

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

December 31st, 2008

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, December 31st, 2008 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters, with the following present: Chair Pro Tem Tim R. Norton; Commissioner David M. Unruh; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. John Schlegel, Planning Director, Wichita Area Planning Commission; Mr. Pete Giroux, Principal Analyst, Division of Finance; Mr. Steve Claassen, Facilities Director, Division of Information and Operations; Ms. Diane M. Gage, Director, Emergency Communications; Ms. Rita Rippee, Chief Deputy Appraiser, County Appraiser's Office; Ms. Claudia Blackburn, Director, Sedgwick County Health Department; Ms. Marilyn Cook, LSCSW, Executive Director, COMCARE; Ms. Dorsha Kirksey, Director, Housing Department; Mr. James Weber, P.E., Deputy Director, Public Works; Ms. Amanda Matthews, Communications Coordinator, Communications; and, Ms. Kristi Vermillion, Deputy County Clerk.

GUESTS

Mr. John Gist, Director, Facilities Planning-Wichita State University

INVOCATION

The Invocation was led by Reverend Sherdeill Breathett, Sr., St. Mark United Methodist Church, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

Regular Meeting November 26, 2008

Regular Meeting December 3, 2008

Regular Meeting December 10, 2008

Chairman Winters said, "Commissioners, you have had an opportunity to review those minutes, what is the will of the Board?"

MOTION

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Commissioner Norton moved to approve the Regular Meeting minutes of November 26th, 2008; December 3rd, 2008; and December 10th, 2008.

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, "Next item."

PLANNING DEPARTMENT

- A. ZON2008-00058 – COUNTY ZONE CHANGE FROM RR RURAL RESIDENTIAL (“RR”) TO U UNIVERSITY (“U”) FOR A FIELD STATION FACILITY FOR EXISTING EDUCATION AND RESEARCH ACTIVITIES; GENERALLY LOCATED NORTH AND EAST OF THE INTERSECTION OF SOUTH 295TH STREET WEST AND WEST 87TH STREET SOUTH (DISTRICT 3).**

Mr. John Schlegel, Planning Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "This first case the applicant and the owner of this 20 acre parcel is the Wichita State University Foundation. You can see on the zoning map that is before you now that the property is currently zoned RR Rural Residential and they are seeking to have it redesignated as University or U zoning so that they can build a field station facility on the site and this is in support of their Biological Sciences Department’s existing education and research activities on this land. They have been at this site since 1983, it is part of a larger track of 195 acres of former farm land that they have converted back to native prairie species and they operate this site as the Ninnescah experimental tract. The field station facility that they want to build on this site will be used for research and education purposes, laboratory facilities for scientific study. Again, as you can see from the zoning map all the surrounding area is currently zoned RR Residential and you can see from the aerial photo the surrounding land uses; this 20 acre parcel is part of a larger tract that they own to the north and west and the predominant land use within the vicinity of this parcel is, as you can see from the aerial, agricultural. There is a farmstead immediately off to the southwest of this

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site and then another one a little further to the east along 87th Street.

The MAPC heard this item at its meeting on November 20th and the application request was recommended for approval by an 8-0 vote. There was no one there to testify either for or against that and we have not heard any opposition or support one way or the other on this application so without the recommendation of the MAPC is for approval of this request.”

Chairman Winters said, “Alright, thank you John. John, do you have any photographs of this area, did you send anybody out there?”

Mr. Schlegel said, “Yes. This is looking directly north from 87th Street onto the site and you can see the prairie grass and the tree line for the river in the background. Another shot off to the northeast from the road. This is looking to the east; on the left-hand side is the application area. These are some of the current facilities on the site, off on the left-hand side and off in the distance you can see one of the nearby homes. This is looking west. That is the nearest home that you see off in the distance there. And then again another shot looking west along 87th.”

Chairman Winters said, “Ok, now could you go back to that aerial. Yep, no, the next one, go one, yeah right there. Alright, this is not the official hearing for this, that has taken place before the Metropolitan Area Planning Commission but it is our custom to listen to any citizens who may have comments about County zone changes. Is there anyone here in the audience who would like to speak to the Commission about this case? Is there anyone here in the audience? Yes, please come forward. Give your name and address for the record.”

Mr. John Gist, Director, Facilities Planning-Wichita State University, greeted the Commissioners and said, “Only here not to lengthen your meeting but to answer any questions if you have any.”

Chairman Winters said, “Alright, well then you very much John we appreciate your attendance today. Is there anyone else here who wishes to speak on this? Alright, we will limit the discussion to the Commissioners and staff. Commissioners, just a brief point of privilege for myself, this quarter section of land was the quarter section of land that my mother grew up on as a child, was born in 1917, and their homestead, this piece of property that is being zone changed is on the southeast corner. Their homestead was on the northwest corner right up next to the Ninnescah River and you can see that creek that crosses the road about a half a mile north of the river. They would get trapped between that creek and the river when it flooded so eventually they moved the house two miles straight south of that location and that is where they then had their homestead because of the flooding of the Ninnescah River but my grandfather, Martin, mowed that quarter section of land years ago so that is one of the reasons I wanted to kind of take a look at those pictures just to remember part of that and then the farmstead on the right is where my sister-in-law

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lives today. Commissioner Norton?”

Commissioner Norton said, “John, is there anything that might happen on this property that would keep it from reverting back to farmland later if it’s abandoned for that usage? There is nothing that...”

Mr. Schlegel said, “Not to my knowledge. I mean they are going to be constructing things on...”

Commissioner Norton said, “Facilities but other than that there is not...”

Mr. Schlegel said, “No.”

Commissioner Norton said, “Ok. Mr. Chairman, do you have other questions?”

Chairman Winters said, “Nope. I don’t have any other questions or comments.”

MOTION

Commissioner Norton moved to adopt the findings of the Metropolitan Area Planning Commission; approve the zone change to U University; and authorize the Chairman to sign the resolution.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “And John we appreciate your attendance at our meeting this morning in case we would have had any tough questions. Thank you. Madame Clerk, call the next item.”

B. ZON2008-00059 – COUNTY ZONE CHANGE FROM RR RURAL RESIDENTIAL (“RR”) TO MF-18 MULTI-FAMILY RESIDENTIAL (“MF-18”) AND LC LIMITED COMMERCIAL (“LC”); AND CUP2008-00043, THE CREATION OF DP-316 THE

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NORTH GREENWICH COMMUNITY UNITED PLAN; GENERALLY LOCATED EAST OF GREENWICH ROAD, APPROXIMATELY ¼ MILE NORTH OF 29TH STREET NORTH. (DISTRICT 1).

Mr. Schlegel said, “In this case the applicant is seeking to create the North Greenwich Development Community Unit Plan on this site of approximately, just a little over 30 acres in size. They are also at the same time seeking rezoning of the property to the configuration that is shown on the aerial that is before you now. To be configured into two parcels, about 15 acres each, with the parcel fronting directly on Greenwich being rezoned to Limited Commercial and the parcel to the east or to the rear of this property away from the road frontage being rezoned to MF-18. This is another configuration just to show you what they have in mind, the 20 acre or the 30 acre parcel is this piece down in the lower left-hand corner. The Limited Commercial piece would be this directly along Greenwich Road with MF-18 type of development shown here. This is just the conceptual plan at this point and how they want to integrate it into a longer term plan with single family residential development on a larger parcel surrounding this 30 acre tract. Going back to the zoning map, you can see it is currently zoned RR Rural Residential with SF-20 zoning across the street, across Greenwich Road from this parcel with a number of the properties off to the south along Greenwich and along 29th Street already zoned for Limited Industrial so it is a mixed area with predominantly still in agricultural use with one single family home, if I can get this arrow going, just immediately to the south. I will show you a picture of that home. That is a shot of the application site looking to the east off of Greenwich, looking north on Greenwich, shot to the south and then this is the single family home that is immediately to the south of this application area. The Metropolitan Area Planning Commission heard the request at its meeting on November 20th. No one was there to present any comments on the request, either for or against and we have not heard any appeals or protest to the MAPC’s action and that action was to recommend approval of the request, subject to platting, within one year and the conditions that are listed out in the agenda backup report. And with that then I will be glad to take any questions.”

Chairman Winters said, “Alright, thank you John. Again, it is our custom to take comments from the public. Is there anyone from the public who wishes to address the Commission on this item? Is there anyone who wishes to speak to the Commission concerning this agenda item? Alright, seeing no one, Commissioner Norton?”

Commissioner Norton said, “John, explain what MF-18 does and what the limitations are for that.”
Mr. Schlegel said, “MF-18 is Multi-Family, up to 18 units, although in practicality you can get up to 20 units to the acre when you actually apply the zoning regulations. They have stipulated in their CUP not to exceed eight dwelling units per acre as part of this request.”

Commissioner Norton said, “Does that equate to duplexes, triplexes...”

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Mr. Schlegel said, “Oh it could be any number of different types of housing units, all those that you mentioned, it could be an apartment building but what they are showing on their site plan appears to be more along the lines of duplexes. I mean they are not proposing anything specific at this point. What they are trying to do is just show conceptually what they possibly could build in the future.”

Commissioner Norton said, “And that is untypical to be kind of the buffering between commercial and a big residential development, is that correct?”

Mr. Schlegel said, “Yes that would be a very typical type of buffer.”

Commissioner Norton said, “Ok, that is all I have.”

Chairman Winters said, “Thank you. Commissioner Unruh?”

Commissioner Unruh said, “Thank you Mr. Chair. Well, this is in District One and I have not heard any comment from either applicant or from anyone protesting and it appears to me that this is a very appropriate and progressive use of that area of Sedgwick County. It is a high growth area for both residential and mixed use so I am going to be supportive of it and Mr. Chairman if there is no more questions, if you are ready for a motion...”

Chairman Winters said, “We are ready for a motion.”

MOTION

Commissioner Unruh moved to adopt the findings of the Metropolitan Area Planning Commission; approve the zone change to MF-18 Multi Family Residential and LC Limited Commercial, and CUP 2008-00043; subject to platting within one year; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “Thank you very much John.”

Mr. Schlegel said, “You are welcome. Have a Happy New Year.”

Chairman Winters said, “Happy New Year to you. Next item.”

NEW BUSINESS

C. AMEND THE 2008 CIP TO ADJUST THE SCOPE OF RENOVATE FIRE SUPPRESSION SPRINKLER SYSTEM, ADULT DETENTION FACILITY.

Mr. Pete Giroux, Principal Analyst, Division of Finance, greeted the Commissioners and said, “I apologize for my voice. We think it will last through here. If not, I will call Steve up to the podium. He is very familiar with the issues. In 2005 the number of leaks in the older south half of the Adult Detention Facility was growing and it needed a solution. The sprinkler system had been inspected and actually the south half was built and completed in 1988, the newer north section was completed in 1998. When they took the piping apart they found corrosion and also biological growth so after talking to a series of experts they finally contracted with a fire sprinkler expert and he found that there was microbial influenced corrosion in the system and of course that had the possibility of rendering the system ineffective, which is unacceptable. His recommendation, as you might expect, would be to replace the system and install a MIC treatment system and given how the system is installed in the facility that could be quite a challenge. As an alternative, facility staff developed and tested a procedure to flush the pipes and convert the sprinkler system to the wet system and those tests proved effective and a project was developed to put out for bid and here are the objectives that were outlined in the project. Conversion to a wet system, installation of the MIC treatment system, removal of any corrosion and replacement of any of the damaged piping. We are now to the point where that project is complete. It came in happily well below budget.

Based on their experience, Facilities is recommending that we perform similar actions on the north side of the facility. The conditions are much less worse but they think it is an appropriate measure to deal with the issue. We have \$193,000 left in the project and they estimate the cost of doing the north side is going to be substantially less, at about \$70,000. The north side system is smaller, the pipe diameter is smaller, the repairs are expected to be less extensive and they have tested throughout the system and it appears that none of the pipes need to be replaced and again the corrosion is much less extensive. The CIP committee reviewed it and together with staff I recommend approval of the extension of SCOPE. Any questions?”

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Chairman Winters said, “Well, I guess, Pete, remind me why you are here. It looks to me like this is a sprinkler system project and you still have money that we haven’t spent.”

Mr. Giroux said, “That is right. The original scope was limited to the south side of the facility and we have expanded that scope and so we...”

Chairman Winters said, “Ok so our action really is just to adjust the scope of the project?”

Mr. Giroux said, “Yes sir.”

Chairman Winters said, “But there are funds available to do the project?”

Mr. Giroux said, “Yes sir.”

Chairman Winters said, “Ok, Commissioner Parks has a question.”

Commissioner Parks said, “We are just encumbering this money today to be able to put that on that project or is this just a...”

Mr. Giroux said, “The funds are still available in the project. They will have to, Facilities staff, will have to go out and bid this section is my understanding.”

Commissioner Parks said, “I see. Now the new system will be able to be flushed or there will be improvements on there so MIC won’t come back? I am vaguely familiar with this from another building that I was in charge of also.”

Mr. Steve Claassen, Facilities Director, Division of Information and Operations, greeted the Commissioners and said, “The north side is new enough to where the flushing is not going to be need to be in the same scope that it was on the older portion of the building because it just hasn’t had as much time for that oxygen and the biological activity to have taken place. There will be a limited amount of flushing. The main thing is we are going to be moving it from a dry system, where the pipes were empty waiting for an alarm in which case they would be flooded. This will change it over to where water is in the pipes all the time and it doesn’t allow that biological growth to occur like it did on the older portion of the jail.”

Commissioner Parks said, “Ok, thank you.”

Chairman Winters said, “Alright, thank you. Commissioners, other questions or comments?”

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Commissioner Norton?"

Commissioner Norton said, "Pete, Steve, are there any liability issues because now you have a charged wet system that a sprinkler head can get knocked off and you know it changes the dynamics. A dry system doesn't generally have that problem, a wet system does."

Mr. Claassen said, "We have talked to the jail staff about that. It is not a liability issue; it is liability in so far as potential damage that would occur but the jail is masonry and concrete primarily so the Sheriff's staff doesn't believe that that is an exposure that is too great."

Commissioner Norton said, "I know you would worry about that if you had drywall and other fine furniture and other things in there because a dry system protects that a little bit better from liability so, ok, not a problem. Thanks. That is all I have."

Chairman Winters said, "Alright, are there other questions or comments?"

MOTION

Commissioner Norton moved to approve the amendment to the CIP.

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

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

D. CHANGE OF STAFFING TABLE.

Ms. Diane M. Gage, Director, Emergency Communications, greeted the Commissioners and said, "I have a request to change one full time position to three part time positions. We currently have the three part time positions in place on a temporary basis in '08 and we would like to change that to a permanent staffing change for '09. The cost is almost equal, there is like a \$248 difference

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which I think I can manage between one full time and the three part timers. The three part timers are giving us anywhere from 48 to 60 hours a week so we are getting that for the price of a 40 hour week and I would be happy to answer any questions.”

Chairman Winters said, “Alright, thank you. Are there questions of Diane? Commissioner Parks?”

Commissioner Parks said, “Do the part time have all the credentials that the full time do?”

Ms. Gage said, “Yes. The part timers that we have right now are former Dispatcher II’s that have gone to other career choices but are using us as a part time way to supplement their income so we are getting a lot of experience for quite a bit less money.”

Commissioner Parks said, “Ok. I am going to be supportive of this and if there are no other questions I would make a motion.”

Chairman Winters said, “There are no other questions. We are ready for a motion.”

MOTION

Commissioner Parks moved to approve the staffing table change.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “Thank you Diane. Next item.”

E. LEASE AGREEMENT WITH CO-CO PROPERTIES, L.L.C. FOR SPACE USED BY THE APPRAISER’S OFFICE AT 4035 E. HARRY, WICHITA, KS.

Ms. Rita Rippee, Deputy County Appraiser, greeted the Commissioners and said, “What we have before you is basically the lease for consolidation of our 4035 space and the space at 434 N. Market

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into one location at 4035 E. Harry. We hopefully will have this done by May 15th and then at the end of 2009 we will close the 940 N. Tyler office and consolidate at the 4035 E. Harry location as well. In order to do this we are going to hopefully see efficiency and better utilization of staff and projects throughout the year. We will maintain two employees here at the Courthouse so that they will be here to serve the public when needed or as needed. If there are any questions I would be glad to take them.”

Chairman Winters said, “Alright, thank you Rita. I know that we have had numerous discussions about this over the past several months so I think most of us are somewhat familiar with this project but we do have some questions. Commissioner Norton?”

Commissioner Norton said, “I know Mike Borchard is not here today...”

Ms. Rippee said, “Yes, Mike is not here.”

Commissioner Norton said, “And he has worked really hard on this as all the staff has. Rita, walk through just briefly kind of the thought process that this didn’t just happen, we went and looked at one property and that was the end of it, kind of walk us through the process that the Appraiser’s office went through to find this location because you look at others, you have done your due diligence.”

Ms. Rippee said, “Right, for about the last year and a half the Appraiser’s office has been in search of a location big enough to accommodate all of our staff. We have looked at several closed down grocery stores, looked at the renovation that was necessary to make it a workable space for us and our employees, we looked at spaces at Twin Lakes and other shopping malls. The space at Harry Street is the right size. The owner is building to suit. It is very accessible to the public off of I-135. You know a lot of people don’t like the downtown core area, they want to fight the traffic, the parking so this is easily accessible to citizens throughout the County.”

Commissioner Norton said, “How long is the lease?”

Ms. Rippee said, “This is a five year lease.”

Commissioner Norton said, “Ok, so at that point, depending on what happens at the Courthouse and with other functions and everything we have got a time period that we can look at that is reasonable to figure out other things that we might want to do in five years and I say that, this really isn’t appraisal related but I think we know that we picked up two more Judges’ chambers this year that we had to accommodate in the Courthouse, which continues to change the dynamics of the Courthouse as we try to find space for expanded Judge’s courtrooms, other services, the DA; the Commission, not today, is going to be faced with looking at facilities in the next five to ten years

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and this movement kind of starts that to get the Appraiser all under one roof, which is something we wanted, but also to get you off the second floor, which is needed for movement in the Courthouse for Judges' offices so it is a pretty complex thing. I think this is a good solution. It gives us five years, it gets the Appraiser what he wanted, which is all of his people under one roof and putting all the technology that your new canvas system coming on board, all that technology under one roof and easier management and a one stop shop for everybody in the County to come to with better parking, a lot of access and more space so there is a lot of dialogue that is going to be had past this and I wanted to be sure that the public knew that this wasn't a knee jerk reaction. We have been talking about it for a long time and now we are moving forward on other conversations about the Courthouse and these facilities. That is all I have Mr. Chair."

Chairman Winters said, "Thank you very much. Commissioner Parks?"

Commissioner Parks said, "Well, as many know I didn't support a lot of moves in the Courthouse, however, looking forward and moving on I have been contacted by several people that are concerned about the location. Of course, my district being, going clear up to the north county line and what not, however, I have smoothed some of that over by telling them that we do have adequate parking and that has seemed to offset some of those concerns about the other and the access with the Interstate, the Interstate does get it down there and like Commissioner Norton said, we haven't just had a knee jerk reaction on this. We looked a lot of places. I actually went out in the field and looked at places. This facility is cost effective and that in saying that I am going to be supportive of this."

Ms. Rippee said, "Ok, thank you."

Chairman Winters said, "Alright, Commissioner Unruh?"

Commissioner Unruh said, "Well, I am going to be supportive of this also. I think that the Appraiser's staff and our Facilities Department have done extra work at trying to make sure that everyone was agreeable that this is a good solution for our space planning needs. It is not something that we just thought one day well let's see how we can go out and rent some new space. I mean, this is something that was imposed upon us by the need for new courtroom space so as that need occurred and was imposed upon us I think this is a good solution to get the Appraiser's office under one roof, with parking, with accessibility and we have gone through all the steps of analyzing the cost of living and analyzing the ongoing cost and got everybody to sign off of on that and with a six month out clause if we need to make a change is a reasonable agreement so the cost of renovation of the building to suit our needs is being paid for..."

Ms. Rippee said, "By the landlord, yes."

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Commissioner Unruh said, "By the owner of the property so we are not putting a whole lot of money into that. It is just rolled into our square footage cost so all in all I think this has gone through a very long, detailed process and I will be approving of it. I think it is a good move for our Appraiser's office."

Chairman Winters said, "Alright, thank you Commissioner. Commissioner Parks?"

Commissioner Parks said, "I just had one...if you could elaborate a little bit on the two people from the Appraiser's office that will still be in the Courthouse and where they will be in their accessibility and what their jobs are going to be."

Ms. Rippee said, "Currently we have one Appraiser's office employee that is located in the County Commissioner's [sic Treasurer's] office on the first floor at the one stop shop there and our intention is to add a second person and so both of those members of the Appraiser's staff will be on the first floor in the Treasurer's office to assist property owners with any questions about tag tax, corrections of errors, hearing results, anything that they may need."

Commissioner Parks said, "Now are you planning the appeal process. I know some people have appealed and been over to the 4-H Building. Is that some place that is still going to be used or are you just going to use exclusively this location for the appeals?"

Ms. Rippee said, "For the tax appeals?"

Commissioner Parks said, "Tax appeals."

Ms. Rippee said, "Informal value notices that go out in March, those hearings will be held this year at 434 and at the 940 office. Now next year in 2009, well I guess that would be 2009, in 2010 we would start having all of the informal hearings and the payment under protest hearings at the East Harry location. However, the small claims hearings, citizens aren't satisfied with the local decisions, they can move onto the small claims level of hearings and those hearings would be located at the Extension Center as they have been."

Commissioner Parks said, "Great. Thank you."

Chairman Winters said, "Alright, Commissioners are there other questions or comments?"

MOTION

Commissioner Norton moved to approve the lease agreement.

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Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “Rita we certainly want to thank our Appraiser Mike Borchard for his work but we also all the staff. I know that a number of staff people have spent significant time on this and the Appraiser’s office and so we certainly express our appreciation to all of our Appraiser staff who have worked on this project.”

Ms. Rippee said, “Thank you.”

Chairman Winters said, “Alright, Madame Clerk, call the next item.”

F. APPROVE THE AGREEMENT BETWEEN THE NATIONAL ASSOCIATION OF CITY AND COUNTY HEALTH OFFICIALS (NACCHO) AND THE SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS/HEALTH DEPARTMENT TO PROVIDE FLUMIST FREE OF CHARGE.

Ms. Claudia Blackburn, Director, Sedgwick County Health Department, greeted the Commissioners and said, “Before you is an agreement with the National Association of City and County Officials for 400 doses of free Flumist and if you agree to this then we will receive this vaccine in the next couple of weeks and we will administer it free of charge to the public, first come first serve. It is a live vaccine that is weakened so you can’t get the flu from this vaccine and it is for people that are 2-49 years of age that don’t have any contraindications and we currently provide injectable flu vaccines for \$30 a dose to adults and \$15 a dose to children under the age of nine. We have not provided Flumist because it cost about twice as much as the injectable vaccine for us to purchase but we will survey the people that we give it to when we receive it and administer it to find out whether or not they would be willing to buy it, pay for it, what they would be willing to pay so we can make a determination about whether to carry it in the future or not. The flu level, the flu activity in town is really low now. There is still plenty of time to get a flu shot. We have about 300 doses of injectable left. We will have this additional 400 to make available to the public so really

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encouraging the public to still get a flu shot or the Flumist when it comes in if you approve this before flu activity really ramps up. I recommend that you approve this agreement and authorize the Chair to sign and if you have any questions I would be happy to answer those questions.”

Chairman Winters said, “Alright, thank you. Commissioners, are there questions of Claudia?”

MOTION

Commissioner Norton moved to approve and authorize the Chair to sign the agreement.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “Thank you Claudia.”

Ms. Blackburn said, “Thank you.”

Chairman Winters said, “Next item.”

G. AGREEMENT WITH SUMNER MENTAL HEALTH CENTER FOR COMCARE TO PROVIDE AFTER HOURS MENTAL HEALTH EMERGENCY SERVICES.

Ms. Marilyn Cook, LSCSW, Executive Director, COMCARE, greeted the Commissioners and said, “This is a renewal of an agreement that we have Sumner Community Mental Health Center in Wellington, KS. We provide after hours coverage that includes phone and face to face counseling for their residents that call in, consultation with their professional staff and referral to resources in Sumner County when that is called for. In 2008, our Crisis Program took a total of 1,305 calls from Sumner County residents, so a little over a 100 a month. One of the calls was from a single mom

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that calls from time to time. She has a young son that she is dealing with and they get into difficulties in their relationship from time to time and she will call in and use the Crisis line as a way to calm herself and her son and she said in a very brief time it has made a difference for them. We have also, through that line, helped a Sumner County resident who left the State hospital after hours, which is unusual, and left there without his medications. When he called in very worried about being rehospitalized the Crisis staff contacted the on-call folks at Sumner County so if we get into a jam they do have staff that we connect with and we made sure that that resident got the medications he needed and didn't get rehospitalized so it is working out very, very well for us. We are recommending that you approve the agreement and sign the agreement."

Chairman Winters said, "Alright, thank you Marilyn. Are there questions? Commissioner Parks?"

Commissioner Parks said, "As I have with all of these contracts without of County I am going to ask do you feel like the facts bear out that the benefit hour that we are paying our employees are being covered by the costs that we are charging Sumner County?"

Ms. Cook said, "We are making a little bit of profit on this so yes. Although, I will say that we intend to look at all of this with new cost figures for 2009, all of our contracts for this because we are doing after hour services for a number of counties at this point."

Commissioner Parks said, "Thank you."

Ms. Cook said, "You are welcome."

Chairman Winters said, "Alright, any other questions or comments? Seeing none, we are ready for a motion."

MOTION

Commissioner Norton moved to approve the agreement and authorize the Chair to sign.

Commissioner Unruh 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 Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, "Thank you Marilyn. Madame Clerk, would you call Item H."

H. ADOPT A RESOLUTION AUTHORIZING THE PURCHASE AND/OR REDEMPTION OF BONDS AND THE CORRESPONDING SALE OF MORTGAGE-BACKED CERTIFICATES AND OTHER ASSETS UNDER THE RELATED INDENTURES, RELATING TO OUTSTANDING SINGLE FAMILY MORTGAGE REVENUE BONDS (SFMRB) OF SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS, 2006 SERIES A, 2006 SERIES B AND 2007 SERIES A; AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF FIRST SUPPLEMENTAL INDENTURES AND ALL DOCUMENTS AND ITEMS RELATING TO THE PURCHASE OR REDEMPTION OF SUCH BONDS AND THE SALE OF RELATED ASSETS; AND AUTHORIZING THE OFFICERS, EMPLOYEES AND REPRESENTATIVES OF SEDGWICK COUNTY, KANSAS, TO DO AND PERFORM ALL THINGS NECESSARY, APPROPRIATE AND INCIDENTAL THERETO UNDER THE AUTHORITY OF THE ACT.

Chairman Winters said, "A long introduction."

Ms. Dorsha Kirksey, Director, Housing Department, greeted the Commissioners and said, "The Housing Department in consultation with our Bond Counsel, Financial Advisors and the Sedgwick County Finance Department have determined that current market conditions may prevent the redemption of purchase of one or more outstanding series of mortgage revenue bonds at purchase prices that would result in a savings to the issuers which are Sedgwick and Shawnee County. The resolution before you would authorize the purchase and/or redemption of those bonds and all other transactions, all other actions related to those transactions. We recommend that you adopt the resolution and authorize the Chair and Commissioners to sign and I would be happy to answer any questions you may have at this time."

Chairman Winters said, "Alright, thank you. Commissioners, are their questions or comments? Commissioner Norton?"

Commissioner Norton said, "I just ask Mr. Euson that this has been looked over and final documents and it appears to be in line?"

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Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Yes sir, we have approved the resolution and it is appropriate and in proper form.”

Commissioner Norton said, “Ok, that is all I have Mr. Chair.”

Chairman Winters said, “Alright, thank you. Are there other questions? Commissioner Unruh?”

Commissioner Unruh said, “Thank you Mr. Chairman. We administrate this program in partnership with Shawnee County?”

Ms. Kirksey said, “Yes.”

Commissioner Unruh said, “And they already approved this procedure?”

Ms. Kirksey said, “Yes they have.”

Commissioner Unruh said, “Ok, and this as a net effect of saving money or earning money, whichever way you look at it I guess as we complete the transaction?”

Ms. Kirksey said, “That is correct.”

Commissioner Unruh said, “Ok, that is all I had Mr. Chair.”

Chairman Winters said, “Alright, thank you. Are there any other questions or comments?”

MOTION

Commissioner Norton moved to adopt the resolution and authorize the Chairman and Commissioners to sign the resolution.

Commissioner Unruh 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 Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Ms. Kirksey said, "Thank you."

Chairman Winters said, "Thank you very much Dorsha. Next item."

I. PUBLIC WORKS

- 1. APPROVAL OF THE "AUTHORITY TO AWARD CONTRACT COMMITMENT OF COUNTY FUNDS" WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR SEDGWICK COUNTY PROJECT 839-P-4500; BRIDGE ON 143RD STREET EAST OVER THE KANSAS TURNPIKE. CIP# B-444. DISTRICT 1.**

Mr. James Weber, P.E., Deputy Director, Public Works, greeted the Commissioners and said, "In Item I-1 we request your approval of the authority to award contract and commitment of County funds, Form 1309, with the Kansas Department of Transportation. This will authorize KDOT to move forward with the bridge project on 143rd Street East over the Kansas Turnpike. This project is designated as B-444 in the Capital Improvement Program. The low bidder was King Construction of Hesston, KS at \$3,762,539.42. Sedgwick County's matching share is \$776,000, which represents 20% of the bid amount plus another 10% of the bid amount for KDOT construction engineering. A total payment of \$1,776,000 includes an additional \$1 million that will be returned to the County at the beginning of the 2010 Federal Fiscal year as provided in the Advance Construction Agreement that you approved last month. I would be happy to answer any questions that you might have but we do recommend your approval of the Form 1309 and ask that you authorize the Chairman to sign."

Chairman Winters said, "Alright, thank you. Jim, when does the Federal Fiscal year begin in 2010?"

Mr. Weber said, "October 1, 2009."

Chairman Winters said, "Alright, ok. We do have a question. Commissioner Unruh?"

Commissioner Unruh said, "Thank you Mr. Chairman. Well, I am going to be supportive of this. This bridge has needed some help for quite some time. I remember two to three years..."

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Mr. Weber said, “Three years ago on Christmas Eve.”

Commissioner Unruh said, “On Christmas Eve, we had to close it because it was falling apart or something but anyways I am going to be very supportive of it but I did have a question, is the Kansas Turnpike Authority also partnering with this project?”

Mr. Weber said, “The KTA is providing, I think it is a little over a half a million dollars, it is the equivalent to the amount that would have cost them to redeck the bridge to a two lane deck so they are contributing and I would, I guess, point out for the public’s...for clarification it is the Kansas Turnpike’s bridge that is being replaced. It is not one of ours that started falling apart three years ago but we would like to go ahead and widen it. It will be five lanes, it will tie into the intersection at Central and the left turn bay is really nice and it will be good for the next 50 years. It’s a long term project.”

Commissioner Unruh said, “Ok well thank you and I...not to confuse the matter or anything but I mean we are fixing a bridge because it is for the good of Sedgwick County citizens and this is a way to partner with the Turnpike Authority and KDOT to get this accomplished and improve the traffic flow there with...I mean it is really pretty narrow now and I wouldn’t say it is unsafe particularly but it is not a good bridge.”

Mr. Weber said, “No but the original turnpike bridges, they were done 50 years ago and these were rural areas and these things were narrow two lane bridges, I mean, this won’t be the last one that gets replaced in Sedgwick County in the coming years.”

Commissioner Unruh said, “Well, I am glad we are getting to it. It has taken a long time. We have been talking about it for quite a while so I am going to be very approving of it and so Mr. Chair if there is...”

Chairman Winters said, “There are no other questions at this time.”

MOTION

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

Commissioner Parks 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 Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, "Next item."

2. AGREEMENT BETWEEN SEDGWICK COUNTY, THE KANSAS DEPARTMENT OF TRANSPORTATION, THE CITY OF HAYSVILLE AND THE CITY OF WICHITA FOR CONSTRUCTION OF A PROJECT ON 63RD STREET SOUTH FROM HYDRAULIC TO BROADWAY. CIP# R-302. DISTRICT 2.

Mr. Weber said, "Again in Item I-2, we request approval of an agreement with KDOT, the City of Haysville and City of Wichita for construction of our project on 63rd Street South between Hydraulic and Broadway. This project is shown as R-302 in the Capital Improvement Program. This is a standard agreement with KDOT that will allow the use of federal funds for construction of project, and while the project is actually located in the County, Wichita and Haysville are required to sign the agreement because some of the construction signage will be located within their corporate limits. Again, I recommend that you approve the agreement, authorize the Chairman to sign."

Chairman Winters said, "Alright, thank you. Are there questions of Jim?"

MOTION

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

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “Thank you Jim.”

Mr. Weber said, “Thank you.”

Chairman Winters said, “Next item.”

CONSENT AGENDA

J. CONSENT AGENDA.

- 1. Resolution authorizing the Sedgwick County Manager to approve construction change orders for the National Center for Aviation Training.**
- 2. Resolution stating findings made by the BOCC at the post-annexation hearing (City of Kechi) held on December 17, 2008 – Ordinance Nos. 03-495 and 03-498.**
- 3. One (1) Temporary Construction Easement and one (1) Easement for Right of Way for Sedgwick County Project 799-K-3993; Bridge replacement on 167th St. West between 37th & 45th Streets North. CIP# B-436. District 3.**
- 4. One (1) Temporary Construction Easement for Sedgwick County Project 634-27; widening to 4-lanes on 63rd street south from Hydraulic to Broadway. CIP# R-302. District 2.**
- 5. One (1) Dedication Deed and One (1) Easement for Right of Way for Sedgwick County Project 795- N, O, P, Q; Recondition of 199th St. West between 21st St. North & US-54. CIP# R-267. District 3.**
- 6. One (1) Temporary Construction Easement for Right of Way for Sedgwick County Project 634-32,33,34,35,36; Widen 63rd St. South between Rock Road and the Butler County line. CIP# R-275. District 5.**

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7. **One (1) Temporary Construction Easement for Sedgwick County Project 624-16-1385 replacement on 23rd St. South (Pawnee) between 151st and 167th Streets West. CIP# B-414. District 3.**
8. **One (1) Temporary Construction Easement for a Sedgwick County Maintenance Project at Lake Waltanna. District 3.**
9. **One (1) Temporary Construction Easement and one (1) Easement for Right of Way for Sedgwick County Project 799-K-3993; Bridge replacement on 167th St. West between 37th & 45th Streets North. CIP# B-436. District 3.**
10. **Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V08072	\$299	5	Springcreek Apts.
V08076	\$421	5	Springcreek Apts.
V08079	\$64	5	Hearth Hollow Apts.
V08080	\$378	2	County Walk Apts.
V08083	\$317		Garden Walk Apts.
V08084	\$497	5	Egan Realty
V08088	\$605	4	Country Park Residences
V08089	\$214	3	Sundance Cheney Apts.
V08090	\$193	3	Sundance Cheney Apts.
V08091	\$188		Lawndale Senior Res.
V08092	\$272	5	Springcreek Apts.

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V9515	\$264	\$258
V07107	\$395	\$395
V07099	\$400	\$396
V06099	\$366	\$153
V07101	\$350	\$350
V5096	\$243	\$262

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V070109	\$328	\$326
V20143	\$499	\$506
V94116	\$335	\$333
V07105	\$332	\$314
V07106	\$535	\$445
V05101	\$444	\$672
V07097	\$500	\$500
V06067	\$164	\$165
V06072	\$261	\$339
V07103	\$294	\$165
V07102	\$164	\$153
V05104	\$0	\$0
V97069	\$333	\$331
V010168	\$217	\$213
V05102	\$205	\$250
V08041	\$469	\$700
V06057	\$201	\$192
V07021	\$300	\$360
V04062	\$305	\$99
V08005	\$218	\$530

11. **General Bills Check Register for the week of December 10, 2008 – December 16, 2008.**
12. **General Bills Check Register for the week of December 17, 2008 – December 23, 2008.**
13. **Payroll Check Register for December 12, 2008.**
14. **Order dated December 17, 2008 to correct tax roll for change of assessment.**
15. **Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2008 and prior years have been paid for the following plat:

Flight Safety Second Addition

16. **Plat**

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Approved by Public Works. The County Treasurer has certified that taxes for the year 2008 and prior years have been paid for the following plat:

Piper Lane Addition

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, you have a Consent Agenda before you and I recommend that you approve it but it is apparent that there is need to be some discussion about the first item, the resolution authorizing the Manager to approve construction change orders and if it will please the Commission, this is the same process that we have used for the Arena. You approved authorization for the Manager to approve change orders for the Intrust Bank Arena up to \$2 million. Let me just...this resolution in front of you would give me the same authority except it would limit it to half a million dollars and proportionately that is about the projects are about the same but let me just walk through why I think that is necessary and appropriate.

First of all, we have an onsite Project Manager. The onsite Project Manager will be on your agenda for next week. We are going to get a loaned executive, we call it a loaned executive it is really a rented executive. We will get a Project Manager from Cessna. The downtown arena has a Project Manager from Spirit. These people are experienced with large building construction. We are pretty good at building construction. We bring buildings in on time and on budget but for the large, complicated processes, we think it is important to have an onsite project loaned executive. You and I are often asked to use a business model, to run Sedgwick County like a business. Businesses, when they are constructing these kinds of structures have an onsite construction manager who has authority to make decisions with the approval process so that the project continues to move in a fast, efficient and effective manner and we think this doesn't. But the process is, the Project Manager approves the change order onsite. Could be some moving of dirt, could be moving a wall, could be all sorts of things. The approval is then...has to go through the Assistant County Manager, in this case Charlene Stevens and in her absence, me. It would be through the Department of Finance to Chris Chronis or Troy Bruun and the County Counselor's office so there are four different, internally, there are three different review processes that we try to all do within a 24 hour or less period so the execution of the change order can be done in a timely fashion. After the execution of that change order occurs you are informed. We do that either in writing or in a public meeting but you are informed and so in this fashion we use a business model for this project. In the development of the budget for this project, we have when we received the bids and sold the bonds we included a million and a half dollars for contingency and this gives me the authority to approve up to one third of that. Anything above half a million dollars then would come to you and that is half a million dollars accumulative. So if we have a series of small ones, anything above half a million, but this would allow us to keep the process moving because as we know early on in the process is when the foundations and dirt are being moved is sometimes the most critical. Moving a

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wall later today or next week may or may not be as critical as some of these earlier functions. You may question why we are doing it now, why didn't we do it at the beginning of this process. Well, the beginning of the process, the building for the first phase was about one fourth the size of this building. We felt confident we could handle it, we are confident we could do it and frankly because it didn't strike me until we received the bids for the second phase that we needed this process to move forward and that is why it is in front of you today. If there are any questions I would be happy to try and answer those and there you have it."

Chairman Winters said, "Ok, thank you. Commissioner Parks?"

Commissioner Parks said, "Mr. Buchanan, will you kind of keep us informed on some of the major changes even if they are under \$500,000 and..."

Mr. Buchanan said, "Commissioners, it would be my intent every time we execute a change order is to let you know. We have done that with the arena and we will do that with this."

Commissioner Parks said, "Well as you certainly know, I've received some comment from some contractors on this project about...that there were bidders in the process and once a change order is affected then they said 'well I had that in my bid' so I just want to make sure that we are looking at everything and there are checks and balances on each side of this so thank you."

Chairman Winters said, "Alright, are there any other questions or comments? Any other questions or comments?"

Commissioner Norton said, "I guess Mr. Chair, are we going to take this off, separate this or just keep it right..."

Chairman Winters said, "If somebody wants to take it off we can but I am ready to proceed with the whole list."

Commissioner Norton said, "Ok and I think Manager Buchanan had something else to add."

Mr. Buchanan said, "Commissioner Parks, if that is the case where some contractors really thought that they included an item that we did a change order I would sure like to know about that because that would...that way we would adjust the way we think about bids but in my experience on this project, there were some items that were clearly not, that were missed by the architect, that were not included that would cause us to have some change orders...one including a deduct change order so I would want to pursue that because that bothers me."

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Commissioner Parks said, “Well, in fact, I did have a meeting, a couple of meetings with one of your assistants in your absence on these items. Thank you.”

Chairman Winters said, “Alright, are there any other questions or comments as we discuss the Consent Agenda? If anybody wishes to separate part of it we can but seeing no questions, no lights I would assume we are ready for a motion on the Consent Agenda.”

MOTION

Commissioner Norton moved to approve the Consent Agenda as presented.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “Alright, that brings us to the conclusion of our Regular Agenda. We do have a Fire District Meeting today so before we discuss other business I will...and we do need to have an Executive Session today. I will recess the Regular Meeting of the Board of County Commissioners.”

RECESS TO FIRE: 9:56 a.m. to 9:59 a.m.

Chairman Winters said, “I will call back the Regular Meeting of December 31st. Commissioners, we do need to have an Executive Session but before we do that is there any other business to discuss? Anyone have anything else? Commissioner Unruh?”

K. OTHER

Commissioner Unruh said, “Thank you Mr. Chair. Well, I just want to send a greeting to Register of Deed’s Bill Meek as he is recovering from some surgery. I think he is still in the hospital probably but I just wanted to let him know that we are thinking of him and hope that he has a

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speedy recovery. Secondly, I would want to just kind of let folks know that we are going to put the spire on the arena here next week. I believe that is on the fifth of January and so we are looking forward to that.”

Chairman Winters said, “Sixth, Tuesday.”

Commissioner Unruh said, “I mean on the sixth of January on Tuesday at 1:30 so it is going to be, I think, an exciting event to see this particular phase of the arena’s development and lastly, just want to remind the folks once again that we have the E-Waste collection event out at the Coliseum on January 24th in Pavilion #2 where hopefully folks will be saving up those electronic appliances that they have accumulated and are wanting to find a way to get rid of them and we are going to help them dispose of them in the appropriate manner so that is on the 24th and that is all I have.”

Chairman Winters said, “Alright, thank you. Any other comments? Commissioner Norton?”

Commissioner Norton said, “Well, first, if you need something to do on New Year’s Day Exploration Place has the ability for you to go and take your family and see all the events there for a very, very low cost and you know the Scoop on Poop and the Bodies Exhibit and Chimpanzees is all still there and you can for a very reasonable amount have something to do with your family at Exploration Place so I would urge you if you are looking for something to do to get out of the house that Exploration Place might be the place. I also, last week on the 26th was honored to participate in the ceremony welcoming back Lance Corporal Dean Hughbanks and Corporal Tucker Trump from Afghanistan and Iraq. They are two Haysville young men that were back. The Patriot Guard was out in numbers, around 50 motorcycles with flags, greeting them back into the Haysville community and I was honored to be a part of that ceremony so I wanted to welcome two of our young men back into the community. I know there is many more that serve Sedgwick County but these are two that I am proud to be able to welcome back to one of the communities that I serve and then finally, a blessed and Happy New Year to everyone. Be safe and if you are going to drink any manner tonight, don’t drive. Find somebody to get you home or walk, one or the other so that you have a safe and joyous New Year. That is all I have.”

Chairman Winters said, “Alright, thank you very much. Any other comments? We do need to have an Executive Session to discuss several items so if we could have that motion.”

MOTION

Commissioner Parks moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation and legal advice and

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we will return no sooner than 10:35.

Chairman Winters seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Chairman Winters said, “We are in recess for 30 minutes at least.”

RECESS TO EXECUTIVE SESSION: 10:02 a.m. to 10:49 a.m.

Chairman Winters said, “I will call the December 31st, 2008 meeting of the Board of County Commissioners back to order. We have been in recess in Executive Session so let the record reveal that there was no binding action taken in Executive Session. Mr. Euson, do we have some other business to take care of?”

Mr. Euson said, “Yes Commissioners, while in Executive Session we discussed several cases and I am recommending settlement of them at this time. I will recount those for you and you can take them all in one motion if you wish and certainly that is my recommendation. One of the cases we talked about was a Worker’s Compensation case involving a Zoo employee by the name of Amy Cole. We recommend settlement in that case in the amount of \$27,081.81. We had another worker’s compensation case involving a Corrections employee by the name of Millie Sain-Taylor. In that case we are recommending settlement in the amount of \$25,861.76. We have a third worker’s compensation case involving a COMCARE employee by the name of Clarence Gilbert and in that case we are recommending settlement in the amount of \$75,000.00 and a fourth case that we discussed was a case involving a Joyce Tippin, who was a passenger in an automobile accident and we are recommending settlement in that case in the amount of \$10,000. Those are all of the cases and the recommendations and I would ask that you approve those.”

Chairman Winters said, “Thank you. Commissioners, is there a motion to settle these four cases and the amounts for the individuals as described by Rich?”

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MOTION

Commissioner Parks moved to settle the four cases with the amounts as described by Mr. Rich Euson.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Absent
Chairman Winters	Aye

Mr. Euson said, "Thank you Commissioners."

Chairman Winters said, "Rich, is there anything else?"

Mr. Euson said, "No sir."

Chairman Winters said, "Mr. Buchanan, do you have anything else?"

Mr. Buchanan said, "No sir."

Chairman Winters said, "Again this is the last day of 2008, we wish you all a Happy New Year and this meeting is adjourned."

L. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:51 a.m.

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

KELLY PARKS, Chairman
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

DAVID M. UNRUH, Commissioner
First District

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TIM R. NORTON, Commissioner
Second District

KARL PETERJOHN, Commissioner
Third District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED:

, 2009