

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

### **REGULAR MEETING**

**April 9, 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, April 9, 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; Commissioner Gwen Welshimer; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Ann Swegle, Chief Attorney, District Attorney's Office; Mr. Robert W. Parnacott, Assistant County Counselor; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Amanda Matthews, Communications Coordinator, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Liz McGinness, USD 259.  
Ms. Bev Baalman, Member, Suicide Prevention Task Force.  
Ms. Tracy Rutledge, Volunteer, Wichita Area Sexual Assault Center.  
Ms. Kim Reese, Member, Sedgwick County Suicide Prevention Task Force.  
Ms. Elaine Mitchell, Member, Sedgwick County Suicide Prevention Task Force.  
Ms. Jennifer Dick, Member, Sedgwick County Suicide Prevention Task Force.  
Ms. Donna Walker, Member, Sedgwick County Suicide Prevention Task Force.

### **INVOCATION**

The Invocation was led by Pastor Rick Cline of Central Church of Christ, Wichita.

### **FLAG SALUTE**

**Chairman Winters** said, "Pastor Cline, thank you for being with us and thanks for everything you do in this community. We appreciate it. Madam Clerk, call the next item."

### **ROLL CALL**

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

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**CONSIDERATION OF MINUTES:** Regular Meeting, March 26, 2008

The Clerk reported that all Commissioners were present at the Regular Meeting of March 26, 2008.

**Chairman Winters** said, “Commissioners, you’ve had an opportunity to review those minutes. What’s the will of the board?”

**MOTION**

Commissioner Welshimer moved to approve the Minutes of the Regular Meeting of March 26, 2008.

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	Aye
Chairman Winters	Aye

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

**PROCLAMATION**

**A. PROCLAMATION DECLARING APRIL 13-19, 2008 AS “CRIME VICTIMS’ RIGHTS WEEK.”**

**Chairman Winters** said, “Commissioners, I have a proclamation that I would like to read for your consideration.

**POWERPOINT PRESENTATION**

**WHEREAS,** more than 24 million Americans suffer the impact of crime each year.

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**WHEREAS**, crime victims experience anxiety, insomnia, social dysfunction, lost work hours and productivity, drug and alcohol abuse, and severe depression at much higher rates than the general public; and

**WHEREAS**, crime victims may be forced to take drastic measures to protect themselves, such as relocating, changing their addresses, changing jobs, and obtaining protections orders; and

**WHEREAS**, these individuals deserve to be treated with dignity and respect by our criminal justice system and society at large; and

**WHEREAS**, Sedgwick County recognizes that its response to crime victims plays an important role in their efforts to rebuild their lives.

**NOW THEREFORE BE IT RESOLVED**, that I, Thomas G. Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 13- 19, 2008 as

**‘Crime Victims’ Rights Week’**

in Sedgwick County; and request that we recognize the many individuals who help promote awareness about crime victims’ rights; and especially recognize Tracy Rutledge, a dedicated volunteer from the Wichita Area Sexual Assault Center.

Dated April 9<sup>th</sup>, 2008.

Commissioners, that is the proclamation. What is the will of the board?”

**MOTION**

Commissioner Parks moved to adopt the Proclamation.

Commissioner Norton seconded the motion.

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

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**VOTE**

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

**Chairman Winters** said, “And I believe that Tracy Rutledge is here this morning to accept the proclamation. Welcome and we would certainly like to have you make some remarks.”

**Ms. Tracy Rutledge**, Volunteer, Wichita Area Sexual Assault Center, greeted the Commissioners and said, “This year’s Crime Victim Rights’ Week theme is Justice for Victims, Justice for All. From my perspective, justice begins with a little help and compassion for the victims. These victims may be a very young child, a teenager, an adult or even an elderly person. They may be white, black or of any other background, female or male.

They each deserve justice and justice begins with a helping hand. I’m very grateful for the opportunity to serve others in their moment of need and it’s nice to be honored by this award. The greatest of rewards occurs at some moment at the hospital however, when working with a victim and their family. On behalf of the victims and families that we serve, thank you.”

**Chairman Winters** said, “All right, well I think . . . you have some other folks here. Are these folks with you that are here this morning? If all of you . . . I know that we’ve got a couple of others, and I’d like for those that are here to support this proclamation to please stand up and introduce yourselves. And Ann, if you would come forward too. All right, if you would just introduce yourselves please.”

**Ms. Kim Reese, Ms. Elaine Mitchell, Ms. Jennifer Dick and Donna Walker, supporters of Crime Victims Rights Week, introduced themselves.**

**Chairman Winters** said, “All right, very good. And Ann, introduce yourself.”

**Ms. Ann Swegle**, Chief Attorney, District Attorney’s Office, greeted the Commissioners and said, “I’d like to briefly thank you very much for the proclamation, as well too I’d like to recognize Ms. Rutledge’s husband Jeff, who is also here. He was shyly not standing, but he is obviously here in support of his wife.

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We do thank you for your proclamation. We thank you for the recognition of Tracy. She is a stellar example of the many men and women we have in Sedgwick County who volunteer in the area of victim's services. They give of themselves selflessly. Ms. Rutledge spent many hours training to be a volunteer with the Wichita Area Sexual Assault Center and she spent many hours in service. In less than a year, she assisted 23 victims at local area hospital emergency rooms where they were taken immediately after being the victims of a sexual assault.

She assisted not only these victims but others through the arduous process from the initial aftermath of the crime, through the police investigation, to the prosecution of the offenders and afterwards. The DA's office is extremely appreciative of her service and that of the service of many other volunteers in victims' services. Their comfort, support and provision of resources to these devastated crime victims is of great value, not only to my office and the victims, but to our whole community as well. Thank you for your proclamation, your recognition and thank you so much for your compassionate service."

**Chairman Winters** said, "Well we would like to add to that and thank all of the volunteers who work in this area. Volunteerism is something that is very important to this community and we appreciate everyone's work. And please share with those in the DA's Office that we appreciate your office bringing this to our attention every year, and I think it is important that we continue to think about these issues. Just last week, we had a group here talking about child abuse and we know that the ramifications that that can have on lives and we also know that there can be, just as the proclamation indicated this morning, consequences far beyond the actual crime itself. So thank you all for the work that you do. We appreciate it very much. All right, Madam Clerk would you call the next item please."

### **APPOINTMENT**

#### **B. SEDGWICK COUNTY SUICIDE PREVENTION TASK FORCE.**

**Ms. Liz McGinness**, USD #259, greeted the Commissioners and said, "I'm so excited to be here again this year to talk to you about our suicide prevention efforts with our Sedgwick County Suicide Prevention Task Force. We continue to, I believe, do really wonderful things in this community and not only that, the volunteers that work on our board are truly committed to this issue and bring a sense of energy to it that is just really remarkable. If you ever want to come to a fun board meeting, that discusses a very serious topic, please join us in our board meetings.

We do have some new appointments that we would like to ask the county commission to approve.

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We have Kristen Brown, who is with Veteran Affairs. Kristen has actually been very involved in our Suicide Task Force over the years. She works very much for our party committee, with the Link For Life Race and she's just brought a lot of energy to our task force. Jennifer Elliott with Preferred Health Systems is another individual that we would like to have as a part of our task force, and Cornelius Stevens, who is another person who has already worked quite a bit with our organization or agency in our awareness committee as well. She would be replacing Vicky McArthur. So those are the three names that we would like to bring to you this morning and ask for your approval."

**Chairman Winters** said, "All right, thank you very much, Liz. Commissioners, are there questions about Liz's presentation. Again, I continue to look at this group that's on the board, and it's a very good group of people. I agree with you, that this is good. Commissioners, any comments or questions? I know we're going to talk a little bit more about the Link For Life Run on the next agenda item, but comments now or do we have a motion to approve this task force."

**MOTION**

Commissioner Unruh moved to approve the Task Force as presented.

Commissioner Welshimer 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	Aye
Chairman Winters	Aye

**Chairman Winters** said, "And Liz, be sure and, again express the appreciation of the commission to your board and on behalf of the commissioners, welcome the new members as they begin their work. And now, please stay around for our next presentation."

**Ms. McGuiness** said, "Super, I will do that, and thank you commissioners, for all the support you've given us as an organization. We really appreciate it. Thank you."

**Chairman Winters** said, "All right, thanks. Next item."

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### PRESENTATION

#### C. FIFTH ANNUAL "LINK 4 LIFE RUN."

### POWERPOINT PRESENTATION

**Ms. Bev Baalman**, Suicide Prevention Task Force Member, greeted the Commissioners and said, "Well, you all know what's coming up. It is the fifth annual Link For Life Run, for suicide prevention, this Saturday, April 12<sup>th</sup>, at the Sedgwick County Zoo. And I'm going to have Debbie Donaldson give you your t-shirts now. And if you're wondering, when you get your t-shirts, what's taped to them is a removable tattoo. And I know some of you commissioners are going to be out at the zoo that day. I hope that you will take a little time and place that little tattoo on your hand or check or wherever they wear them these days, okay. Make them seen, okay."

Well, it is this Saturday and we start out at 7:45 with a 5-K run and at 8:30 we continue on with special distances for kids ages as young as three on up to 18. Three with a run, walk and crawl which sounds like something I would fit into at my age, as well as on up to an 18 year old who could run a one-mile. And then for folks who don't want to be competitive and would rather walk, . . . thank you Amanda, we have a zoo tour walk that takes off at 10:00. Once everybody gets through the finish line, there's a huge party going on under the pavilion.

The zoo is such a wonderful place to have an event, and whenever can you ever have an opportunity to eat pizza at 9:00 in the morning, drink Pepsi, eat donuts, drink Starbuck's coffee. It's all going to be there, Papa John's has always been a huge sponsor for us throughout the five years that we've had this run. And then, once it's all over, there are exhibitors there as well. So, and again, we want to thank the volunteers. In this community there are so many wonderful volunteers that help out on many events in our area and it takes about 150 volunteers to pull this run off."

**Chairman Winters** said, "All right, thank you very much Liz [sic]. We look forward to it. Is there again a phone number that you could give again if anybody wants more information about participating."

**Ms. Baalman** said, "I would love to. First off, if you want to register you can register through Friday at First Gear, which is at 111 North Mosley. You can also go on Active.com and to on-line registration. Or you can call me, Bev, at 660-7652."

**Chairman Winters** said, "All right, well I tell you, it a fun day and a fun event, begins at 6 . . . or 7:45."

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**Ms. Baalman** said, “7:45, registrations that day start at 7.”

**Chairman Winters** said, “Okay, so you could register even that day. But the first race takes a bit of time.”

**Ms. Baalman** said, “45 minute time limit on 5-K, which is about three miles.”

**Chairman Winters** said, “So after that first race starts, it takes a bit of time, but after that first race, it’s just non-stop racing and fun. It goes quick, it goes fast, lots of people, lots of kids, lot of families. If you’re just looking for a good way to spend a Saturday morning that’s a terrific event to attend. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you Mr. Chair. Well I just want to throw my voice in, saying how much fun it is. We’ve been out there the last four years and it’s a good way to spend Saturday morning, a lot of folks. It continues to grow. I mean, more and more people are coming each year it seems like.

And not only is it a lot of fun, and people enjoy themselves with some of the food that you described, but it also serves the purpose of the task force and that is to increase awareness of suicide in our community and that it is a serious problem. And one of the best ways to combat it is just with awareness, sensitivity to some of those issues, not being afraid to talk about it, being able to face it, and look for help when it’s needed. It doesn’t do any good to take this issue and be quiet about it or try to hide it. It has to be exposed. So, this is one fun way to get that message across, so I’m looking forward to being there and I want to appreciate your work on it, Bev. It’s got to be a lot of work to get this organized and the task force for getting behind it and thinking of a good idea to get our community involved, so I’m looking forward to Saturday morning.”

**Ms. Baalman** said, “Thank you commissioner, you’re right, absolutely right. Suicide is a difficult topic for many people to talk about. And when you can bring that to the zoo, in a fun environment, a healthy activity, and provide some awareness and education at the same time, you will have people leave there and at least go out with a little more than they had when they came in. And you, commissioners, are wonderful because you start all of our runs. In fact, you could do this presentation, you’ve been out there all of our years that we’ve done it. But it is, you’re absolutely right and thank you for that.”

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

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**Commissioner Norton** said, “Well some years, instead of starting the races, I may try to participate and this ‘run, walk and crawl’, is that all together? Because I think I could do that, because if I start running, I’ll end up walking and eventually I’ll be crawling.”

**Ms. Baalman** said, “And you know, we have a medical crew out there for skinned knees and elbows.”

**Commissioner Norton** said, “Well it is a great event and you know, I think we have to understand that out in our community there are a lot of people suffering. They have depression, their lives for whatever reason, have brought them to a place where they’re seeking alternatives. And we know those people, they’re among us, they walk among us every day and to be aware that people are suffering, to see the danger signs, to understand that sometimes just a kind word or understanding to connect them to services makes all the difference in the world. And it’s people in our families, it’s people next door, it’s people we see every day and more that we can do to make our community aware of that issue, to make the stigma go away is powerful and this is a good way to do that. I mean, it is a very inviting way to get people to talk about a very complex, complicated, hurtful issue in our community and certainly I applaud everybody that works hard to put this together, because it does manifest itself in a great way.

And some of the outreaches that go along with this, you know handing out the cards at the Quik Trips around have made all the difference in the world. So continue the good work and I’ll be there. I won’t be long because I’ve got to go to a ATC graduation for the aviation center that morning too, because I’ve made it a point to make it to all of those. So I will be there early, won’t be there the whole time.”

**Ms. Baalman** said, “Just glad to have you.”

**Chairman Winters** said, “Thank you Commissioner Norton. Commissioner Parks.”

**Commissioner Parks** said, “I will be there also and I just wanted to add that yesterday we were presented, by the CIT team, the Crisis Intervention Team, and I’m sure that they will be working hand in hand with the suicide prevention. And I’ve seen these in other counties work and I really think that they’re going to do some good things for the community. Thank you.”

**Ms. Baalman** said, “Thank you commissioner. We’re glad you’re going to be out there on Saturday morning.”

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**Chairman Winters** said, “Thank you commissioner. All right, well we would again encourage anyone who is listening that this Link For Life Run is April the 12<sup>th</sup>, Saturday morning. The long run begins at 7:45.”

**Ms. Baalman** said, “Excellent. Thank you very much.”

**Chairman Winters** said, “Well see you there, Bev, thank you. Commissioners, I don’t believe we need any action here. Madam Clerk, would you call the next item.”

### **PLANNING DEPARTMENT**

#### **DEFERRED ITEM**

- D. MAPD CASE NUMBER DR2007-05 – PROPOSED AMENDMENTS TO THE UNIFIED ZONING CODE PERTAINING TO THE REGULATION OF WIRELESS COMMUNICATION FACILITIES.**

#### **POWERPOINT PRESENTATION**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “You’ll recall that this item was deferred from your meeting last week. We had a few issues regarding a map that I’ll be presenting to you as part of the amendments that are before you today to work out with the Wichita City Council.

Just real briefly, some background on why these proposed amendments are before you today. You may recall, some of you may recall that back in 2000 the City of Wichita and Sedgwick County worked together to create a wireless communications master plan and many of the recommendations of that master plan were then incorporated into the Unified Zoning Code.

Since 2000, especially within the City of Wichita, there have been a number of controversial tower requests that generated over the years a lot of dialogue between the staff and the city council on how those tower requests should be handled. It revealed that there was some dissatisfaction on the city council with the way that provisions of the master plan and zoning code have been drafted up originally.

That led up to several, over the years, several workshop review sessions, with the city council. And then finally, last year, in June of last year they voted to initiate the . . . some proposed changes in those regulations. That’s led up to what’s before you today.

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These amendments, although they primarily were generated by concerns expressed by city council members, they're before you today because you also adopt amendments to the joint County/ City Unified Zoning Code.

There are six amendments before you today. Probably the one that's received the most attention has been a map that I'll show you in a minute that creates areas within the city of Wichita where staff would be authorized to provide for administrative approval of cell towers. I'll show you the map. This was the map that was actually adopted by the city council at their meeting yesterday and all the areas in blue would be areas that would be eligible for these administrative approvals and by that I mean that it would be signature by the zoning administrator or the head of the office of central inspection and myself would be able to authorize a cell tower in these locations.

Now I need to emphasize that this is a restriction on the current staff ability or authorization that's now allowed under the existing code, to allow cell towers, administratively, throughout the city of Wichita, as long as those cell towers meet certain location and design criteria that are set out in the code.

In addition to the including the map in the zoning code, we're also proposing some changes in the height requirements for towers within certain zoning districts. It does represent increases in the allowable tower heights within certain zoning districts. Trade-off for that, we're offering up as part of these amendments that in exchange then for administrative approvals for towers, that there no longer would be administrative waivers of the compatibility setback requirements from low density residential zoning districts. That currently allowed under the code and we . . . what we're proposing here would eliminate that administrative waiver.

And then what would be required then is all other requests for cell towers, if they're not within these eligible areas that are shown on the map, would have to go to the MAPC and even onto one of the two governing bodies . . . well, in the case of the map, in the City of Wichita City Council for their approval. In other words, we'll be treating request for towers in all other areas as conditional uses.

Again, here's the map that was adopted by the City Council yesterday. I'll explain a little bit more at the end of the presentation how we got to that map, because there were some changes that were made along the way.

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The other changes that are being proposed have been less visible but equally important. We're proposing to eliminate a provision in the code that allows for applicants for cell towers to make an argument that it's not economically feasible to co-locate on an existing tower. That has been a very troublesome provision for staff and the governing body and the city council to deal with so we're proposing to eliminate that. They still have the ability to ask for a waiver of the co-location requirement, where they can demonstrate that it's technically not feasible to co-locate.

We're also proposing to clarify provisions in the current code that apply that these provisions regarding cell towers provide to protective overlay districts and community unit plans. Over the years, since the code was adopted in 2000. There's been some confusion about that, so we hope to eliminate that. We also are making provisions regarding warning lights on cell towers better conform with FAA regulations. And then finally there's this provision in this proposal that would clarify for all concerned the parties that are responsible for the removal of any unused towers.

Going on here to clarify what happened with the maps, the original map that we had put together as staff, as part of the original staff proposal, and that was presented and recommended for approval by the Metropolitan Area Planning Commission is the one before you, with those eligible areas outlined in red. When this . . . when that map was reviewed by the city's park board, they recommended this particular map, which eliminated a number of city park sites. And the difference between the two maps then are illustrated on this graphic. The areas outlined in blue are a number of park sites within the city that the park board did not want to be eligible for administrative approvals.

And then, at the city council's review of the map there were some special requests made by individual council members. Council Member Skelton asked that these lots that front along Pawnee, between Oliver and George Washington, be taken out of the . . . off the map and not be eligible for administrative approval. And then vice mayor . . . now Vice Mayor Shlapp requested that the properties surrounding this property at 13<sup>th</sup> and Rock also be eliminated from that map.

And so what we came up with in the end and what was adopted by the city council at their meeting yesterday was this map. So that . . . we are recommending that you adopt these proposed amendments. This will require a two-thirds majority vote, since the MAPC was not able to muster the statutorily required minimum vote of 8. The vote at the MAPC was 6 to 2 to approve but we're . . . amendments such as this, they have to have a majority of the membership of the board, which is 8. So with that, I'll be glad to take any questions."

**Chairman Winters** said, "All right, thank you John, just a couple of quick thoughts here. This really pertains more to the City of Wichita than it really does the unincorporated or the smaller communities in Sedgwick County. Is that correct?"

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**Mr. Schlegel** said, "Well all of the amendments, except for the map, would apply to the unincorporated areas. We have had very little controversy with cell towers in the unincorporated area, so these amendments were really generated by requests that were made by various city council members."

**Chairman Winters** said, "All right, thank you. And then just a question of clarification, even in those areas in the City of Wichita, this doesn't, if it's in one of those areas that's in a box, it doesn't mean that that is excluded from having a cell tower. It just means it goes through a city council process?"

**Mr. Schlegel** said, "What that means is the areas that are outlined in blue are eligible for administrative approval. That is approval by the staff, without going through the conditional use process. If they're outside of those areas, then they have to go through a conditional use process. And depending on whether or not somebody appeals an action by the Metropolitan Area Planning Commission, it may or may not end up before the city council."

**Chairman Winters** said, "Okay, so it just looks like there's . . . then there's much more area in the City of Wichita that is going to have to go through a conditional use, as opposed to administrative."

**Mr. Schlegel** said, "Correct, and I think what has been misunderstood, as we've gone through this process of review with the city council and some of the public meetings we've had is that this is actually a restriction on our ability to approve things administratively."

**Chairman Winters** said, "All right, very good. Thank you. Commissioner Welshimer."

**Commissioner Welshimer** said, "Well the protective overlay, I mean, most all of our . . . a large portion of our county area is . . . unincorporated areas are in an overlay with some one of the cities. And so is that going to come to us as well, if that goes to the city county?"

**Mr. Schlegel** said, "Well what these amendments clarify is that if a property is covered by a protective overlay, then these provisions regarding cell towers would apply, and staff has interpreted them as applying, but it was not clear in the way that the code was originally drafted back in 2000 that that was the case. I'm not sure I answered your question."

**Commissioner Welshimer** said, "The blue area, the borders, so forth, there's no administrative approval required in those areas? They can just go ahead and put up cell towers?"

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**Mr. Schlegel** said, "No, it does require an administrative review by staff and then with the joint signature by me and the superintendent of the office of Central Inspection, we can sign off on towers within those areas. Now under the current code, we can do that throughout the city of Wichita and we can do it throughout the unincorporated area of Sedgwick County as well, well in the unincorporated area it would be signing off by your code enforcement officer. We have that power today and this would be more restrictive. It would take some of that power away from staff."

**Commissioner Welshimer** said, "Those are highly populated area. That whole neighborhood."

**Mr. Schlegel** said, "Some of them are, but most of them are industrial and commercial zoning areas. There are a few . . ."

**Commissioner Welshimer** said, "Well, there's a section there between Woodlawn and Oliver, north of . . . well it's from Lincoln north. That's all houses. Why would that be open for this?"

**Mr. Schlegel** said, "This area in here, are you talking about?"

**Commissioner Welshimer** said, "Come up to your left. Come up to Lincoln."

**Mr. Schlegel** said, "Okay, so Lincoln would be between Harry and Kellogg."

**Commissioner Welshimer** said, "Then come over to the left, right there, just above your arrow there."

**Mr. Schlegel** said, "Right. Well the area in blue that's shown there, where towers would be eligible for administrative approval are areas along the Kellogg frontage. Now south of that, there is a lot of residential area."

**Commissioner Welshimer** said, "Oh, that's Kellogg right there."

**Mr. Schlegel** said, "This is Kellogg and this area down in here would no longer be eligible for administrative approval. To get a cell tower approved in that area would require going through a conditional use type process, which requires notification, public hearing and so forth."

**Commissioner Welshimer** said, "Okay, well I just had the wrong . . . it's hard to see with the light shining on it and I thought that was . . . I didn't realize that was Kellogg. Thank you."

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

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**Commissioner Unruh** said, "Thank you Mr. Chair. John, I just want to re-state what I think you've already said two or three times and that is that this is a clarification of the current code in some respect and it is a tightening of the regulations and the administrative authority that presently exists."

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

**Commissioner Unruh** said, "And the regulations in the unincorporated areas, however, remain unchanged, as far as administratively."

**Mr. Schlegel** said, "As far as the areas that are eligible for administrative approval are unchanged in the unincorporated area. We have not received complaints about those administrative approvals outside of the city of Wichita."

**Commissioner Unruh** said, "Okay, all right. Well that helps me boil it down where I can get my hands around it."

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

**Commissioner Parks** said, "This map certainly satisfied the people that have contacted me from the park board in the neighborhoods. But out in the unincorporated areas, are we finished with policies yet? Do you think there needs to be some future study and possibly some more amendments to that? And I'm basically referring to some action that we've had in the last couple of weeks. Do you foresee any action coming up from staff to change some of those policies?"

**Mr. Schlegel** said, "We don't have anything in the works because we're not hearing complaints about how these regulations have been applied within the unincorporated area, but if you're hearing anything, we would want to know about it."

**Commissioner Parks** said, "Well maybe not policy is a word for it, then maybe it's the regulation itself. I don't know, that's . . . I think we need to stay on top of that, but this is City of Wichita and I'm not going to have any problem with that, because quite frankly I don't think that we have a lot of business telling them what to do, anymore than they would in the unincorporated areas, so I'm certainly going to go along with this."

I did have one question. Since you were at the Metropolitan Area Planning meeting, was this a sudden meeting that they called, that they only had eight people there or was this a . . .?"

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**Mr. Schlegel** said, “No, it was more I think a function of this particular item was at the end of the meeting, people had started drifting out. As often happens at the end of those meetings, they start going on to other appointments and we often will get low on membership at the end of the meeting.”

**Commissioner Parks** said, “Okay, thank you. That’s it.”

**Chairman Winters** said, “Thank you. Well I know that even in the rural and unincorporated parts of Sedgwick County, there again, there can be tower issues just as we had a few weeks ago. At least in a large part of western and southwestern Sedgwick County they’re asking for more cell phone towers because they’ve got such poor cell phone reception that if somebody comes out and builds a new tower, they’re all happy, or a lot of them are.

All right commissioners, you’ve heard John’s report. Do you have other questions or comments? If not, are we ready to have a motion?”

### **MOTION**

Commissioner Unruh moved to adopt the findings in support of the proposed amendments as presented to the Metropolitan Area Planning Commission on October 18, 2007; adopt the proposed amendments to the Unified Zoning Code pertaining to the regulation of wireless communication facilities as adopted by the Wichita City Council on April 1, 2008; and adopt the Resolution.

**Chairman Winters** said, “All right, should that be April . . . It should be April the 8<sup>th</sup>.”

**Mr. Schlegel** said, “Thank you Mr. Chairman. I was going to ask for that correction.”

**Commissioner Unruh** said, “Thank you. April the 8<sup>th</sup>.”

### **MOTION**

Commissioner Unruh moved to adopt the findings in support of the proposed amendments as presented to the Metropolitan Area Planning Commission on October 18, 2007; adopt the proposed amendments to the Unified Zoning Code pertaining to the regulation of wireless communication facilities as adopted by the Wichita City Council on April 8, 2008; and adopt the Resolution.

**Chairman Winters** said, “All right, is there a second to this motion?”

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Commissioner Welshimer seconded the motion.

**Chairman Winters** said, “We have a motion and a second. Any other discussion? Seeing none, call the vote.”

**VOTE**

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

**Chairman Winters** said, “Thank you John. Next item.”

**NEW BUSINESS**

**E. ORDER REGARDING PETITION FOR INCORPORATION OF THE CITY OF WEST VALLEY.**

**Mr. Robert W. Parnacott**, Assistant County Counselor, greeted the Commissioners and said, “This is the final action you have to take in the West Valley matter. You made your decision last week. Statute requires you adopt an order the next regular meeting after that decision that reflects what your action taken was. We’ve prepared that order. It is in your backup. I will ask you to make a couple of changes to the order. As we’ve talked about many times throughout the course of this, the statute provides reasons for denying the incorporation. One of the reasons was whether the area would be served by present or future annexation. The order that was in your backup includes that phase ‘present or future annexation’. But in reviewing the minutes of last week, it’s pretty clear that your opinion, or the three of you that voted against the motion once said it would be better served maybe by future annexation but probably not by present annexation. So we will strike the words ‘present or’ from paragraph 13 of the order.

There were a couple of cross references in paragraphs ten and eleven that should have been to paragraph eight rather than paragraph nine, so we’ll make those corrections too and have that order for the chair to sign afterwards.

This order reflects the action taken, including the vote taken on the motion that was made at last week’s meeting. So unless you have any questions, I would ask you to approve the order, as

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amended, and authorize the chairman to sign the order.”

**Chairman Winters** said, “All right, thank you Bob. And again, this order is just as outlined in state statute and this is a confirmation of our action from last week?”

**Mr. Parnacott** said, “Yes.”

**Chairman Winters** said, “All right, thank you. Commissioners, are there questions or comments?”

**MOTION**

Commissioner Unruh moved to Adopt the Order.

Commissioner Norton seconded the motion.

**Chairman Winters** said, “We have a motion and a second to adopt the order. Is there any discussion or comments?”

**Mr. Parnacott** said, “And that includes to authorize the chairman to sign.”

**Commissioner Unruh** said, “Yes, sir. And approve the chairman to sign.”

**Chairman Winters** said, “All right, that’s the way you understood that?”

**Commissioner Norton** said, “Yes.”

**MOTION**

Commissioner Unruh moved to Adopt the Order and have the Chairman sign.

Commissioner Norton seconded the motion.

**Chairman Winters** said, “We have a motion and a second. Is there any other discussion about the Motion? Seeing none, call the vote please.”

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**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	No
Commissioner Welshimer	No
Chairman Winters	Aye

**Chairman Winters** said, "Thank you Bob. Next item."

**F. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON APRIL 3, 2008.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of April the 3<sup>rd</sup> results in three items for consideration today.

**1) CONTRACT SERVICES TO CREATE/ IMPLEMENT PROCESSES FOR ALTERNATIVE PROGRAMS TO REDUCE POPULATION OF THE SEDGWICK COUNTY ADULT DETENTION FACILITY- PUBLIC SAFETY  
FUNDING: PUBLIC SAFETY DIVISION'S DIRECTOR OFFICE**

The first item is contract services to create and implement processes for alternative programs to reduce population of the Sedgwick County Adult Detention Facility for Public Safety and the recommendation is to accept the proposal from Justice Concepts Incorporated for a negotiated cost of \$124,616.

**2) FAMILY GROUP CONFERENCING PROGRAM- DISTRICT ATTORNEY  
FUNDING: DISTRICT ATTORNEY**

Item two, family group conferencing program for the District Attorney's Office. Recommendation is to accept the proposal from Episcopal Social Services in the amount of \$58,730 and execute a contract for two years, with three one-year options to renew, providing that grant funding is available.

**3) MAINTENANCE RENEWAL- DISTRICT COURT  
FUNDING: COURT TRUSTEE IV-D AND DISTRICT COURT TECHNOLOGY**

And item three, imaging maintenance renewal from the District Court. Recommendation is to

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accept the quote from International Business Machines, which is IBM, for a cost of \$52,845.98. Be happy to answer any questions and I recommend approval of these items.”

**Chairman Winters** said, “All right, thank you. Yes, Commissioner Welshimer.”

### **MOTION**

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

Commissioner Parks seconded the motion.

**Chairman Winters** said, “We have a motion and a second. Commissioner Parks.”

**Commissioner Parks** said, “I just wanted to say that this is quite a bit more than the initial, on the number one, on the Justice Concepts, but I am going to support it because I think the map is there to show that the savings and reductions are there. Thank you.”

**Chairman Winters** said, “Thank you. Commissioner Norton.”

**Commissioner Norton** said, “Well, I’d like more conversation on Item #1. I’m willing to authorize Items 2 and 3, but I’d just as soon pull that first on off separately and discuss it. That’s a lot of money. It’s much more than we thought and I’m still not convinced that that’s good use of money. And you know, we’ve had a lot of conversations about consultants and consultant contracts and everything and you know the original proposal was \$164,000 and they hammered it down to 124. That’s a lot of money and that’s a consultant and we’ve had a lot of consternation as a body about when do we hire consultants and why do we hire consultants. I think we need a little more conversation than just to move straight forward. It’s important for the community to hear kind of what this is.”

**Chairman Winters** said, “All right. Commissioner Parks has a response.”

**Commissioner Parks** said, “In that, I agree that it is. However, if we can get ten people out of our jail for a year, the math indicates that we can certainly pay for this. It will be a pay . . . pay for itself issue. Some of the other things we do, we don’t see the direct benefit from this. But I believe with the research that I’ve done and the background of this company, the background that . . . Iris has worked hard on this and done some background on these things and there’s other programs that Justice Concepts has come in and been successful and I think we owe it to the taxpayers to give it a try, to save money at the jail.”

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**Chairman Winters** said, "Okay, thank you Commissioner. Was that it?"

**Commissioner Parks** said, "That's it."

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

**Commissioner Welshimer** said, "Well I think the references have been checked out on the people that will be performing this service under this contract and I think they checked out favorably. It will help us to delay or maybe even prevent building the new jail addition, which could be up to \$70,000,000.

The main thing about this is that these people are coming in here and it's going to be a hands-on process. They're not just preparing a big, thick binder of information for us to read that might get dusty on the shelf and that's the big difference and I don't think we can afford not to do this."

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

**Commissioner Unruh** said, "Thank you Mr. Chairman. When we first began talking about using Justice Concepts, some time back and I believe Commissioner Welshimer was the original suggester of this, but was not the price that was being discussed at that time even considerably lower, coupled with some substantial estimated reduction? I mean, those are not part of this, is that correct?"

**Ms. Baker** said, "The detail, what was originally discussed had no detail in it. When we issued the RFP to the community, to the industry if you will, it had specific details, in terms of what we needed, what we expected in the way of objectives, what the work needed to entail at a minimum. And hence the proposal that was received reflected on what was asked for in that request for proposal."

**Commissioner Unruh** said, "And so that, because we became specific and demanded performance and so forth, that's what drove the price up to this level. Is that . . .? But are there . . . are there suggested or quantified results in the proposal?"

**Ms. Baker** said, "There are and that was the difference."

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

**Ms. Baker** said, "The project manager can speak to some of the detail of the response and what's

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expected through this process. I think that might help you understand better what this recommendation consists of.”

**Commissioner Unruh** said, “Well I just recall that the original conversations, although they were not contractual, included what I thought were some pretty . . . what’s the right word here? Overstated results, potentially, you know they thought they were really going to reduce the numbers in the jail which I thought were unrealistic, and so I’m glad we’ve taken the time to hone that down a little bit and get some I hope is more accurate projections of what they might do.

I agree with Commissioner Parks that you know ten . . . if we could reduce our jail population by ten persons per day and sustain that, well then this makes this a cost beneficial investment. And the goal of all this is to see if we can’t control our jail population. So if we can gain some ground on our populations with some of the procedures that this group would present to us, then it’s going to be a worthwhile investment. But that’s all I have.”

**Chairman Winters** said, “Thank you. Commissioner Norton.”

**Commissioner Norton** said, “How long is the contract for, Iris?”

**Ms. Baker** said, “It’s anticipated the initial work, and that’s considered two phases, is going to take about two months. At about the six month phase of the project we will start seeing recommendations for process changes, improvements to practices, etcetera, dependent upon how long it takes us to agree to some of those changes that the vendor, Justice Concepts will help us put some of that in place. The more extensive the recommendations are, they get to the point that they’re involving budget money, that’s going to take a larger process. But the goal of the RFP and what these folks are contracted to do is to identify process improvements that fit this community and then help us get those implemented.

So they’re anticipating finalizing the first two phases of their work, which is data collection gathering, looking at what’s been done in the past, putting together criteria and practices and processes for us to implement will take about ten months.”

**Commissioner Norton** said, “And at that point, we have to renegotiate a second contract to continue?”

**Ms. Baker** said, “And I say no, based on the amount of what we’ve asked them to do. If this gets very, very complex and we start looking at things that are outside of what our expectations are, then there would be a possibility to have to negotiate or change some of our terms. But we did not build anything in here to make it an ongoing contract. We did not build anything in here that would assume that we’re going to make changes in the future and add more time or cost to the project.”

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**Commissioner Norton** said, "Okay, and most of the work they will be doing is hands-on with the court system, as opposed to hands-on with the jail."

**Ms. Baker** said, "They're going to be working with all entities and their expertise is very specific detailed involvement with the court system. Now it is something that we've not been exposed to in the past, so we're hoping that we get a lot of benefit out of that."

**Commissioner Norton** said, "But the movement of people out of the jail is determined by the court system, not by Sedgwick County Sheriff or a jailor or a deputy. It's predicated on the changes and the movement of the court system."

**Ms. Baker** said, "True."

**Commissioner Norton** said, "This particular entity's best results came out of Florida, is that correct?"

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

**Commissioner Norton** said, "Florida has appointed or elected judges? Can you answer that?"

**Ms. Baker** said, "I can't answer that. Bob may know that answer."

**Mr. Robert Lamkey**, Director, Public Safety, greeted the Commissioners and said, "I can't specifically answer that question. Typically, in the country, judges are appointed and may stand for review by the public, but in Kansas the judges are elected every four years in general."

**Commissioner Norton** said, "I just think there are some apples and oranges kinds of things that might be out there. At the end of the day, I'm going to be supportive of this. I think we've got to give it a try. You know we're trying to eliminate folks, but I have some grave reservations about you know the study and how they're going to get people out of there and whether our court systems and the way we're structured is going to particularly work like they say it will, but I think that's just a question I have in the back of my head and I had to articulate it. I'm willing to move forward today, but that is a lot of money. And I'm just afraid we're going to go ten months and then we get asked 'well, we'll stay on the ground and keep working on individual cases through the courts to get these people out. And I'm going to be on the hook again for more money.'"

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**Mr. Lamkey** said, “The proposal they offered us is multilayered and they have a pretty detailed action plan and how they proposed to proceed. The essential ingredient that you have described is important to this process, is engaging the key stakeholders in the criminal justice system. And to that end, one of their partners that they’re bringing into this process is from the National Council on State Courts and so they’re bringing somebody in from the courts, the National Council, that is experienced and cognizant of the importance of engaging the courts in a productive way around the values of a particular community to advocate for changes in this process.

So the first thing they’re going to need to do is understand how we work and that’s the first piece of work, is kind of look at . . . you know, take the ILPP report as a starting point, not to reinvent that process but how is it working, how does this system work together, what are the dynamics of our jail and our jail population. And then there’s a hands-on piece, working with the courts to develop opportunities for other sanctions, other methodologies of dealing with the folks in our criminal justice system and more importantly, leaving us with the tools so that when they’re gone, we can continue to do that ourselves. I mean, that’s essentially the package that they offer and I think that was the interest that the commissioners who helped us initiate this RFP had in this process was we need to understand where we’ve been, where we’re going. We need to work on getting some folks out of the jail process and we need to have systems in place to help us do that. As you all know, we’ve been working pretty hard for the last four years on some of those things as part of the CGCC process.

At your request, we revised this request with the CGCC late last year and certainly we’ve been at it for five years. I think that is a sense that it would be helpful to look at where we are, where we’re going and look to that process and again, with the understanding that there are . . . we are not different than Florida, but they’ve been very successful in Florida and other places at working with the criminal justice system and putting things in place that reduces populations in other places.”

**Commissioner Norton** said, “That’s all I have.”

**Chairman Winters** said, “All right, thank you. Well, I’m going to be supportive of this this morning. I share a number of Commissioner Norton’s concerns and one of the concerns is you know, if we could get even part of the results that I think that I’ve heard these folks talk about, that could be a plus. And so that’s why I’m going to be supportive this morning, just because again it’s a lot of money, but this is a huge problem and other solutions are going to cost a lot more than this. And so if we could get some benefit out of that, I think that’s why I’m going to be supportive this morning. Commissioner Unruh.”

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**Commissioner Unruh** said, “Thank you. I just wanted to express some of my thoughts on this whole process and also I’m going to be supportive of it. But first of all, we have to come to a conclusion or the understanding that this whole process of dealing with our criminal justice system and the folks that we have in detention, it does not lend itself to a single answer or an easy solution. It’s very complex, and so it takes a multifaceted approach to solve the problem and manage our detention population in a multifaceted way. We can’t just have one solution.

We’ve had a consultant in a few years ago that kind of got us started on . . . and gave us the initiative to get started and try to deal with this in a different way and the Criminal Justice Coordinating Council and the initiatives that have come out of that I think have been very helpful and very productive and I would say that the hiring of a consultant now to help us to move on in our process does not imply that the CJCC has not been doing a good job, because we’ve made tremendous strides and the folks that are involved in that have been working very, very hard and the alternatives that we’ve implemented are proving beneficial and the changes in the administration of the jail have proved very beneficial.

Another thing that hiring this consultant does not imply is that we have some sort of a broken relationship with our court system, because we do not. They’ve been very helpful and supportive throughout the whole process. Administrative Judge Ballinger and Administrative Judge Corrigan have been leaders in trying to change the process and procedures so that we can manage this expensive population.

I think this consultant, some of the spectacular achieved in other locations are probably the result of trying to go in and fix a system that wasn’t to the level of sophistication that ours is, going to fix a system that probably was broken, so they have a history of spectacular results. I do not anticipate that they will achieve those results here, because we have evolved to a much higher level of sophistication in how we handle the process.

In spite of all that, it is not wise for us to take potential improvements in a process and someone who is going to come in and be hands-on with the courts and perhaps change our methodology and a process to the point where we can continue to improve this overpopulation issue that we’re facing. So a lot of verbiage, a lot of it has already been said, and I hate to be redundant, but the fact of the matter is that we have a complex problem, we need to continue to take appropriate measures to deal with it and I think this is one of those measures, so I will be supportive, and that’s all I have.”

**Chairman Winters** said, “Thank you. Commissioner Welshimer.”

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**Commissioner Welshimer** said, “Well I was in support of this in the beginning, because public safety just becomes more financially overwhelming for us every day. The legislature passes more and more bills that get tough on crime, fills our jails. We have people that used to go finish their sentences, like their nine-month sentences, for DUIs and so on, would go to prison and we’re having to keep them now. The legislature is putting more and more responsibility on our public safety system in the county. It’s a very big problem that continues to grow and we just must find some way to deal with this. We have no choice. And I think that for \$124,000 to bring one or two or however many people they’re bringing in here and to cover areas that we have not possibly been successful in looking at and to put us on a track that will help us deal with this financial burden that is growing for us, I think it’s great. I just don’t think that . . . I mean, I don’t think we’ve had consultants come in for this amount of money for any other purpose in the studies that I’ve seen done since I’ve been here and I think we’re getting a lot for the money, so that said, I’m very supportive and will be voting for it.”

**Chairman Winters** said, “All right, thank you. Commissioners, we have a motion and a second. Is there any desire for us to separate these items out now and take them individually on the bid board, or are you ready to move forward with a motion to accept all of the bid board items. Seeing . . .”

**Commissioner Norton** said, “Well I think I’m the one that kind of made that overture, so I can move forward today. I just wanted to make sure that we had more discussion about it. It’s an important issue and you know, we’ve had very firm conversations as a board about when we use consultants and when we don’t and we can’t have that discussion on one item that somebody’s interested in without having it on every time we do it, and I wanted to be sure that that was open and transparent and we talked about it and come to the conclusion that sometimes there is good reason to have consultants and to try to solve problems, because we’re not the experts on the ground on every item that might ever come before us.”

**Chairman Winters** said, “All right, so we do have a motion to approve all the items that have been recommended by the bid board. It sounds like we’re ready to move forward with that motion. Seeing no other discussion, is there any other discussion? Seeing none, we’ll call for the vote. Madam Clerk, would you call the vote.”

**VOTE**

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

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Chairman Winters said, "Thank you Iris. Thank you Bob. Next item."

### CONSENT AGENDA

#### G. CONSENT AGENDA.

1. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project 624-16-1385; bridge replacement on 23<sup>rd</sup> Street South (Pawnee) between 151<sup>st</sup> and 167<sup>th</sup> Streets West. CIP# B-415. District #3.
2. One Temporary Construction Easement for Sedgwick County Project 777-X-1640; bridge replacement on 343<sup>rd</sup> Street West between 63<sup>rd</sup> Street South and 71<sup>st</sup> Street South. District #3.
3. One Easement for Right-of-Way for Sedgwick County Project 811-J, n ½ K; widening of Ridge Road between K-96 and 53<sup>rd</sup> Street North. CIP# R-282. District #4.
4. One Temporary Construction Easement for Sedgwick County Project 839-P-4500; Bridge replacement on 143<sup>rd</sup> Street East over the Kansas Turnpike. CIP# B-444. District #1.
5. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project 795-V-3802; bridge replacement on 199<sup>th</sup> Street West between 47<sup>th</sup> Street South and 55<sup>th</sup> Street South. CIP# B-416. District #3.
6. Salary adjustments for Public Works Staff Engineers.
7. Waiver of policy to hire a Chief Attorney, B429, above 6% the hiring rate for this position.
8. First Quarter Range Reallocations.
9. General Bills Check Register(s) for the week of April 2 – 8, 2008.
10. Order dated April 2, 2008 to correct tax roll for change of assessment.

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

**Chairman Winters** said, "Commissioners, is there discussion, or does someone have a motion?"

**MOTION**

Commissioner Unruh moved to approve the Consent Agenda as presented.

Commissioner Welshimer 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	Aye
Chairman Winters	Aye

**Chairman Winters** said, "Thank you. That concludes our regular agenda items today. Commissioners, we do need to have an executive session, but before we go into executive session, does anybody have any other discussion they'd like to have. Commissioner Welshimer."

**H. OTHER**

**Commissioner Welshimer** said, "Last week I attended the Albert Pike Lodge Teacher of the Year ceremony on your behalf."

**Chairman Winters** said, "I appreciate very much your doing that. I was just not able to do that, so thank you."

**Commissioner Welshimer** said, "Very, very capable and nice teacher, Gretchen Zuperku was the

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recipient of the Albert Pike Masonic Lodge award. It was quite formal. We were ushered down the aisle on a red carpet and it was a very enjoyable ceremony and I'd just like to, once again, congratulate Gretchen Zuperku for her abilities and her accomplishment. Her young students were there and so very proud of her. That was a nice event.

And then another thing that I did over the weekend, I handed out awards at the dog show. Well you were there too, and that was the most enjoyable afternoon. The best in show went to a . . . or there were several categories of dogs, little tiny ones and poodles and marvelous animals and they all got along, there wasn't any problem. They were just having a wonderful time. But the dog that won was a real dog. He was a Burmese Mountain Dog. And his registered name was the Beat Goes On and it did for him. He was huge and gorgeous and he was very proud of his award. And Mr. Mitch Mitchell from the MAPC was the announcer at the dog show and then Joe Miller, Mr. Joe Miller from Channel 12 was one of the administrators over the event and I enjoyed it thoroughly. Anyway, that was my . . .”

**Chairman Winters** said, “Well thank you very much. And I certainly appreciate your being able to attend the Albert Pike ceremony. It is . . . I've been there several times and it's a very good event. They honor a well deserved teacher and as so much of our society kind of gets more and more informal, they don't. They're pretty formal and yet it really brings something to their presentation, so that was very good.

And I also was at the dog show and certainly do want to say it was a good event and thank the Wichita Kennel Club for the invitation and Joe Miller, who served as our host and just did a wonderful job of filling us in on what all was going on, so that dog show was a nice event. Commissioner Parks.”

**Commissioner Parks** said, “I just wanted to ask Director Spear about the right-of-way on Ridge Road, just to confirm something. We've had some rumors and innuendos and some things going on with that. The one that we approved today and I'll probably do this on every one of them, because that is a hot issue out there, that the widening from 96 to 53<sup>rd</sup>, this one that we passed today is not a result of a condemnation. Is that correct?”

**Dr. David C. Spears**, Director, Public Works, greeted the Commissioners and said, “That's correct, commissioner. You will be getting a resolution before you to condemn four properties and you

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have not received that yet. I think the Legal Department has it and they're working on that, but I think we've done a great job on this project, acquiring properties, because there were at least 50 to get and we're down to four and we're still working with those four. We've been unable to agree with them, but Sherry Bonewitz of our staff has done a great job on this and those four will come before you soon, but we will continue to . . . you can still negotiate with people, even though it's going through the condemnation process and we'll continue to do that."

**Commissioner Parks** said, "Well I would certainly urge staff to continue to work on that, because that's one of our great rights in the United States is property rights and I just want our staff to do everything we can to work with these people on acquiring this land that's needed for the four-lane."

**Mr. Spears** said, "Well, I assure you we are. We offer a fair value and we listen to any comments they may have."

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

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

**Commissioner Norton** said, "Well, Saturday I went to Exploration Place for their event called Death By Chocolate and it was a great event, 42 vendors had great chocolate extravaganzas for people to participate and eat. And on the big screen TV in the Kemper Arena they had the KU/North Carolina game, so that much chocolate and a great ball game was a pretty good deal for me.

Yesterday, I had the privilege to kick off the National Public Health Week ceremony at one of our satellite health centers and it is National Public Health Week. The five tenets that our public Health Department has pushed forward is health access for everyone, tobacco cessation, health protection, healthy lifestyles and the issue of low birthrate for infants. So those are the five things that we're very interested in this year and we kicked that off yesterday on National Public Health Week.

This Saturday, the ATC, the Aviation Tech Center will have its graduation at 10:00 at the campus and this, I think, is the eighth graduation and we continue to incubate and push the training of AP and airframe mechanics to get them ready for the aviation industry. And you know what, we had that great announcement of Cessna is going to build the next generation plane here, 1,000 jobs come with it and this training that we're doing just gets the workforce ready for the large influx of people we're going to need. So I'm excited to be able to go and participate in that.

And then just a final reminder that the zoo, at the zoo on Saturday, starting at 7:00 for registration, the Suicide Prevention Link For Life run will be available to people. It should be a beautiful

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weekend and we'd encourage people to participate. That's all I have."

**Chairman Winters** said, "All right, very good. Commissioners, seeing no other requests to speak, we do need to move into an executive session."

**MOTION**

Commissioner Norton moved to 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, potential litigation, legal advice and matters relating to security measures that protect county facilities, the open meeting discussion of which matters would jeopardize such security measures that the Board of County Commissioners return to this room from Executive Session no sooner than 10:45 a.m.

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	Aye
Chairman Winters	Aye

**Chairman Winters** said, "We are recessed into executive session."

**The Board of Sedgwick County Commissioners recessed into Executive Session as 10:16 a.m. and returned at 11:13 a.m.**

**Chairman Winters** said, "All right, I'm going to call back to order the meeting of the Board of County Commissioners, April the 9<sup>th</sup>, 2008. Let the record show that there was no binding action taken in executive session. Is there any other business to come before this board? Mr. Manager? Mr. Euson? This meeting is adjourned."

**I. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:14 a.m.

**Regular Meeting, April 9, 2008**

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

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

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

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

\_\_\_\_\_  
**KELLY PARKS**, Commissioner  
Fourth District

\_\_\_\_\_  
**GWEN WELSHIMER**, Commissioner,  
Fifth District

ATTEST:

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

APPROVED:

\_\_\_\_\_, 2008