed area to the south of the site and then off to the west, nearby, is the City of Maize’s growth area.

The site does fall within the City of Maize’s zoning area of influence, so the case did go to the Maize planning commission on August 3<sup>rd</sup> and their planning commission unanimously approved this, subject to any regulatory requirements. The Metropolitan Area Planning Commission heard the case at its meeting on August 17<sup>th</sup> and they are recommending approval of this, subject to platting within one year. We have received no protest petitions and no statements of opposition to this request. And with that, I’ll be glad to take any questions.”

**Chairman Sciortino** said, “Thank you, John. We do have a question or comment. Commissioner Winters.”

**Commissioner Winters** said, “John, in the backup information, I see that it appeared that the Planning Department originally recommended denying this application and had some concerns that the applicant had not demonstrated that he can meet basic requirements in the use of alternative septic systems or that there’s adequate water quality and quantity. Do you still have those concerns

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about this? I think you go on to say that it would be better to answer all of those questions before we do this zone change, so have those questions . . .?”

**Mr. Schlegel** said, “Well that was our position. Staff’s position was, you can see from the comprehensive plan that the site does sit outside of either nearby city’s growth area. Technically, they would not have to meet the requirements for demonstrating that there is adequate water for all the sites until they get to the platting stage, but we were concerned about, as staff, with allowing this SF-20 zoning to be approved prior to them being able to demonstrate that. If they get to the platting stage, that they not then use the fact that they already got the zoning as a justification for allowing the plat approval, even when . . . even if they’re not able to demonstrate that there’s adequate water for all those sites.”

**Commissioner Winters** said, “So do you think that question has been answered then?”

**Mr. Schlegel** said, “No, to the best of my knowledge they have not, but they gave assurances to the Planning Commission that they would do that prior to platting.”

**Commissioner Winters** said, “And then the requirement is that the county would be . . . it would be required that the county approve the alternative sewer system operation. Remind me, are we all geared up and ready to approve those and work those alternative sewer projects?”

**Mr. Schlegel** said, “Well currently the county does allow individual alternative septic systems on individual lots, and that’s what they’re proposing to do here. It’s not a community septic system.”

**Commissioner Winters** said, “It’s not a community system, it’s individual.”

**Mr. Schlegel** said, “No, it’s not.”

**Commissioner Winters** said, “Okay. Concerning the road, it’s located on Ridge Road, so the road to the project is a good, paved road. Do you know what their intentions are for the internal road structure? Is that to be paved, do you know? Or is that going to be sand and gravel roads?”

**Mr. Schlegel** said, “I thought I had a site plan as part of the presentation.”

**Commissioner Winters** said, “Well maybe if we have somebody come and speak in support of it maybe they can answer that.”

**Mr. Schlegel** said, “Perhaps the applicant . . . Russ, you’re not the agent on this one? Okay, I don’t see an applicant here. To the best of my knowledge, their intention is to pave the internal road, but I don’t know that, I can’t answer that with 100% certainty.”

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**Commissioner Winters** said, “All right, well I just, you know I think a lot of these developments that don’t do the paving right at the beginning of a project then it never gets done and it turns out to be not a good situation for the property owners, particularly.

Also I guess I’m curious that in the recommendation there was quite a few . . . I guess, the reason you recommended denial and the Metropolitan Area Planning Commission didn’t address any of those. I mean, and I would have thought they would have taken a moment to clarify why some of these factors would not apply, but I guess they didn’t see fit to do that. Well, I listen to what my colleagues have to say and to see if there’s anybody here from the public who would like to speak. Thank you.”

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

**Commissioner Burtnett** said, “Well I have the same questions that you had, so I won’t ask them again but just refresh my memory then. If this does get approved and then they go for plat approval, if they don’t have everything in line, that plat approval could be denied.”

**Mr. Schlegel** said, “Yes, it’s a requirement of the subdivision regulations, that if they’re going to put in or have the lot buyers put in individual water wells on each lot, that they’ll have to demonstrate that there’s adequate water available for all nine lots.”

**Commissioner Burtnett** said, “And drainage?”

**Mr. Schlegel** said, “Drainage would also be handled during platting and they are . . . the site plan that they submitted for the zoning application demonstrates that they are thinking about the drainage, because they are showing a drainage easement as part of that property.”

**Commissioner Burtnett** said, “Well this is in my district and I’ve had no negative comments on this. I unfortunately missed the MAPC meeting where this came up but just looking at the backup, it seems like they’re ready to move forward with the zoning, but then watch for the platting so I don’t have a problem with it but I’m also curious to see what the others have to say, if anything.”

**Chairman Sciortino** said, “All right. I don’t see any other questions. I share Commissioner Winters’ concern about a dirt road, because it’s been our experience, it’s a dirt and gravel road, once these houses get build and then everybody starts complaining to the commissioners about the dirt road and demanding that we repair it and then we wouldn’t have any recourse to ask a

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developer to assist us on that. I don't know if the commission wants to make that . . . would this be an appropriate time, after we hear from the public, to make that a requirement of the . . . was that discussed? Did anybody . . . ?”

**Mr. Schlegel** said, “No, it was not an issue that was discussed at the Planning Commission meeting. I think the thinking there was that it would be addressed at the time of platting.”

**Chairman Sciortino** said, “Is that when it would be appropriate for us to put that requirement on, is at platting?”

**Mr. Schlegel** said, “It would be too late at that point to put that condition. If you were thinking about putting it on as a condition of the zoning approval, now would be the time.”

**Chairman Sciortino** said, “All right. Well, let's maybe first of all, this isn't really a requirement, but it's been our history to want to engage the public. Is there anyone here that would like to speak for or against this item? Okay, we'll limit the comments now still to the bench. I don't know, commissioners, what your feelings are on that, but I know historically what we have asked these builders to do, at least from the entrance to the main arterial, isn't that what we usually . . .?”

**Commissioner Winters** said, “Well, I think what I've always been concerned most about is just the road leading up to the development. In this case, that is a paved road. I guess I'm a little bit perplexed. I certainly have a great deal of respect for our planning commissioners and their looking at all of these zoning requests that come to us, but this one is again a little perplexing. The staff has recommended denial of this and then the applicant or no representative is here to help us work through some of these questions.

I'm not sure whether . . . I mean, I'd be a little pressed to support it right now. I think I could send it back to Metropolitan Planning or if we've got a way to delay it until these questions about the soil profiling for the alternative systems and the on-site water wells are addressed. If we could put it in abeyance until those questions are asked, I guess that might be an options, but I think there are several questions here that need to be answered.”

**Chairman Sciortino** said, “Okay. Commissioner Burtnett.”

**Commissioner Burtnett** said, “Well that's . . . I was going to suggest, is there anyway we could delay this for a week or two, to get these questions answered?”

**Mr. Schlegel** said, “Well, I think the applicant would appreciate a deferral on this issue, if there are unresolved issues and you need to have additional information from the applicant and from staff. I mean, that would probably be the best thing, from the applicant's point of view.”

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**Chairman Sciortino** said, "As opposed to sending it back, just defer it?"

**Mr. Schlegel** said, "Correct."

**Chairman Sciortino** said, "What would be an appropriate timeframe?"

**Mr. Schlegel** said, "Well we can make sure that they hear next week or in two weeks."

**Commissioner Winters** said, "I would think even 30 days, if they've got to do some kind of water . . . making sure that they figure out their water and alternative sewer, I think 30 days would give them adequate time to do all of that."

**Mr. Schlegel** said, "Well, if that is one of your concerns, then maybe we should hold it for 30 days, so that they would have some time to work on that."

**Chairman Sciortino** said, "Well, let's find out . . . Commissioner Norton."

**Commissioner Norton** said, "Well, if nothing else, for the alternative sewer system, we put so much time and effort, over two or three years, and we don't want to start letting people put them in the ground that's not appropriate and have them start failing and then have to go through this whole thing or re-regulating it and everything. I think we need to do our due diligence on the front end, as we're just really starting to use those systems, particularly in little subdivisions pretty close to either a small town or the City of Wichita. So just for that singular reason, I would think that deferring would be a good way to look at this, because we want those systems to work. We put a lot of time into it and all we need is to have a subdivision start to fail because we didn't do our due diligence, say stop, make sure the ground is appropriate for that kind of a system, so that's all I have Mr. Chair."

**Chairman Sciortino** said, "Commissioner Burtnett, did you want to . . .? Oh, Commissioner Unruh."

**Commissioner Unruh** said, "Thank you Mr. Chair. I think that the wise course of action for us now is to defer it. I don't want to just deny it and . . . and you know, stop the project, but the questions we have I think are significant enough that they need to be answered. It's curious that the professional staff recommended against it and the MAPC and the Maize planning board both

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approved it, when I think these are legitimate, serious questions and there's no sense in going forward and hoping they're going to be resolved. We need to get answers before we make a decision."

**Chairman Sciortino** said, "I agree. Commissioner Burtnett."

**Commissioner Burtnett** said, "I have no problem with deferring this for 30 days. I would just like to have all of our questions out in the open now if we could, so that John will know how to direct the applicant to answer the questions. So what I've been hearing is we're concerned about the alternative septic systems and the paving of the streets, and what else did you have?"

**Chairman Sciortino** said, "Make sure that's there's adequate water to handle those extra additional nine wells."

**Commissioner Winters** said, "But I think the planning staff also had some other questions, just about this development in this location, where it could proceed on as it is on two-acre lots and I mean, it's outside our urban growth boundaries, so I guess I'd just like some explanations about why they think that this is a good project, when our professional staff has several questions beside the ones we brought up."

**Chairman Sciortino** said, "Why don't we maybe, an idea, try that motion for a 30-day deferral and as the applicant to come in and address the concerns that the MAPD brought up, plus the extra concerns that we brought up, which I believe the only extra concern we brought up was the road."

**Commissioner Winters** said, "The water."

**Chairman Sciortino** said, "I thought that was part of the concerns of the MAPD."

**Commissioner Burtnett** said, "That was, but the road was the extra."

**Chairman Sciortino** said, "So I think the road is the only . . . but if they could just come and present to us a response to all the questions that you had, John, and then the one question that we had about their willingness to pave that road from their entrance to Ridge Road, to have access."

**Mr. Schlegel** said, "I will be in contact with their agent."

**Chairman Sciortino** said, "Okay. Excuse me, Commissioner Winters, did you have . . .?"

**Commissioner Winters** said, "No, thank you."

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**MOTION**

Commissioner Burtnett moved to defer for 30 days.

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, "Next item please."

- 2. CASE NUMBER CUP2006-32 (ASSOCIATED WITH CASE NUMBER ZON2006-28) – CREATION OF DP-300 ROCKY FORD COMMERCIAL COMMUNITY UNIT PLAN; AND ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, GENERALLY LOCATED EAST OF ROCK ROAD AND ONE-FOURTH MILE SOUTH OF 31<sup>ST</sup> STREET SOUTH. DISTRICT #5.**

**POWERPOINT PRESENTATION**

**Mr. Schlegel** said, "In this case, the applicant is proposing to create a commercial community unit plan and to rezone this 19-acre parcel from its current zoning of SF-20, single-family residential to LC, limited commercial. You can see the location of the site along Rock Road, just to the south of 31<sup>st</sup> Street. The CUP that's being proposed would have within it six parcels for commercial use.

You can see the current zoning, which is all . . . of the surrounding area is all SF-20, with limited commercial zoning at the section line intersections. On the aerial, you can see the surrounding land uses, primarily agricultural, with some scattered large-lot residential. Immediately to the west of the site, across Rock Road, you can see the air force base and how close the site is to the base.

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The proposed CUP is within the study area of the joint land use study that has been completed for McConnell Air Force Base and that's had an impact on the recommendations that the planning commission is making on this site, and in addition to the usual prohibited uses that most applicants put on CUPs such as prohibitions on adult entertainment, sexually oriented businesses and so forth.

Some additional use restrictions have been recommended by the planning commission that potentially might impact future operations at the base such as prohibition on residential use and other types of public, quasi-public and commercial uses that would bring large assemblies of people to the property. In addition, there has been a recommendation for a maximum height of two feet and two stories to be placed on this site in response to anti-terrorism and forced protection concerns of the air force.

The case was heard by the Metropolitan Area Planning Commission at its meeting on August 17<sup>th</sup> and they voted unanimously to recommend approval, subject to the staff recommendation that are listed in your agenda backup and those recommendations include some of the additional restrictions that I've mentioned. And with that, I'll be glad to take any questions."

**Commissioner Winters** said, "Just a clarification. John I believe you said a maximum height of two feet and two stories, 25 feet was the intended . . .?"

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

**Commissioner Winters** said, "Thank you. That's the only question I have right now."

**Chairman Sciortino** said, "And John . . . oh, excuse me, Commissioner Norton."

**Commissioner Norton** said, "I don't know if I know the answer to this, and Commissioner Sciortino, maybe you would. When we had to close down and divert traffic off of Rock Road, was that area included in the close down?"

**Chairman Sciortino** said, "Yes."

**Commissioner Norton** said, "I guess my question is, if we develop that, are there alternate routes for those people to get in and out of those homes or businesses, if we close down Rock Road because of some alert? Because we've done that twice that I know of and if that's in that corridor, certainly to the north, that's all base housing I think and military. That's all controlled. Across Rock Road, that is all actually the base, but that's going to be one pretty good size development that

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would have no other access in or out without coming down Rock Road if we close it down, so just something to think about. I don't know if it's even pertinent, but one of the things I understood from all the studies is that they want to limit traffic up and down Rock Road, as opposed to grow it and Derby growing is already going to push a lot of traffic up and down Rock Road, but they can seek alternate methods of getting there, K-15, Greenwich, other ways. If we fill in all of that, between 31<sup>st</sup> and 39<sup>th</sup> with homes, which this could start it, I don't know how to get people access if we close down Rock Road because of some military thing. Now that I've thrown it out, we'll just . . . “

**Chairman Sciortino** said, “No, and actually this was discussed at JLUS, wasn't it, when we did it and that wasn't a concern east of Rock Road. Now I don't know specifically that we talked about the ramifications if we ever had to shut Rock Road down. I thought we had discussed . . . like we do, this road is out but if you're a resident, they allow you to go in. I don't think that would probably hold for if you're a customer of this business we would let you go in, but have you got anything further on that, John?”

**Mr. Schlegel** said, “We've just gone through a very extensive review of those joint land use study recommendations and I'll be presenting those to you at an upcoming workshop meeting. During those discussions, the base was not looking to keep that east side of Rock Road undeveloped. I think they recognize that those properties will eventually be developed. What they were concerned with was how that development actually occurred. And they did come out with some very specific recommendations under the hearing of anti-terrorism and forced protection concerns and we've tried to incorporate those into this recommendation on this particular piece of property. I think if they ever do feel the need to close Rock Road again, they would make accommodations for people that do live along there or do business along there, which has been their past practice.”

**Commissioner Norton** said, “I don't have a bias one way or another.”

**Chairman Sciortino** said, “That was a good question. Commissioner Winters.”

**Commissioner Winters** said, “Well thank you, Mr. Chairman. My question was, I mean, we know that in those times of heightened terrorist concerns Rock Road was closed for a period of time. David, do you remember how long a time that was?”

**Mr. David Spears**, P.E./ Director, Bureau of Public Works, said, “No, I don't. We closed it a couple of times and I think a lot of it also depends of the base commander, who is in charge at the time. We haven't closed it for the past two commanders, I don't think. But when we did close it, we re-routed traffic over to Webb Road and that was pretty much a nightmare, but there was also developed in that time period, several alternatives to relocate Rock Road, just to the east, so that in

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case there was a bomb placed on Rock Road, it wouldn't harm anything on the base. There's a certain distance that they have that you can go over, and so there was alternatives, but it was up into the seven to ten million dollar range to do that."

**Chairman Sciortino** said, "You're talking about moving Rock Road."

**Mr. Spears** said, "Relocating Rock Road."

**Commissioner Winters** said, "Well I guess my concern is, if I remember right, Rock Road was closed for over a week at both of those times, and if we have a business owner out there, we're going to have that business owner calling saying 'You're ruining our business' so I guess my question would be, as we draft all of the conditions that are on this, so a future owner would certainly know about the problem of this location, that they would chose for their business.

If as one of the conditions that is placed on there is the acknowledgement that at certain times, if McConnell Air Force Base requests that Rock Road be closed, you can expect Rock Road to be closed and so five, ten years from now, when they come back to the county commission and say 'You're ruining our business because you've closed Rock Road' well they're going to have it a piece of their official . . . whatever we call these conditions on their property that closure of Rock Road was something that they might expect."

**Chairman Sciortino** said, "I believe the representative for the applicant is here."

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

**Chairman Sciortino** said, "Okay, if there are no other questions right now, we'll open it up to see if anyone in the audience would like to speak for or against this item."

**Mr. Russ Ewy**, Agent for Applicant, Baughman Company, greeted the Commissioners and said, "I would just want to point out, very valid points being brought up. In the materials that I have, staff condition of approval number 13 does address, in a general fashion, the proximity of this property to the air base and the security concerns that surround the air base, we could work with staff, be more than happy to work with staff to maybe be more specific about how the Rock Road closure

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may happen.”

**Chairman Sciortino** said, “I think that would be very beneficial, just so we can get comfort of knowing that the applicant knows that it has happened in the past and it could possibly happen in the future, where Rock Road is closed, so that he can make or she can make a decision ‘well, I can accept that potential liability and I still think there’s enough potential commercial use, that I want to take that risk’ but I think we would be more comforted if that could be explained in some form to the applicant so that he knows it or she knows that is a possible negative.”

**Mr. Ewy** said, “Absolutely. And I’d just point out that it’s going to show up twice. It’s going to be not only on the face of the CUP document itself, but will also be something that will be brought up, as these properties change hands through ownership transfers.”

**Chairman Sciortino** said, “Okay, good.”

**Mr. Ewy** said, “Thanks.”

**Chairman Sciortino** said, “Does that answer your concern?”

**Commissioner Norton** said, “I think so.”

**Chairman Sciortino** said, “Okay, all right, well I don’t see any further questions or comments, so Commissioners, what’s the will of the board on case E-2?”

### MOTION

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

Commissioner Norton seconded the motion.

**Mr. Schlegel** said, “Mr. Chairman, for clarification, for the record, did that motion then include an addition of language to the effect that Commissioner Winters had described that should Rock Road be closed in the future, that the applicant acknowledges it could affect business on the property.”

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**AMENDED MOTION**

Chairman Sciortino moved to approve the zone change and CUP, subject to platting within one year and the recommended conditions including the condition that should Rock Road be closed in the future, that the applicant acknowledges it could affect business on the property; adopt the findings of the MAPC; direct staff to prepare an appropriate Resolution after the plat has been approved; and authorize the Chairman to sign the Resolution.

Commissioner Norton seconded the motion.

**Chairman Sciortino** said, "It does now, yeah. So that's the motion, with that addendum has been made and seconded, so Clerk call the roll."

**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."

- 3. CASE NUMBER DR 2004-10 – PROPOSED AMENDMENTS TO THE WICHITA-SEDGWICK COUNTY SUBDIVISION REGULATIONS (UTILITY EASEMENTS). ALL DISTRICTS.**

**POWERPOINT PRESENTATION**

**Mr. Schlegel** said, "This last item is some minor amendments that we've been working on to the subdivision regulations. It's been a source of some contention between city departments and the planning commission and I think now that we have an appropriate resolution to that ongoing issue.

The history of this is that with lot splits and vacations that typically city departments, public works department or the water and sewer department would ask for in parts of the city where . . . particularly along alleys where the utility easements would be substandard, they would ask for additional dedications of easements on those particular lots in order to bring those utility easements up to current standards. And their concern, as utility providers is providing for adequate easements

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for the utilities, because over the years that standard has increased. In order to protect the workers that have to go in and install or repair utilities.

Now the issue that came up with some of the planning commissioners was that was being done on a piecemeal basis, lot by lot, and it really was not achieving the result they thought the city departments were after, which was to get the entire block length . . . the utility easement for the entire block length increased to the current standards.

So what the planning commissioners were trying to do is get the city departments to work out a method by which they could get an entire block or at least as many lots in that block to make the additional easement dedications as they could.

So after much wrangling about this over many months, looking at a lot of different options, I think we've hit on it with what's in front of you today. Basically, it wasn't possible just to dictate by ordinance that everybody make the additional utility easement dedication, but it does require now, if this is adopted, it would require that the city departments make the request of all the other property owners within that block for the additional utility dedication and offer compensation of \$100 per lot for that. And then also provide the property owners with 'hold harmless' provision so that if they had any improvements on their property that might wind up within the newly dedicated easement, that they would not have to remove those or if any harm came to those improvements during a utility repair, that the city would reimburse for that harm.

And with that, the planning commission said that sounds good to us. The planning commission voted to approve this proposed amendment and I'm hoping that with your approval today, we'll bring this matter to a close. With that, I'll be glad to take any questions."

**Chairman Sciortino** said, "Thank you, John. I don't see that there's any questions. I guess there is."

**Commissioner Winters** said, "Just a quick question. You indicated that the planning commission has approved this and I assume that the City of Wichita council . . ."

**Mr. Schlegel** said, "Yes, they approved it yesterday, second reading of the ordinance on the Council agenda yesterday."

**Commissioner Winters** said, "Did they have any serious discussion concerning this?"

**Mr. Schlegel** said, "No."

**Commissioner Winters** said, "So they're all pretty comfortable with it."

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**Mr. Schlegel** said, “Yes, and the city departments that were involved are in agreement with this as well.”

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

**Commissioner Burtnett** said, “Well looking through the backup, I see minimum widths and maximum widths. What would those be? I mean, how many feet are we talking about that we might be asking for these easements?”

**Mr. Schlegel** said, “Well I think the current standard that they look for for a utility easement is 20 feet. And a lot of times, in the older parts of the city, you’ll find them as narrow 12 feet, more typically probably 15 feet wide. So what they’re looking to do then, you know, somebody comes in for that lot split or vacation and they’re seeking that approval, that then they get an additional . . . let’s say if it’s 15 feet now, that they would then get an additional two and a half feet for that particular lot. You know, and eventually what they’re hoping for is that they’ll be able to accumulate enough of these that they’ll get the current standard in the utility easement over time.”

**Commissioner Burtnett** said, “Okay, all right. Thank you.”

**Chairman Sciortino** said, “And did I hear you say the current standard is 20 feet?”

**Mr. Schlegel** said, “Yes.”

**Chairman Sciortino** said, “Okay, all right. I don’t see there’s any other comments from the bench. Is there anyone here in the audience that would like to address us on this issue? Seeing none, I’ll limit any further comments to the bench or entertain a motion.”

### **MOTION**

Commissioner Winters moved to approve the amendments to the Wichita-Sedgwick County Subdivision Regulations as recommended by the MAPC, and adopt the Resolution.

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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, John. Next item please."

**F. RESOLUTION DESIGNATING THE SEDGWICK COUNTY SHERIFF AS CONTRACTING AGENT FOR NEGOTIATING AND ENTERING INTO INMATE HOUSING AGREEMENTS AND ESTABLISHING GUIDELINES RELATING TO SUCH AGREEMENTS.**

**Undersheriff Robert Hinshaw** greeted the Commissioners and said, "The resolution before you, as indicated, would allow the sheriff to negotiate and enter into contracts with other counties and sheriffs in regards to the housing of our inmates at hopefully the best possible price that we can get in a timely manner. It's to streamline the process. The other thing this resolution will allow us to do is when we receive requests from other sheriffs to house inmates, usually on an individual basis, a high-maintenance if you will, inmate that they may not be fully equipped or trained to handle, so that we can limit the liability to Sedgwick County and clearly delineate what everyone's responsibilities are according to the contract. Our recommendation would be that you approve this and I'm here to answer any questions if I can."

**Chairman Sciortino** said, "Thank you. I don't see that there's any questions or comments. So commissioners, what the will of the board on item F?"

**MOTION**

Commissioner Unruh moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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**Chairman Sciortino** said, "The motion has been made and seconded. Commissioner Winters, you have a comment."

**Commissioner Winters** said, "Well just a quick comment, sir. I'm certainly going to be supportive of this. I think one of things that the reason that allows us to do this the high level of confidence that we have in Sheriff Steed and his staff and as they deal with these inmates and need to make very quick and rapid decisions, I certainly fully support the Sheriff in wanting to take this opportunity. Thank you."

**Chairman Sciortino** said, "Okay. No further comments. Motion has been made and seconded, so Clerk, call the roll."

**VOTE**

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

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

**G. GRANT AWARD IN THE AMOUNT OF \$58,385 FROM DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, FOR FISCAL YEAR 2006 DNA CAPACITY ENHANCEMENT PROGRAM.**

**Dr. Timothy Rohrig**, Director, Forensic Science Laboratories, Regional Forensic Science Center, greeted the Commissioners and said, "Before you this morning, you have a grant award basically to enhance the capabilities of our DNA laboratory. This is a no match award, that is its 100% federal dollars and this will allow us to purchase some automation for the DNA laboratory, which will enhance our efficiency in processing evidence from violent crime."

In addition to the automation, this will allow us to develop and bring on-line new technology that will be specifically used to help in the investigation of sexual assault cases. This will bring a very, very powerful tool that we do not have currently in Sedgwick County to enhance our abilities to assist law enforcement in coming to a resolution of these type of cases. With that, I stand ready to answer the questions that you may have."

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**Chairman Sciortino** said, "Thank you, doctor. I don't see that there's any questions or comments. So commissioners, what's the will of the board on item G please?"

**MOTION**

Commissioner Norton moved to accept the grant award and authorize the Revenue Manager to sign the associated Cooperative Agreement and all related forms, including the special conditions document and Certification Forms for Federal Fiscal Year 2006 funding.

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 very much, doctor. Next item please."

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

**H. DIVISION OF HUMAN SERVICES – COMCARE.**

- 1. AMENDMENT TO GRANT AWARD FROM KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES (SRS) ALLOWING COMCARE ADDITIONAL TIME TO UTILIZE SAFE AND CARING**

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**COMMUNITIES GRANT FUNDS.**

**Ms. Deborah Donaldson**, Director, Division of Human Services, greeted the Commissioners and said, “COMCARE has received a grant for several years and with that grant they have purchased school violence prevention services from Communities in Schools. CIS has used that to conduct groups, using the Second Step curriculum and this is an evidence-based violence prevention program. We are asking for this amendment so the funds of the grant can be fully utilized. This allows an additional six months on that and it will be used for staff training and to purchase some additional curriculum. I’ll be glad to answer any questions. Would recommend your approval.”

**Chair Pro Tem Burtnett** said, “Commissioners, are there any comments or questions? Seeing none, what’s the will of the board?”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chair Pro Tem Burtnett** said, “Thank you. Next item please.”

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

**2. AMENDMENT TO AGREEMENT WITH FAMILY CONSULTATION SERVICE CHANGING THE PAYMENT SCHEDULE FOR FUNDING ALLOCATIONS.**

**Ms. Donaldson** said, “Commissioners, this particular amendment with our affiliate, Family

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Consultation Services, would change it where they would receive three payments instead of two payments. The reason for this was a change made by SRS on certified match, which used to be paid in advance. Now it's being paid at the time the service is delivered, so you have to bill, wait for the payment, and also other Medicaid issues. This is causing some cash flow problems with a number of other mental health centers, who do not have significant reserves. We would recommend that this be approved."

**MOTION**

Commissioner Winters moved to approve the Amendment 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. Next item please."

**I. DIVISION OF INFORMATION & OPERATIONS.**

**1. AMBULANCE REMOUNT PROJECT UPDATE.**

**Mr. Kevin Myles**, Director, Fleet Management, greeted the Commissioners and said, "Back in February of 2002, there was a decision made by the BoCC and Fleet Management to switch from what they were using, which was the McCoy brand ambulance, to the MedTech ambulance, which was a slightly stronger frame and a slightly more expensive ambulance chassis.

It was also noted that the suggestion to switch to the MedTech ambulances might result in additional cost savings because the MedTech ambulances would be eligible or able to remount the patient treatment modules, or the boxes that are on the backs of the ambulances.

Back in September of 2004, there was an accident involving ambulance number 2024, which

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damaged the chassis, but the patient treatment module remained intact, and so it was felt that that would be a good candidate for remounting, so there was a bid process in the shop, bid to do the work internally and it was, after a cost study, it was determined that this would be a good opportunity for them to do that and it was successful.

And that actual remounting onto 2024 resulted in a cost savings in excess of \$50,000, which you know from then we've gone ahead and made the decision to remount all 22 ambulances in the fleet and by doing that, we project a cost savings in excess of \$1,000,000 so for that initial investment, the MedTech ambulances were in the area of \$17,000 more expensive than the McCoy brand, that initial investment of about 370,000 will actually net a profit to the county in excess of \$1,000,000 so the chassis which will be replaced every four years, we've now extended the lives of the patient treatment modules to eight years and they'll actually sit through two cycles and two chassis on each one.

Up here with me I have Boyd Powers. He is the light equipment shop foreman. These are the guys who actually are doing the work on remounting the ambulance chassis and we've put together a Powerpoint presentation for you guys to watch."

### **POWERPOINT PRESENTATION**

**Mr. Boyd Powers**, Light Equipment Shop Foreman, greeted the Commissioners and said, "Well I was going to say a lot of the things that Kevin already did, so I'm not going to repeat any of it. We decided to do this in-house instead of sending it out to vendors or sending it out for bid. We felt that we could have better quality, we could control the timeline, which that's important also because we only have so many ambulances we can take out of service at a time.

So our goal, as Kevin said, was to save over \$1,000,000 by refurbishing the whole fleet and remounting them. Timeline would begin in May, 2006 and it will be over with in November of 2009, three and a half years.

This lists our partners: us, Fleet Management, EMS, Midwest Vehicle Professionals and Brite Line. It's a ten-step process. Here they are and I'll say a little bit about each one of them. The warranty work is being performed by MVP, which is our MedTech dealer up in York, Nebraska. These ambulances develop some cosmetic cracks and some paint blisters early on and since it was so inconvenient to take them out of service and take them to York, we kind of lived with them. Well they're still willing to fix those for free and they're willing to come to Wichita and take a truck up

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there to do it.

While it's up there, we're also hiring them to do some work for us. They're building a new interior cabinet that EMS is housing the weapons of mass destruction equipment in and they're also replacing the floor for us. There's the cabinet there on the right side that they're building and installing and then there will be a later slide of the new floor. We immediately tape it up so that we don't get it dirty while we're remounting the unit.

Number two, while the truck is up there at York, we're working on the new chassis back home, getting ready to mate up with it. That's what we start with. We had six of those. Now we've got three out in the lot. They come from Ford like that. As you can see, the back of the cab has just got plastic over it with tape and that box you see between the seats has bolts and various parts that we need to go to put the body on with.

We immediately tear it apart, take the interior out of it, tear the front end apart, take the headlights, grill and that kind of stuff out so we can run our wires up there. If you'll notice, down on the lower part of the bumper, we've already installed the air horn trumpets down there. And then this one is having the sirens installed in the front. There's a picture of a completed chassis, ready to go underneath a body and you can even see the rubber weather strip glued to the back of the cab there. It's ready to go.

Step three, once the truck returns from York, Nebraska we take the body off the chassis. It's all a documented procedure. There we're lifting one off right there. Once it gets to about that high, we can roll the old chassis out from under it.

Step four then is to get the front of the ambulance body ready to go back together. That's done by our body shop. Originally, there was air horns and brackets mounded above the driver's head, but it's been learned that that's kind of hard on hearing so we're filling in those holes up there and moving those down to the bumper where they don't bother the driver as bad.

So there's the front of a body. Up there in the upper right hand corner is where those air horns used to mount and apparently this one had a couple of dents over there on the left hand side. And with the body on the lift and not being attached to the chassis, it's real easy to get up there and do that work, whereas if we went ahead and joined them up, it's much hard to get above the cab, without denting the roof and that kind of stuff.

In step five, we start getting it back together. We're setting this one down on the ready chassis.

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You'll notice the front of the body has been painted, you can see it's shiny there. Those two documents that you see taped to the stripe, one is the inspection certificate that some of us have to sign off on. The other one is a step-by-step process, basically where every nut and bolt has to be installed in this. Whoever does those jobs checks off on each of those and lets us know that they're completed.

And then once we get it down to about this point we can actually . . . the chassis backs under there, under its own power to about this point. Then we get underneath, see if everything is going to line up, and then we physically roll it back from this point on.

Step six then is to make it like new again. We don't paint the entire body. It's not needed, you know. This truck is only three and a half years old. There's some damage here and there, some scratches and gouges. Here's a shot in our paint booth. Now MVP, when they repaired the warranty stuff for us, they repainted the back corners of the body, so we got that done for free, so our body shop goes in and takes care of anything else and as you can see, the cab and the front of the body is all taped off, because it's already done, and here's a stripe that they're working on. Anything that's taped off here that you see has either already been painted or didn't require painting. And there's the finished product, when it rolled out of the paint booth right there. That just happened last week, I believe, on this truck.

Then it goes over to Brite Line, right here in Wichita, and they make our lettering and decals to put on the sides and in between the red and the blue stripe it appears that that's paint, but it's not. It's actually reflective tape and Brite Line installs that, kind of an intricate process to get all the points and stuff to come out right.

Then it's time to make the inside look nice. We do that in-house, what MVP hasn't already done. What we're finding on the ones we've done is all the plexiglass sliding windows are bad, they need to be replaced. Some of them have cracks and they're all scratched up. Some of the Formica on the walls, where it's been beat up, has to be replaced. The dome light lenses are all yellow, so we changed those. Some aluminum trim gets beat up with the paramedic's walkie-talkies and that kind of stuff, so that stuff gets changed.

So here's a shot of one that's been refurbished inside. You see the new floor that MVP put in for us and then that cabinet up front there, behind that seat and the Formica has been changed in this. Then there's 40 hours of cleaning and detailing that happens to these things to bring them up to like new standard. Then comes the testing and inspection phase. We there at Fleet do an electrical current draw test, the weight payload calculations, we physically drive the ambulance over and weigh it, front and rear axial, so we know that it meets payload requirements. Then we check the heating and cooling and record all that. Then EMS takes it, they take it out and drive it. They check functionality, check the lights, and do a final cosmetic inspection. They submit a form to us

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on what they find and we take care of it from there.

We have a quality control process in place. We have two inspectors there in the shop, of which I'm one of them. We're master-certified emergency vehicle technicians in the ambulance field and on the critical steps like body bolts, heat shields and that kind of stuff, we both have to sign off on those before we can go forward, and there's the finished product. That's the first one we've remounted and refurbished there. It's been in service for about six weeks now.

Here's the cost savings. In 2006, yet this year, we intend to remount three and a half of them, for a cost savings of \$168,815. In '07, we plan to remount six and a half and that cost savings, \$313,514 and in '08 we also intend to remount six and a half of them. The reason there's a difference in cost there is that hallway cabinet for the weapons of mass destruction stuff is already built in to like number 11 truck on, so we will lose that cost. And then in 2009, we're going to do the other five and a half for a savings of \$276,281 and you see the total savings down below of \$1,085,124. And there's a bar graph that better illustrates, with the yellow being our remount cost, versus the blue, which would have been what it cost if we continue to buy new ambulances each year.

And that's the end of the presentation. Before I take any questions, I do want to say how proud I am of our team back at Fleet Management, the mechanics out there busting it to make this happen, making all the steps come alive, parts people that are getting our parts just in time, like always. Body shop has been more than accommodating when we tell them 'hey, we need one of those chassis by Friday', they take care of that and people are paying the bills, so everything is going great. And also I have my customer, Greg Schuessler here, if anybody has any questions of EMS or myself, go for it."

**Chairman Sciortino** said, "All right. Well, we do have some questions or comments. Commissioner Winters."

**Commissioner Winters** said, "Well thank you very much. I certainly want to thank you for coming and making the presentation and Kevin, thank you. Your first presentation, been here only a couple of weeks and are reporting saving a million dollars, so you're doing a great job."

**Chairman Sciortino** said, "Feel free to come up in front of us every week, if you want to."

**Commissioner Winters** said, "But you know, we certainly . . . I really . . . I'm glad you came back, because I remember the cycle we went through in making this decision to buy a more expensive ambulance and Bob Lamkey and Marv Duncan were fully involved in that, because we had a couple of ambulance manufacturers that were pretty upset with us for not taking the low bid. And I appreciate this report, showing what you all at Fleet Maintenance have actually been able to do. And you know, I can't remember that meeting exactly, but Boyd, I'm pretty sure you were at that

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meeting and stood up and said ‘Yes, we can do this’ and I think in that presentation the commission at that time had a pretty high level of confidence in your ability to when you said that your shop could do it, we believed you. You made a great presentation then and you’ve made a great presentation now, on behalf of all those employees down at Fleet Maintenance, so this is a good job and you’re doing good work. Thank you.”

**Chairman Sciortino** said, “Okay, I don’t see any other . . . Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you, Mr. Chair. Well, I’ll echo what Commissioner Winters said, but I just think it’s encouraging to our citizens in Sedgwick County who are watching and who are aware of this to know that we’re trying to be innovative and think outside of the box, in a period of budget pressures and rising costs, think of a new way to be able to maintain our outstanding services to our citizens and take care of some of these costs in-house. And a million dollar savings is substantial and so we’re appreciative that someone said we can do and now they’ve shown that they are able to do it in a very high-quality way. And we referred to our other partners in delivering services as customers, so it looks like you’ve got the right attitude in trying to produce, so a great job. We’re appreciative of it.”

**Chairman Sciortino** said, “Well, let me . . . I want to make a comment too, because you know, the general public has the feeling that government always takes the easy way out and wastes money and wastes money and bureaucrats don’t want to take responsibility and stick their neck out too far to think out of the box, literally and figuratively, but that this time you really were willing to step up and say ‘Hey, I think I can save the county a lot of money’ if we go with this modular concept and that vision is proving out today to be a reality and we’re seeing a benefit to the taxpayers of an excess of a million dollars because of an entry of slightly more money going in, it’s a heck of a return on investment and I just think the taxpayer should take note that occasionally government can have a good idea and an initial cost in the beginning turns out to be an investment well worth the return that it’s getting today.

And I do take note, I was reading in one of the automotive trade magazines that that’s exactly what the automobile industry is planning to do in the future, that you’ll buy a car, a chassis, and you can have a particular box or what do you call the top of it?”

**Mr. Powers** said, “Body.”

**Chairman Sciortino** said, “Body, thank you, between us we can finish a sentence . . . body on it, and as you drive along, if you no longer like that body’s style, you have the option of buying a different body that fits right on the chassis. If you want today to have a sports car look and

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tomorrow have a four-door sedan look, you can buy two bodies with the chassis, so the automobile industry is starting to think along the lines of what the ambulances are now being done.

So anyway, we compliment you for sticking your neck out and it looks like it has returned a tremendous investment to the taxpayers and it shows that county employees can and do, on a regular basis, try to look out for the best interest of the tax dollar that we're trying to spend, so congratulations to both of you. Marvin, you're beaming with pride because this was your baby in the beginning. Do you want to move back to Fleet Management? No, he doesn't? That's not an option, Marvin, I'll take it back. Thank you again, both of you."

**MOTION**

Commissioner Winters moved to receive and file.

Commissioner Norton seconded the motion.

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

**VOTE**

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

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

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

- 2. GRANT AWARD AGREEMENT WITH SRS FOR SEDGWICK COUNTY BEHAVIORAL HEALTH CENTER TO PROVIDE TREATMENT SERVICES TO FOURTH TIME DRIVING UNDER THE INFLUENCE OFFENDERS.**

**Ms. Claudia Blackburn**, Director, Health Department, greeted the Commissioners and said, "The agenda item before you is an agreement between the Kansas Department of Social and

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Rehabilitative Services and Sedgwick County Behavioral Health Center to provide treatment services to fourth-time driving under the influence offenders, as mandated by Senate Bill 67. And the funding for this actually comes through the Department of Corrections and is supervised by SRS.

This agreement has been in place for over three years and the services have been delivered by the Behavioral Health Center. The grant award this year is for \$25,000. And just to give you a report on the success of this program, in 2006 the number of people that we served was 24 and of those that could complete treatment, 71% successfully completed treatment and that was up from 56% the year before. It is a tough problem to have and treatment is required for a year after fourth-time offenders are released from jail.

Now this program is going to be transitioned to COMCARE in October, so the funds that go with it will be transitioned to COMCARE as well, so I am happy to answer any questions and I recommend approval of this agreement.”

**Chairman Sciortino** said, “Claudia, is this an alternative to incarceration for these people? Or are they incarcerated and go through the treatment? How does that work?”

**Ms. Blackburn** said, “They are incarcerated. I think the average incarceration before they go into treatment is for about six months.”

**Chairman Sciortino** said, “Okay, and then after they get out of it, then they have to go for a 12-month period?”

**Ms. Blackburn** said, “Exactly.”

**Chairman Sciortino** said, “And that’s like supervised treatment? Is it in-house or what do you call it?”

**Ms. Blackburn** said, “No, it’s outpatient but it’s psychotherapy, group education, group psychotherapy. It’s quite intense.”

**Chairman Sciortino** said, “Well I think anything we can do to get to the core problem because oftentimes not only DUIs but people that are having a problem with alcohol make other bad judgments and they get tossed in jail, but that doesn’t deal with their core problem, it’s alcoholism. So I think this is a great program, to try to get these people to admit that they have a problem. Commissioner Burtnett.”

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**Commissioner Burtnett** said, “Well last year when this came before us, I had some questions and had some follow-up answer and I guess I would ask you, this talks about fourth-time DUI clients, which to me it’s very sad that we’re going through that but is this fourth time and more, so is it fourth, fifth, sixth?”

**Ms. Blackburn** said, “My understanding, I believe it is beyond fourth time. For instance, if they violate parole and end up back in jail, it starts all over again, so I’ll clarify that, but that’s my understanding.”

**Commissioner Burtnett** said, “Okay, that would be good, because I think I would like to know how many of those . . . I can’t remember how many you said, 54, is that what you said?”

**Ms. Blackburn** said, “56% completed treatment last year.”

**Commissioner Burtnett** said, “Okay. So to me it would be helpful to know how many of those were fourth-time, how many were fifth-time or sixth-time, just for my own information, it’s not really necessary for me to support this. I mean, I’m very supportive of this.”

**Chairman Sciortino** said, “Okay, I don’t see that there’s any other questions or comments. So commissioners, what’s your will on Item I-2?”

### MOTION

Commissioner Burtnett 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.”

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### 3. AGREEMENT WITH KANSAS HEALTH POLICY AUTHORITY PROVIDING EXTENSION OF THE HEALTHY FAMILY KANSAS PROGRAM.

**Ms. Blackburn** said, “Before you is the agreement between the state Kansas Health Policy Authority and the Sedgwick County Health Department to extend the Healthy Family Kansas program. These funds have historically been used to support the Healthy Babies program, which is prenatal and postpartum home visitation program, designed to improve birth outcomes in high-risk populations in Sedgwick County.

And the program is . . . the services are delivered by Registered Nurses and community liaisons that provide medical assessment, as well as family support services on an individual basis to clients who meet program criteria.

The goal of the program, as you know, is to decrease low birthrate and infant mortality in certain zip codes in the community and it’s also very effective program when it comes to reducing child abuse and neglect, so it helps to link families to community resources and is a program that we’re extremely proud of at the Health Department.

This funding will support seven positions, including partial support of the Integrated Family Health Sub-department manager, whose position was cut when the Behavioral Health Center transitioned to COMCARE and I’ll be discussing that in the next agenda item.

This award is an increase over last year of \$152,000 and it does require 100% match. We were able to come up with that match through our indirect cost, local dollars and by using other grant dollars that we have and that has all been approved and worked out. The grant is from July 1<sup>st</sup> through June 30<sup>th</sup> of ’07.

And just an example of what’s going on with Healthy Babies right now, at your seats you have the Healthy Babies door hanger. It’s in English in Spanish, beautiful job done by our Communications Department and we are delivering over 20,000 of these in the high-risk neighborhoods. The first area that we’re targeting is 67214 and in two weeks we’ve distributed about 2,000. And we’re doing this in partnership with the Center for Health and Wellness and the Pregnancy Crisis Center and Wesley Hospital, so we’re really excited about this. In two weeks, we’ve already had two self-referrals from people that have received the door knockers. They’re informational and they let people know about services that are out there as well. I’d be happy to answer any questions about this agreement and I do recommend that you approve it.”

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

**Commissioner Winters** said, “Well just a very brief comment. I’m certainly going to be supportive of this and as we go through looking at all kinds of prevention issues, from medical and juvenile justice issues and all others, we know that the best time to start is as early as possible in a child’s life. So I think this is a great program and I’m going to continue to be very supportive.”

**Chairman Sciortino** said, “Thank you. Any other comments or questions, commissioners? What is the will of the Board on item 3?”

**MOTION**

Commissioner Winters 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.”

- 4. ADJUSTMENT TO THE HEALTH DEPARTMENT STAFFING TABLE TO RESTORE A HEALTH DEPARTMENT MANAGER POSITION, B428; AND AN ADMINISTRATIVE PROJECT MANAGER POSITION, B326; AND TO DELETE A PROJECT MANAGER POSITION, B324.**

**Ms. Blackburn** said, “As was stated, this is a request for a staffing table adjustment. The transition of the Behavioral Health Center to COMCARE included a reduction of six positions at the Health Department. Three are direct service providers and they were transferred to COMCARE to continue to provide services and three positions were eliminated. The three eliminated positions included the Director of Integrated Family Health, Ted Jobst, and an administrative project

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manager, Adrian Burn Lutz, and an administrative assistant. The Director of Integrated Family Health actually spent about 90% of his time of WIC and Healthy Babies. He supervises a staff of . . . it was 66, it will be 61 with the reduction of Behavioral Health. And that budget is over \$3,000,000 so that position is still needed, even though it was eliminated in the transition. We have come up with the money to pay for that, through some increased grant dollars.

The Administrator/ Program Manager managed the Behavioral Health staff, but she also was responsible for supervising the community liaisons and helping with the Healthy Babies program and doing other administrative duties as well. And so we felt it was important to keep that position and again we have been able to reallocate some grant dollars to cover both of these positions.

We will be deleting a program manager position that has been vacant for almost a year. That was . . . we had two Healthy Babies nursing supervisors and now we have one. We've consolidated the position and so we will be eliminating that vacant position. The increase in the grant that I just talked about, albeit it's SRS funding through the Kansas Health Policy Authority, the increase of \$152,000 allowed us to fund direct service providers and so we could use some local dollars to pay for the program manager positions. So, I'm happy to answer any questions and I do recommend approval of this staffing table adjustment."

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

**Commissioner Winters** said, "So in this new arrangement, who will be supervising the Healthy Family Kansas program then? Who will be ov . . .?"

**Ms. Blackburn** said, "Susan Wilson is still over that. She's over the Healthy Babies program. There are a number of different funding sources for that program. The Health Kansas money is part of the funding, but it's not all the funding. We also have a federal grant and another state grant."

**Commissioner Winters** said, "Okay, so will that position have changed in all of this . . .?"

**Ms. Blackburn** said, "No, that position will not change."

**Commissioner Winters** said, "All right, thank you. That's the only question I have."

**Chairman Sciortino** said, "Okay. Commissioners, any other questions or comments? Seeing none, what's the will of the Board?"

### **MOTION**

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Commissioner Winters moved to approve the adjustment to the Health Department Staffing Table.

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, Claudia. Next item please.”

**J. AGREEMENT WITH CERTIFIED ENGINEERING DESIGN, P.A. FOR DESIGN OF STREET IMPROVEMENTS FOR HEDGECREEK ESTATES ADDITION.**

**Mr. Jim Weber**, P.E., Deputy Director, Public Works, greeted the Commissioners and said, “In Item J, we’re requesting your approval of an agreement with Certified Engineering Design for engineering design services and construction staking on the Hedgecreek Addition street paving project. This project is located on the southeast corner of 45<sup>th</sup> Street North and 247<sup>th</sup> Street West, or Andale Road.

The cost of this work will not exceed \$65,000 and all costs of the project will be paid by the benefited properties through special assessments. We request that you approve the agreement and authorize the Chairman to sign. I’d be happy to answer any questions that you might have.”

**Chairman Sciortino** said, “Thank you. We have a question or comment. Commissioner Winters.”

**Commissioner Winters** said, “Jim, this is . . . is this a project that’s being done just solely at the request of the developer and thus all of his lots are going to pay for it, or is this a result of some of our subdivision regulations?”

**Mr. Weber** said, “This is within the subdivision and in this case he could have opted for unpaved roads, but he’s chosen to do pavement inside the subdivision. It’s not related to the urban fringe policy.”

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**Commissioner Winters** said, “He’s just chosen to take this approach to his development.”

**Mr. Weber** said, “Yes, more of a higher end development.”

**Commissioner Winters** said, “All right, thank you. That’s the only question I had.”

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

**MOTION**

Commissioner Winters 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	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

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

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING OF SEPTEMBER 14, 2006.**

**Mr. James McComas**, Senior Purchasing Agent, Purchasing Department, greeted the Commissioners and said, “The meeting of September 14<sup>th</sup> resulted in three items for your consideration.

**1) CONSTRUCTION OF NEW FIRE STATION #33- FIRE DISTRICT  
FUNDING: CAPITAL IMPROVEMENT PROGRAM**

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Item one, construction of new fire station #33 for the Fire District. Recommendation is to accept the low bid from Caro Construction for \$1,286,900.

**2) FIRE ALARM TESTING AND INSPECTION- FACILITIES DEPARTMENT  
FUNDING: FACILITIES DEPARTMENT**

Item two, fire alarm testing and inspection at the Adult Detention Facility for Facilities Department. The recommendation is to accept the low bid from Simplex Grinnell for \$29,749 and to execute a one year contract with three one-year options to renew.

**3) CUSTODIAL SERVICES- COMCARE  
FUNDING: COMCARE**

And item three, custodial services for COMCARE. The recommendation is to accept the low proposal from EH Technical Solutions and to execute a one-year contract with two one-year options to renew for an estimated monthly cost of \$6,075.70 and an estimated annual cost of \$72,908.40.

I'd be happy to answer any questions and recommend approval of these items."

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

**Commissioner Winters** said, "Just item number one, the Station 33 fire district, that is the fire station located at Maize, Kansas?"

**Mr. McComas** said, "That is correct."

**Commissioner Winters** said, "I think it is, for public's comment, we've received seven very responsible bids, so I think this was a good bid process that we've gone through on this project. So that's the only comment I have."

**Chairman Sciortino** said, "Okay. Seeing no other comments, what's the will of the board on this item?"

**MOTION**

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

Commissioner Winters seconded the motion.

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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."

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

**1. Right-of-Way Easements.**

- a. Two Temporary Construction Easements and four Easements for Right-of-Way for Sedgwick County Project 622-803; intersection of 135<sup>th</sup> Street West and US 54. CIP# R-313. District #3.
- b. Two Easements for Right-of-Way for Sedgwick County Project 640-25; drainage project on 87<sup>th</sup> Street South between Broadway and Meridian. District #2.
- c. Easement for Right-of-Way for Sedgwick County Project 604-26-2515; bridge on Broadway between Broadway and Seneca. CIP# B-427. District #4.
- d. Easement for Right-of-Way for Sedgwick County Project 616-3 through 36; widening of 13<sup>th</sup> Street North between K-96 and 159<sup>th</sup> Street East. CIP# R-253. District #1.

**2. Notice of public hearing September 27, 2006 regarding adoption of NFPA 70 National Electrical Code, 2005 Edition, as amended.**

**3. Section 8 Housing Assistance Payment Contracts.**

Contract	Rent	District
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<u>Number</u>	<u>Subsidy</u>	<u>Number</u>	<u>Landlord</u>
V03059	\$575.00	2	Chapel Ridge Apts.
V06034	\$95.00	Butler	Savannah Park Apts.
V06038	\$425.00	5	David Pickering
V06040	\$561.00	2	Herman Wendelin
V06042	\$270.00	2	Bridgewater Apt. Homes
V06043	\$252.00	3	Fieldstone Apts.
V06044	\$76.00	5	Ronald Lamar
V06045	\$425.00	5	Brady Acorns LLC
V06046	\$610.00	3	Fieldstone Apts.
V06047	\$397.00	2	Bridgewater Apt. Homes
V06049	\$314.00	4	Brookfield Apts.
V06050	\$281.00	4	Brookfield Apts.
V06052	\$260.00	5	William Favreau
V03046R	\$332.00	5	Springcreek Apts.
V03050	\$155.00	2	Mulvane Housing Assoc.
V03058	\$308.00	2	Chapel Ridge Apts.

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V04063	\$233.00	\$252.00
V04061	\$304.00	\$297.00
V04056	\$417.00	\$361.00
V03081	\$272.00	\$266.00
V020046	\$354.00	\$332.00
V20104	\$332.00	\$325.00
V05049	\$170.00	\$174.00
V05054	\$339.00	\$339.00
V2086	\$299.00	\$304.00
V03073	\$475.00	\$397.00
V03059	\$575.00	\$575.00
V04062	\$221.00	\$232.00

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V05060	\$221.00	\$209.00
V05062	\$236.00	\$235.00
V03085	\$275.00	\$270.00
V05063	\$214.00	\$215.00
V98004	\$389.00	\$372.00
V05057	\$436.00	\$417.00
V2075	\$337.00	\$425.00
V05066	\$466.00	\$485.00
V05065	\$249.00	\$243.00
V95119	\$360.00	\$360.00
V05061	\$246.00	\$129.00
V05058	\$450.00	\$450.00
V04064	\$305.00	\$298.00
V04081	\$166.00	\$240.00
V020012	\$389.00	\$549.00
V05098	\$615.00	\$352.00
V05093	\$395.00	\$309.00
V05100	\$476.00	\$295.00
V05103	\$301.00	\$596.00
V04031	\$144.00	\$450.00
V06003	\$298.00	\$388.00

- 5. Amendment to the 2006 Capital Improvement Program to increase the right-of-way phase of CIP# R-253, widening of 13<sup>th</sup> Street East.**
- 6. Payroll Check Register of September 8, 2006.**
- 7. Resolutions (two) authorizing destruction of records.**
  - a. Health Department Women, Infants and Children Program patient charts and program files, 1997 - 1999
  - b. Election Office voter registration and elections records, 1956 - 2003
- 8. Third Lease Amendment for property used by Health Department's Chemical Dependency Treatment Program located at 714 South Hillside, Wichita.**
- 9. Renewal Summary Agreement with Advance Insurance Company of Kansas,**

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**an affiliate of Blue Cross and Blue Shield of Kansas, for Life, AD&D, and Dependent Life insurance plans.**

- 10. Renewal Agreement Letter with Vision Service Plan for employee vision insurance.**
- 11. Orders dated September 5 and September 12, 2006 to correct tax roll for change of assessment.**
- 12. General Bills Check Register(s) for the weeks of September 6 – 19, 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.”

**MOTION**

Commissioner Norton moved to approve the consent agenda as presented.

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 Burnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Commissioners, at this time I’d like to move to recess the regular meeting of the Board of County Commissioners.”

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**The Board of County Commissioners recessed into the Fire District Meeting at 10:48 a.m. and returned from recess at 10:50 a.m.**

**Chairman Sciortino** said, "Is there anything else, under the 'Other' category to come before this commission? Commissioner Burtnett."

### **M. OTHER**

**Commissioner Burtnett** said, "Well, this weekend being Saturday is the first day of fall, Valley Center is having their fall festival and this year they've changed it a bit. We're going to have Friday, Saturday and Sunday events and the new events on Sunday are going to be at the McLaughlin Park with . . . starting out with a free lunch, if you buy a fall festival button. I know, well you've got to get a button. There's going to be a bus tour for the Historical Society taking folks around and cowboy poets, Karate demonstrations, fishing for 16-year-olds and younger. There's going to be a lot going on on Sunday, which is in addition . . . I don't think we have any bicycling going on, I'm sorry, but there's lots of food and lots of fun, lots of amusement rides and so forth on Friday and Saturday, so lets hope for good weather and that's all I've got for right now."

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

**Commissioner Norton** said, "Well, I wanted to comment, as I have for the last few weeks about Exploration Place. They're in their third week of T-Rex Named Sue and the numbers have not fallen off at all so it's pretty exciting at Exploration Place. If you haven't taken your kids or your grandkids or friends from out of town to see Exploration Place recently, then you haven't seen Exploration Place because it's changed, it's new and it's exciting and a T-Rex Named Sue is there and I think commissioners have all seen the numbers but they're pretty dramatic.

I mean, where we had 3,000 visitors during a period last year, we up to almost 15,000 over three weeks this year and that's pretty dramatic and it doesn't look like it's going to fall off, as we go into the last weeks of a T-Rex Named Sue they've got some events planned around Halloween and letting the kids come and Trick or Treat and do some things at Exploration Place and be around Sue, so some of the investment we made and some of the hard work we did as a commission I think is starting to pay off. It's still early to make that determination, but the early results are pretty good because of new revenue and the footsteps that mean that citizens care about Exploration Place and are going to use it.

The second thing I'd have is that Commissioner Winters and I went to Richmond last week on a Visioneering week and County Manager Buchanan, Ron Holt and Lori Usher went along and we

## Regular Meeting, September 20, 2006

had an exhilarating three days there. Susie Alstran really put us through the ringer, as far as an agenda, but I think we came out with some good outcomes and learnings and two things. Richmond was a great place to benchmark and they've done some wonderful things, but it makes you pretty proud of the things that are going on in the Wichita, Sedgwick County, south central Kansas community that are pretty positive.

Commissioner Winters may have some add-on to that, but I was pretty encouraged that we had a good group there that are pretty focused on our community at a lot of different levels and that some of the things we learned there we're already doing pretty well. I mean, they struggle with their workforce and how to get people jobs. We have set off on that agenda item several years ago and workforce training and a workforce center is something that, as we talk to them, they wish they had. So that's all I've got, Mr. Chair."

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

**Commissioner Winters** said, "Well thank you. Commissioner Norton, I would make just a couple of very brief comments about our trip to Richmond. I thought it was very worthwhile and it was very invigorating to see that large a group from Wichita/ Sedgwick County and south central Kansas, including Butler County and Cowley County. Those folks dedicated three full days to go on this project.

I guess the two quick take-aways that I would share is one of the interesting connections and the similarities of Richmond having an urban university, Virginia Commonwealth University is in their community and it is a huge part of a lot of positive things that are happening in Richmond, so it was very interesting to watch and talk to those people from the university and the other folks from Richmond about that connection with their university.

The second thing that struck me was the attitude of the City of Richmond and the three surrounding counties. They just all refer to themselves as Greater Richmond and there was no confusion about whether you were from Chesterfield County because the Chesterfield economic development director was talking about Greater Richmond and recruiting the supporting Greater Richmond, so they've got that part down and we can learn from that.

And then as you said, Commissioner Norton, the last . . . my last quick take-away is I'm pretty glad I'm living in south central Kansas, Wichita, Sedgwick County. Again, that's to take nothing away from them, they've got a fine city, but again in looking at somebody else, you can look back at home and see that we've got some pretty good processes. We're not where a lot of us want to be, but we're going to continue to work on those goals, so it was a very worthwhile trip."

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**Chairman Sciortino** said, “Okay. Well one thing I just want to pick up, Commissioner Norton talked to us about it, a workshop going back to Exploration Place. The total cost for having that T-Rex Named Sue was recovered in the first week of the exhibition and that is a tremendous return on investment. Any company in this world would salivate over being able to make an investment and get your entire return back within one week. Usually two and three years, four years is considered a satisfactory return on investment, so I think even though I did vote against our involvement, I’m starting to get guarded optimism that it was a good decision to protect that investment that the county had already made in the facility and I think with our now direct involvement and the new director of Exploration Place, we’re going to have something that’s going to be very acceptable to the public and they’re going to find very interesting and it was right there in front of everybody, but nobody up until now could grasp it. It’s the exhibits that will drive the people coming to it, and I’m just real excited. I’m going to go count how many bones T-Rex has. Do you know how many already, so we don’t have to count them?”

**Commissioner Norton** said, “Well I know, but I’m not telling.”

**Chairman Sciortino** said, “Thanks a lot. Commissioner Norton.”

**Commissioner Norton** said, “Well just to add onto that, and I meant to talk about it, one of the interesting things is in the Cyber-dome there’s a film called ‘Cosmic Collision’ which has nothing to do with the T-Rex and the Cyber-dome sales have just be exponential too and it’s not just about that, it’s about ‘Comic Collision’, it’s about the other new exhibits. As we move out of that, we’re going to go into Christmas with the Star of Bethlehem, which was very good last year. We’ve got a new thing that’s a combine with the Kansas State coming. We’re going to have a . . . it’s called ‘Bugs’ and it’s going to have live bugs from all over the world and it’s going to be very interesting and I tell you, a lot of kids are going to want to see it and probably adults too.

And then after the first of the year, we’re bringing Titanic to Wichita and it’s going to be one thing right after another. It’s a very aggressive agenda and the critics that have always said you know you go to Exploration Place once and you’ve seen it and I have no interest to go back. You’re going to get drug back over and over and over because there’s going to be something new and different and exciting that appeals to a broad base of people, so it is pretty exciting, what’s going on there.”

**Chairman Sciortino** said, “Okay. Is there anything else to come before the board?”

### MOTION

Commissioner Burtnett moved to recess into Executive Session for 30 minutes to consider

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consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation and legal advice and preliminary discussions relating to the acquisition of real property for public purposes and that the Board of County Commissioners return to this room from executive session no sooner than 11:30 a.m.

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, “We are now recessed into Executive Session.”

**The Board of Sedgwick County Commissioners recessed into executive session at 11:00 a.m. and returned at 11:53 a.m.**

**Chairman Sciortino** said, “For the record, please note there was no binding action taken while we were in Executive Session. Mr. Euson, is there anything that we need to take action on here?”

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “Yes sir. While in Executive Session, commissioners, we discussed a worker’s compensation case involving a current employee by the name of Jennifer Ladd. At this time we would recommend that we settle this case in the amount of \$17,455. 46 and this settlement would close all issues, in this case related to future medical liability and review and modification. I recommend that you accept the settlement.”

**Chairman Sciortino** said, “Thank you. Commissioners, what’s the will of the board on this item?”

**MOTION**

Commissioner Unruh moved to take the recommended action as recommended by counsel.

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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 Burnett	Aye
Chairman Sciortino	Aye

**Chairman Sciortino** said, “Any thing else Mr. Euson? Mr. Buchanan? This meeting is adjourned.”

**N. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:53 a.m.

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

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**BEN SCIORTINO**, Chairman  
Fifth District

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**LUCY BURTNETT**, Chair Pro Tem

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Fourth District

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

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

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

ATTEST:

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**Don Brace**, County Clerk

APPROVED:

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