

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 2, 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, July 2, 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; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Mr. Robert Parnacott, Assistant County Counselor; Mr. Josh Shaw, Management Intern, County Managers Office; Mr. Richard Vogt, Chief Information Officer, Mr. Tom Fletcher, Clinical Director, COMCARE; Ms. Annette Graham, Director, Aging Department; Ms. Pamela Martin-Bevan, Clinical Services Director; Mr. James Weber, P. E., Deputy Director, Public Works; Ms. Kristi Zukovich, Director, Communications; and, Ms. Evelyn Good, Deputy County Clerk.

GUESTS

Mr. Kent Brown, City Administrator, City of Clearwater
Ms. Ronda Mollenkamp, City Clerk, City of Garden Plain

INVOCATION

The Invocation was led by Mr. Ashok Aurora, Hindu Community

FLAG SALUTE

Chairman Winters said, "Ashok, thank you very much for being with us this morning and Commissioners, I might just mention that Ashok plays a vital role in our R.S.V.P. Program with the Department of Aging. I was fortunate enough to attend the reception that we had for all of those volunteers.

But this is an event group that Sedgwick County has been hosting for several years now. It recruits those 55 years and older to volunteer at various points around the County. Ashok plays a leadership role in that and has been very active. Thank you for being here this morning and thank you for working with the Department of Aging as you do."

Mr. Aurora said, "Thank you very much. It's a pleasure.

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Chairman Winters said, "Have a good weekend."

Mr. Aurora said, "Happy 4th to all."

Chairman Winters said, "Yes, thank you. Madam Clerk, call the next item."

ROLL CALL

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

CONSIDERATION OF MINUTES

Regular Meeting, June 11, 2008

Chairman Winters said, "Commissioners, you had an opportunity to review the minutes. What is the will of the Board?"

MOTION

Commissioner Welshimer moved to approve the minutes of the Regular Meeting of June 11, 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	Aye
Chairman Winters	Aye

Chairman Winters said, "Next item."

CITIZEN INQUIRY

A. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING TAXES IN SEDGWICK COUNTY.

(CITIZEN NOT IN ATTENDANCE)

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Chairman Winters said, "Thank you. Is Mr. George Fulp in the room this morning? I might remind citizens that you do have an opportunity, if you wish, to address the Board of County Commissioners to request to be placed on the Agenda through the County Manager's Office. But, again, I do not see Mr. Fulp this morning."

OFF AGENDA ITEM

Chairman Winters said, "So, Commissioners, we have an appointment that we need to take care of for the Sedgwick County Technical Training and Education Authority. At this time, I would move that we take an Off- Agenda item."

MOTION

Chairman Winters moved to take an Off Agenda item.

Commissioner Parks seconded the motion.

Chairman Winters said, "Any discussion? Yes ma'am?"

Commissioner Welshimer said, "Mr. Chairman, this is an Off Agenda item that I have not had any familiarity with."

Chairman Winters said, "Would you like to delay this appointment?"

Commissioner Welshimer said, "It would suit me to put it off until next week so we have a chance to at least understand what it's about. The issue is not a problem for me. But I'd like to know more about it."

Chairman Winters said, "All right. In the matter of discussion, Commissioner Norton, you're going off of this Board, I don't believe there would be any reason, do you know of any reason why we have to do this today?"

Commissioner Norton said, "No. I thought it would be a good idea to not have a break in me stepping down and having somebody appointed. But Commissioner Unruh had been on there prior, he's familiar and up to speed with what's going on. But I guess it could be delayed if we had to. I thought we would handle it today. It's a pretty easy appointment I think."

Chairman Winters said, "Commissioner Parks, did you have any comment?"

Commissioner Parks said, "I wanted a little more background and time on it too."

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Chairman Winters said, "I will be glad to withdraw my motion. Would that be the proper thing to do, Mr. Euson?"

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Yes, sir."

Chairman Winters said, "I would withdraw my motion. Mr. Norton, will you withdraw your second?"

Commissioner Norton said, "I will."

Chairman Winters said, "We will then take up the appointment for the Sedgwick County Technical Education and Training Authority at next week's meeting."

Commissioner Welshimer said, "Thank you."

Chairman Winters said, "Madam Clerk, would you proceed with calling Item B?"

PUBLIC HEARINGS

B. PUBLIC HEARINGS.

- 1. PUBLIC HEARING TO CONSIDER WHETHER THE CITY OF CLEARWATER HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR ANNEXATION ORDINANCE NUMBER 818.**

POWER POINT PRESENTATION

Mr. Robert Parnacott, Assistant County Counselor, greeted the Commissioners and said, "This is one of our five-year post annexation hearings that we have that we are required to have by Statute. Any time a city annexes property without the consent of the land owners, they have to prepare a service plan, five years later the Legislature requires you to have a hearing to determine if the services have been provided, consistent with that service plan. We're required to provide notice to all the land owners in the area that was annexed as well the city of the hearing."

We have done that, we have not received any comments back from land owners. We do have a representative of the City here. I brought up a map on the screen that shows you the location of these two parcels that we're subject to a single annexation ordinance. They are roughly west of 135th and south of 95th street in the City of Clearwater.

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The service plan is a fairly standard one. It was provided to you after the agenda date, submission date, so you got it as supplemental backup. It provides as they would have street maintenance services, police and fire, those type of general government services provided at the time of annexation.

Water and sewer would be made available if requested. Also, fire hydrants would be made available if requested. But, again, we've not received any comments back from land owners. So at this point, unless you have any questions for me, I would recommend you open the public hearing, see if there's any comments, again we do have somebody from the City to speak if necessary, and then you can close the hearing and make the appropriate finding."

Chairman Winters said, "All right. Thank you, Bob. At this time we will open the public hearing and ask if there's anyone in the room who would like to address the County Commission and Mr. Kent Brown, City Administrator. Kent, if you would just come up to the microphone and make a couple of comments. You do have a service plan and have you had any problems, responses to you in a problem type...?"

Mr. Kent Brown, City Administrator, City of Clearwater, greeted the Commissioners and said, "No. I contacted, there was one business and one residence that was annexed as part of this annexation plan. The residence is being served currently with City water and City sewer, they had requested it after the annexation. We took care of that.

The business has not requested City water and sewer. They're still being provided all the other services of the City. I talked to him this week, the business owner, and he still doesn't have any desire to have City water or City sewer. He doesn't like paying the City taxes, but otherwise he's just fine with the annexation. So have had no complaints with that matter.

We did extend the water line for a different project in the front of the business owner's property. So it is very simple to connect him when that is requested. That may happen in the future, it just hasn't happened yet. Whether it's with that owner or if he sells the property or something else."

Chairman Winters said, "Thank you, Kent. Commissioner Parks has a question or a comment."

Commissioner Parks said, "Well, I just wondered, back at the time when the annexation went on, did they protest at that time, anybody in this area?"

Mr. Brown said, "They contacted the City Council previously. But it was just one comment basically. That was about it. They did not protest any more than that regarding the annexation."

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Commissioner Parks said, “Was there any protest initially? Do you know, Mr. Parnacott, on this?”

Mr. Parnacott said, “We aren’t involved in the unilateral annexation process at that stage, so we wouldn’t have heard anything. I’m not aware of any opposition. We do occasionally, when we have these five-year hearings, get land owners who are five years after the fact still unhappy about being annexed, we do get those phone calls. We did not get those phone calls in this case.

Typically, more likely the land owners have accepted being in the City and enjoy being in the City and are happy with the status quo.”

Commissioner Parks said, “Okay. Thank you.”

Chairman Winters said, “All right. Are there any, is there anyone else in the room who wants to address this City of Clearwater annexation ordinance number 818? Anyone else in the room at this time? We’ll close the public hearing and limit the comments to the staff or Commissioners. Bob, is there anything else?”

Mr. Parnacott said, “I don’t think so, unless you have questions for me. Otherwise, it’s time to make a finding, it looks like.”

MOTION

Chairman Winters moved to open the public hearing; receive evidence from the City and landowners; close the public hearing and make a finding as to whether or not the City has extended services as provided for in the service plan.

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	Aye
Chairman Winters	Aye

Chairman Winters said, “Kent, thank you for being here this morning. Next item.”

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2. **PUBLIC HEARING TO CONSIDER WHETHER THE CITY OF GARDEN PLAIN HAS PROVIDED SERVICES AS SET OUT IN THE SERVICE PLAN PREPARED FOR ANNEXATION ORDINANCE NUMBER 555.**

POWER POINT PRESENTATION

Mr. Parnacott said, "I'll incorporate my remarks about the general purpose of these hearings from my statements in the Clearwater hearing. We do have a map on the screen showing the Garden Plain City limits, showing these properties on the west side of Garden Plain that were annexed five years ago west of 295th and south of what appears to be Harry or also called 15th street.

Here we had a total of eight land owners that had to be notified and we did get three responses. One of the responses was a phone call informing me I made a typo in my letter. I had done form letters at the same time we were doing the Clearwater and Garden Plain's letters and so I forgot to cut and, when I was cut and pasting, and ended up saying Clear Water in the Garden Plain letter, although the notice of hearing that was included was clearly a Garden Plain notice.

We were made aware of that letter and on that day we sent out a correction letter along with a copy of the service plan we had recently received from the City for the land owners to see that. We also got a letter of response pointing out the typo as well, but by that time we had already sent out the correction letter.

The only other call we've received about this, let me back up, the caller that called about the error in the letter to begin with also raised a question about natural gas service, which is municipal utility provided by Garden Plain, which is not covered in the service plan, was not part of the service plan, but she just had a question about the cost it might be to hook up to the natural gas service that the City provides.

Again, that wasn't part of the service plan and really isn't part of your inquiry here today at the hearing. The final phone call we had just a couple days ago, principally had to do with the special assessments on the property and she, the caller, wanted to know more about that. I referred her to the City. The City Clerk is here to speak and she can tell you how they handled that.

They provided them information and they've not heard back from that caller yet. Again, we've had no issues raised about providing services in connection with this annexation. So at this point, unless you have any other questions for me, again, I recommend you open the public hearing and we'll take any comment."

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Chairman Winters said, "Thank you. Are there questions of Bob? Seeing none, we will open the public hearing. Is there anyone in the room who would like to comment on this annexation? I see Ronda MollenKamp, the Clerk. Rhonda, would you come to the microphone and just identify yourself for the record so we can confirm that you were here."

Ms. Ronda Mollenkamp, City Clerk, City of Garden Plain, greeted the Commissioners.

Chairman Winters said, "Ronda, as far as you know, have you had any protest of one kind or another recently over this annexation?"

Ms. Mollenkamp said, "No. Just the one caller that Bob referred to, and I did send her those specials and how they were spread and she just had a question on that. Have not heard back from her."

Chairman Winters said, "As far as you're concerned, you've answered the question that was posed then?"

Ms. Mollenkamp said, "Yes."

Chairman Winters said, "All right. Commissioners, are there any questions that you would have of Ronda? All right, seeing none, thank you, Ronda..."

Ms. Mollenkamp said, "Thank you."

Chairman Winters said, "...is there anyone else in the room who wants to speak on this Garden Plain annexation? Ronda, don't go too far from the microphone, I want to ask you something after this item is over."

Ms. Mollenkamp said, "Okay."

Chairman Winters said, "Is there anyone else in the room who wants to address the Commission on this item? Seeing no one, we'll close the public hearing. Commissioners, are there other comments?"

MOTION

Chairman Winters moved to open the public hearing; receive evidence from the City and landowners; close the public hearing and make a finding as to whether or not the City has extended service as provided for in the service plan.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Winters said, “Ronda, just a side comment. Garden Plain is one of the communities that’s having a 4th of July celebration.”

Ms. Mollenkamp said, “Yes.”

Chairman Winters said, “Tell us when that starts and what’s happening in Garden Plain.”

Ms. Mollenkamp said, “They will start with a run at 7 A.M. There will be several activities throughout the day. There will be a parade at 11:00, lots of things going on in the park. There will be horseshoes and basketball and dodge ball and kids games and all kinds of things there. Then they will do a large fireworks show at 10:00 in the evening. We invite anybody that wants to come out to join us.”

Chairman Winters said, “All right. Small town activity on 4th of July. We’ll see you there.”

Ms. Mollenkamp said, “Thank you.”

Chairman Winters said, “Thank you. Madam Clerk, would you call the next item?”

NEW BUSINESS

C. 2008 EDWARD J. BYRNE JUSTICE ASSISTANCE GRANT FOR PUBLIC SAFETY TECHNOLOGY ENHANCEMENT.

POWER POINT PRESENTATION

Mr. Josh Shaw, Management Intern, County Manager’s Office, greeted the Commissioners and said, “I’m here today to present the 2008 Edward J. Byrne Memorial Justice Assistance Grant, more commonly known as the JAG grant. This grant is the primary provider of Federal criminal justice funding for state and local jurisdictions. Currently, the City of Wichita and Sedgwick County are classified as disparate jurisdictions by the Bureau of Justice Assistance.

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This means that they receive funding from this grant in one lump sum. The sum can then be divided up through a Memorandum of Understanding between the City and the County. And the total amount of funds available for both jurisdictions for 2008 is \$160,145. The City of Wichita and Sedgwick County have agreed to split this amount 50/50, so Sedgwick County's share for 2008 is \$80,072.50.

Today, in addition to accepting staff's recommendation to accept this grant, we also ask that you conduct a public hearing to accept public comments as required by the U.S. Department of Justice for this particular grant.

The JAG grant allows funding for a variety of components of the criminal justice system, including law enforcement, prosecution and court programs, prevention and education initiatives, corrections and drug treatment programs and planning evaluation and technology improvement programs.

Therefore, we received requests for funding from four departments, including the Regional Forensic Science Center for \$7,500 dollars, Courthouse Security for \$9,000 dollars, the Sheriff's Office for \$26,914, and the District Attorney's Office for the full amount, \$80,072.50. But it should be noted that the District Attorneys proposed project is a project that benefits multiple agencies and I'll describe that here in a minute.

Okay. That brings the total 2008 request to \$123,486.50. After being submitted, these requests went to an Internal Advisory Board comprised of County staff for review. This Board met on June 16th and it consisted of Commissioner Kelly Parks; Bob Lamkey, Director of Public Safety; Dave Thompson from the Sheriff's Office, Anne Swegle, Chief Administrator Attorney for the D.A.S Office; Ellen House, District Court Administrator; Linda Bachman I.T. Manager for D.I.O.; and Marty Hughes, Revenue Manager.

These members reviewed the requests, prioritized them and submitted the recommendations for the distribution of funds which is before you today. And now I'm going to take a minute to describe the Advisory Board's recommendations and give you a little bit of background what the grant money will be used for.

The Advisory Board recommends accepting the proposal by the D.A.'s Office to use the entire amount of available funds as seed money towards the purchase of information sharing software. This project is also recommended by the Sedgwick County Criminal Justice Coordinating Council.

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This information software would be the foundation for providing real time access to criminal justice data across multiple agencies using just a single access point. A key component of the software is going to be the incorporation of a national information exchange model in the justice information exchange model standards.

These standards are the result of a partnership between the Department of Justice and the Department of Homeland Security and they provide a common approach to sharing information at the local, State and Federal level. The total cost of this software has not yet been determined, but the immediate goal is to complete the request for a proposal process and develop an affordable, multi-year implementation plan.

At this time, Commissioners, it is staff's recommendation that you open the public hearing and receive any public comments as well as accept the Internal Advisory Board's recommendation for the 2008 JAG programs funds. I'd be happy to answer any questions if I can."

Chairman Winters said, "All right. Thank you, Josh. I was a little confused about the \$80,000 total, but then there was other listings of the Sheriff's Department?"

Mr. Shaw said, "That's all the requests that came in and the Advisory Board narrowed it down."

Chairman Winters said, "Got it. All right. At this time we will open the public hearing. Is there anyone here from the public who would like to address the Commission on the Edward J. Byrne Assistant Grant Program? Seeing no one, we'll close the public hearing. Commissioners, do you have any questions or comments at this time? Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. I just want to say in response to this recommendation that I'm appreciative of the recommendation, it came from the Committee. Its information exchange, I think, is really critical to improving the process of criminal justice governance in order that all the elements that are, that have to do with criminal justice in our community are able to communicate effectively with one another without barriers and differences in systems.

So it speeds the system up, gets accurate information so that as we try to control our jail population, this will be very helpful in accomplishing that. I think it's a good recommendation and I'm going to be supportive."

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

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Commissioner Parks said, “Without rehashing a lot of other things in those comments that were made, I’d just say that it’s a great communication tool. If there are no other comments about it, I would make a motion.”

MOTION

Commissioner Parks moved to open the public hearing; accept public comment; close the public hearing; approve the grant funding and authorize the Chairman to sign all necessary documents.

Commissioner Welshimer seconded the motion.

Chairman Winters said, “Commissioner Norton?”

Commissioner Norton said, “I guess I would be interested in the status on the other three items. Have we put all the money in one basket? Are those items, maybe the Manager will know this better than Josh, will these items move over as discussion during our budget times, were they already issued as supplemental, they must have had validity in the departments to be brought forward. Kind of what is the status there, Bill?”

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “We have examined those requests and will examine the requests as they fit into the budget process. They’re just not going to hang out there by themselves. We’ll put them in the mix with all the other requests.”

Commissioner Norton said, “I’m sure there was a thoughtful process to spend this Byrne money. Obviously, those were good requests if they were considered and brought forward by the departments. Be sure that we continue to look at them as we try to move through the budget.”

Mr. Buchanan said, “Yes, sir.”

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

Chairman Winters said, “Is there any other discussion? Seeing none, call the vote.”

There was no further 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, "Thank you, Josh. Good presentation. Next item."

D. RESOLUTION AUTHORIZING REVISION OF THE SEDGWICK COUNTY INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY.

Mr. Richard Vogt, Chief Information Officer, greeted the Commissioner and said, "The Sedgwick County Acceptable Use of Technology Policy was originally adopted in 2001 to provide a common understanding of framework and set of guidelines with regard to the use of technology within the organization. As you know, technology is more and more pervasive each year.

As an organization, we expect that everyone who needs to use technology for their work and their employment will be able to do so and we expect that as they use technology, they will use it for its intended purpose in an appropriate and acceptable manner. The Acceptable Use Policy lays out these expectations.

As you can imagine, with technology constantly changing and the landscape changing, we need to make periodic revisions to this particular policy. The changes I bring today fall into two categories, scope and enforcement. The scope changes are largely what you might expect. Technology that was not originally addressed like video, music, pictures and graphics are now addressed.

With regard to enforcement, the policy now incorporates a language which, hitherto, was maintained in a separate document. By bringing the two documents together, County employees can get a better picture, get the larger picture of their expectations.

The revised policy continues to use a mix of general expectations and specific rules to provide the organization with a common understanding and framework. It has been vetted by the County Counselor's Office, Human Resources, Manager's Leadership Team. I recommend you adopt the Resolution, authorizing this revision and I'm available for any questions you might have."

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Chairman Winters said, “All right. Thank you very much. Commissioners, are there questions or comments? Commissioner Norton?”

Commissioner Norton said, “Richard, how do we communicate this to 2,800 employees, the acceptable use of computers? Because you’re right, today with video and music and people in a workplace may want to have some background music that comes from the computer, but what’s acceptable and what’s not becomes the issue and how do you communicate that to every employee?”

Mr. Vogt said, “The primary way is that each employee is required to sign a document, to read an agreement and sign the agreement that spells out in pretty good detail the expectations. Many departments require their employees to reread that agreement on a periodic basis, every year, every two years.

We do want to move the enforcement to the departments to make it as close to what they need and what they can use as possible. That’s the main way we communicate it. It’s obviously on e-line, people can go out and read the expectations. Every time somebody signs on, the expectations, it’s kind of, an abbreviated reference to the acceptable use document is right there for them to say, and click, read and click okay. We don’t expect people to read it every time they sign on, but we encourage people to read it periodically to be reminded of their expectations. We have several avenues of communication.”

Commissioner Norton said, “That was all, Mr. Chair.”

Chairman Winters said, “Thank you. Are there other questions of Richard?”

MOTION

Commissioner Unruh moved to adopt the Resolution.

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

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

E. DIVISION OF HUMAN SERVICES – COMCARE.

1. AGREEMENT WITH HORIZONS MENTAL HEALTH CENTER FOR COMCARE TO PROVIDE SUPERVISION AND CONSULTATION SERVICES.

Mr. Tom Fletcher, Clinical Director, COMCARE, greeted the Commissioners and said, "This is a renewal of an Agreement that we have with Horizons Community Mental Health Center for our Board Certified child psychiatrist, Dr. Deanne Jenkins, to be able to provide supervision and consultation to the Advanced Registered Nurse Practitioners at the Horizon facility. Dr. Jenkins has been doing this for several years and Horizons does pay us about three hours a week for her time.

This has benefited Horizons and their clients as child psychiatrists are very rare, even in a community the size of ours, as well as in Hutchinson. This has been very mutually beneficial for both centers and the agreement allows Hutchinson to utilize the services of Advanced Registered Nurse Practitioners to see children in that Community Mental Health Center who need medications there, knowing that Dr. Jenkins is able to provide assistance in the more difficult cases that they may see.

Dr. Jenkins shared with us a story recently about a time when this was particularly helpful. It had to do with a 12-yearold girl having fairly serious symptoms of obsessive compulsive disorder to the point that she was not able to go to school.

Dr. Jenkins was able to see her on the televideo, talk to the girl as well as the family to understand more about the symptoms, the family dynamics and to make some very appropriate commendations for this child that then were successful for them. Additionally, she found that by being able to see the family there, she was able to make some suggestions to the parents about some symptoms that had previously not been recognized within the parents that were there.

So, very effective way for us to extend our services and extend the ability of Horizons to provide services within their community as well. At this point, we would recommend that you approve the Agreement, but I'd be happy to answer any questions if you have them."

Chairman Winters said, "All right. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. Tom, will all these services be provided by way of video or will there be some face to face or travels to Hutchinson?"

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Mr. Fletcher said, "Everything is done by televideo conferencing and Dr. Jenkins is able to do that from a unit at her office. She's able to talk directly to the nurse practitioners in Hutchinson on her scheduled basis."

Commissioner Unruh said, "Okay. Thank you. That's the only question I had, Mr. Chair."

Chairman Winters said, "Thank you. Tom, my only question was, I see the next item has to do with Horizons also, that's a different subject?"

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

Chairman Winters said, "We're on item E-1. Commissioners, are there other comments?"

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

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

Chairman Winters said, "Next item."

2. AMENDMENT TO CONTRACT WITH HORIZONS MENTAL HEALTH CENTER FOR COMCARE TO PROVIDE MENTAL HEALTH EMERGENCY SERVICES.

Mr. Fletcher said, "This is an amendment to an existing Agreement that we have with Horizons Community Mental Health Center. We've been providing after hours crisis phone services for this five-County CMHC for several years now to provide after hours and holiday coverage for their phone crisis line."

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This amendment allows Horizons to meet the needs of their staff and clients by accessing our crisis services on an as needed basis, in addition to the previous agreed upon condition.

Essentially, for staff meetings or other times when they need to have all their staff available up to a limited number of times per year, we've agreed that during the day we would go ahead and take their crisis calls, or in conditions of emergencies, such as power outages or so on. But under a limited agreement with them. So it would include coverage for up to six times a year for their staff meetings and other emergency coverage's as needed such as the outages I mentioned. We would recommend that you approve this amendment and I'd be happy to answer any questions that you have."

Chairman Winters said, "All right. Thank you. Commissioners, questions about this? Commissioner Parks?"

Commissioner Parks said, "Are these counties, Reno, Pratt, Kingman, Barber and Harper, are they, what did they do before they had our services?"

Mr. Fletcher said, "I believe that they had their own system of providing after hours phone coverage. I can't describe that because I'm not familiar with what their services were. But they found that we're able to provide that effectively for them."

Commissioner Parks said, "And these costs that we're charging them are covering our costs then?"

Mr. Fletcher said, "Yes."

Commissioner Parks said, "Okay. Thank you."

Chairman Winters said, "Thank you. Commissioner Welshimer?"

Commissioner Welshimer said, "Currently, we're, if we didn't do this then, there would have to be another provider who would be paid do this. Are there other providers competing for this? Are we competing with private sector for this?"

Mr. Fletcher said, "Not to my knowledge."

Commissioner Welshimer said, "Okay. Thank you."

Chairman Winters said, "Tom, we also do this for a couple of other counties?"

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Mr. Fletcher said, "That's correct. Butler County, and I believe Sumner County. We also provide some of the same services for with a very similar Agreement."

Chairman Winters said, "Right. Commissioner Unruh?"

Commissioner Unruh said, "Thank you. This in no way impairs the ability for Sedgwick County residents to avail themselves of this service?"

Mr. Fletcher said, "No. That's correct. Our, the ability of us to provide emergency services to our constituents is not hampered at all by us taking these phone calls.

Commissioner Unruh said, "It's a good example of government cooperation to get the job done with the most efficiency?"

Mr. Fletcher said, "Yes. Sharing resources across community lines, that makes it much more effective."

Commissioner Unruh said, "All right. Thank you. That's all I have Mr. Chair."

Chairman Winters said, "Thank you. Commissioners, seeing no more questions, do we have a motion?"

MOTION

Commissioner Unruh moved to approve the Amendment to Contract and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

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

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

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F. DIVISION OF HUMAN SERVICES – AGING DEPARTMENT.

1. AGREEMENT WITH THE KANSAS DEPARTMENT ON AGING FOR THE CENTRAL PLAINS AREA AGENCY ON AGING TO PROVIDE FY2009 SENIOR CARE ACT PROGRAM IN-HOME SERVICES.

Ms. Annette Graham, Director, Aging Department, greeted the Commissioners and said, “Today I bring before you the Senior Care Act Contract. This is the contract with Kansas Department on Aging, every year we enter into a new agreement to provide this service. This is for adults age 60 and over living in the community who qualify for a nursing home but choose to remain in their homes.

This is an all-state dollar program. We receive \$1,205,986.00 from the State of Kansas to this. We do have some matching funds, a total of \$66,827.00. \$5,000 of that comes from Butler, \$1,500 from Harvey County and \$60,327 from Sedgwick County mill levies. These moneys, that’s a 2 to 1 match. The State gives us what they call an incentive dollars and we’ve had these moneys for several years now, but for every \$1 of County money we bring to them, we get \$2 of State funding. That’s for the total program for a tri-county area. Those match amounts are based on usage. Sometimes that varies a little bit depending on how much the other counties use.

But Sedgwick County has the larger numbers of older adults, so we have the larger share of the match moneys because it is based on utilization. But that can vary over the years.

Now, of this money, we also use, this is also a co-pay program, so for older adults, it’s a sliding fee scale based on the amount of money that they have in their liquid assets. They’re charged a co-pay, anywhere from zero to 100 percent. That co-pay is established by the State of Kansas. This program is valuable in our community to provide services for these people to help them remain in the community as long as possible and very often they remain in the homes until the end of their lives because this program provides services that really make them able to do that.

We provide homemaker care, attendant care, emergency response care, that’s the little lifeline for older adults to help them remain safely in their home and some custom care services. All of the services are outlined and identified by the Kansas Department on Aging. They maintain the policies and procedures. It is a wonderful program and a great partnership that really shows the ability to provide funding from the State, have some County mill levy match and also some co-pay. It’s been co-pay. It’s an effective program. We’re happy to continue to provide that and work with the other three counties. I would be happy to answer any questions.”

Chairman Winters said, “All right. Thank you, Annette. Are there questions?”

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Commissioner Welshimer said, "I have one."

Chairman Winters said, "Yes. Commissioner Welshimer?"

Commissioner Welshimer said, "There's a financial level for this? Seniors have to be in the lower income bracket to take part in this?"

Ms. Graham said, "No. It is, there is a co-pay. But for those that have a higher income, they can just pay a 100 percent co-pay. They pay 100 percent of the amount of the cost of services. That service, it is cheaper to go through us because we have a lower rate with providers. That's the incentive for adults to come through our program. Because of our contracting with providers. We have a lower rate. But they still pay 100 percent of the service cost."

Commissioner Welshimer said, "About how many people do we have in this program?"

Ms. Graham said, "About 350. It is limited by the dollars we receive. But we average about 350 right at this time."

Commissioner Welshimer said, "Thank you."

Chairman Winters said, "All right. Any other questions? If not, what's the will of the Board?"

MOTION

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

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item."

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2. CONTRACTS (10) FOR LEVEL 1 CLIENT ASSESSMENT REFERRAL EVALUATION ASSESSORS.

- 1. GAYLE CLOUD**
- 2. KATHRYN COIT**
- 3. CINDY CRANGLE**
- 4. KYLE JONES**
- 5. WILMA LOGANBILL**
- 6. JODY LUJAN**
- 7. JULIE OLIVAS**
- 8. CYNTHIA ROWLETTE**
- 9. AILEEN VAUGHN**
- 10. VIVIAN BATT**

Ms. Graham said, “This is a Contract with individual contractors throughout the tri-county area to provide this service. The CARE is a program that we’re contracted with Kansas Department on Aging to do. It’s a State and Federal requirement for anybody going into a nursing home in the State of Kansas, they must have a CARE assessment.

The purpose of that assessment is to determine their functional eligibility, functional levels and needs for services and also to make sure they know about the available community resources that are available to help them meet their needs and remain in the community.

People do not have to be functionally eligible to go into a nursing home, but if they’re Medicaid eligible, they have to have a CARE assessment in order for Medicaid to pay for it.

Through this, we do an average of about 200 assessments a month throughout the year for in program. We contract with providers to do this. So this is with ten individuals that are listed here. All of our contractors are either licensed social workers, registered nurses or gerontologists. They’re all qualified and all have over ten years of experience in providing services in the community for this population.

We do pay these people for a level 1 assessment, \$35 per assessment plus mileage. We coordinate that. All referrals come into our agency. We assign it a contractor to do that and then we review all applications, all the assessments and then coordinate that with Kansas Department on Aging and the nursing homes and hospitals. So you have a list of the individuals that we’re providing this and I would be happy to answer any questions.”

Chairman Winters said, “All right. Commissioners, questions or comments? If not, what’s the will of the Board?”

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MOTION

Commissioner Welshimer moved to approve the Contracts 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
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Winters	Aye

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

HEALTH DEPARTMENT.

G. ADJUSTMENT TO THE HEALTH DEPARTMENT STAFFING TABLE TO ELIMINATE A FULL-TIME CHN II POSITION, B322, AND FUND TWO PART-TIME TEMPORARY POSITIONS IN THE IMMUNIZATION PROGRAM.

Ms. Pamela Martin-Bevan, Clinical Services Director, Health Department, greeted the Commissioners and said, "The immunization clinic program, SKULL, is to prevent disease, disability and death from infectious diseases, including the vaccine preventable diseases. The immunization clinic operates on a walk in basis five days a week. In 2007, the clinic saw 27,190 clients. Many of these clients are seen during our two busy peak seasons, the first one being July and August for back to school shots and the second one October and November for flu shots. Sixteen percent of these clients are seen in July and August and 44 percent are seen in October and November.

Seven nurses, including one that's used primarily for the mobile clinic, provide these immunization services. To enable us to keep up with the increased demand for services during these peak times, assistance is requested from staff, from other areas in clinical services. The staff needed, however, has not always been proven to be available.

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In 2007 we had staffing shortages and so we had to have two temporary agency staff who were hired to assist with service provisions. The hiring of the staff was possible only because grant funding was available because we had a position vacancy and this cannot be relied upon annually. This position was used to meet the base budget for 2009.

So we are requesting to use this staffing table adjustment, as a trial, to see if this method of providing services would meet the needs of obtaining adequate staffing and coverage during our peak seasons instead of employing a person year round while meeting these service demands. Our proposed recommended action is to approve and authorize this staffing table adjustment.

Chairman Winters said, "All right. Pam, thank you. Commissioners, questions about this staff position changes? Commissioner Parks?"

Commissioner Parks said, "I know this is a short term solution here. Long-term planning, are you planning on coming back and reviewing that, or what are the long-term plans for this also?"

Ms. Martin-Bevan said, "Right. Like I said, we're using this as a trial to see what potential challenges this may present. Some of the challenges that we're anticipating, it may be where we need to make sure that there are RNs that are out there that we can be able to hire in a short amount of time period.

Also, once they are hired, we need to hire them at least a month ahead of time because of the learning curve in order to become knowledgeable about the immunization schedule. So those are some of the challenges we've received that we may have to make accommodations for. We don't know what other challenges may come up. This is a time period that we're going to use to find out what other challenges we may have in the future."

Commissioner Parks said, "Does this affect the MMRS in any way?"

Ms. Martin-Bevan said, "No, it does not."

Commissioner Parks said, "Thank you."

Chairman Winters said, "Thank you. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. I just want to commend you all for analyzing the situation and taking an approach that tries to maintain our services and do it with the most cost effectiveness. It's a good trial and I'm going to be supportive. Thank you."

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Chairman Winters said, “I’m going to be supportive also. It looks to me like, again, we have 44 percent of your business in a couple of months. This would perhaps be the kind of opportunity that, again, as we see our generation retiring, but a number of people not wanting to be fully retired, if a retired nurse wanted to come back and work a couple months or couple weeks and rotate even more than one or two people, I think it sounds like a very good plan. Commissioners, are there any other comments? If not, what’s the will of the Board?”

MOTION

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

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	Aye
Chairman Winters	Aye

Chairman Winters said, “Pam, thank you for being here.”

Ms. Martin-Bevan said, “Thank you.”

Chairman Winters said, “Next item.”

H. AGREEMENT WITH THE CITY OF WICHITA FOR DEVELOPMENT OF A DRAINAGE MANUAL.

Mr. James Weber, P.E., Deputy Director, Public Works, greeted the Commissioners and said, “In Item-H, we’re requesting your approval of an Agreement with the City of Wichita for development of a drainage manual. The Floodplain Management Task Force identified the creation of a Comprehensive Drainage Manual as one of the key steps to creating regional draining solutions in Sedgwick County. The City of Wichita has contracted with AMEC Earth and Environmental to prepare the manual.

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AMEC is also working on the levee accreditation project and will be able to use some of the information and data that's developed on the levee project as part of the manual. This would save money and help provide consistency between the work that's done to accredit the levees and future drainage designs that will impact the levee system.

The Storm Water Management Advisory Board has appointed a Technical Advisory Committee, comprised of engineers and other technical people. One of the tasks of that group is to review the drainage manual as it is developed. The manual will provide engineers with standard methods to use to calculate runoff and design storm sewers, ditches, detention ponds and other drainage structures.

Best management practices that will help control erosion and sedimentation will be included to help with compliance with environmental regulations. The manual will be available for use by all the communities in Sedgwick County and the drainage district of various people in the business around here. The County's share of the cost will not exceed \$218,250 and we request that you approve the Agreement and authorize the Chairman to sign. Be happy to try to answer any questions that you might have."

Chairman Winters said, "All right. Thank you. Are there questions of Jim? Commissioner Norton?"

Commissioner Norton said, "Is there a mechanism to make sure the small cities in other jurisdictions accept this as standard once we get the standards put together in the drainage manual? Will they all adopt the same standards?"

Mr. Weber said, "We're not in a position to force adoption. But as the Storm Water Management Advisory Board moves forward and assuming we get to a point where there's maybe a County-wide funding source for drainage, one of the things that that group anticipates is that one of the requirements is if you want to get into that pot of money, you're going to have to adopt this manual and use it so there's consistency between projects and as you go in and out of city limits and unincorporated areas of the County.

But, in their discussions, and at this point, SMAB has got a number of city representatives on it. Right now, not everyone is represented. But that's their choice at this point. Clearly, we can't force people to use it. A lot of them are excited about it. For example, they're using Wichita's manual right now. They'd like to use a more current manual. It will be better. I think the community as a whole has started to adopt it, the developers and the builders that are working out there want to see uniformity as they go from one community to the next. I think when it's rolled out and available, I expect to see almost universal use of it in the county."

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Commissioner Norton said, “As I continue to worry with drainage problems in my district, it seems like having a very uniform standard, applicable standard that we would try to meet for all jurisdictions whether it be townships, small cities, second class cities, Wichita, Sedgwick County, would be very appropriate. Because I continue to believe that drainage is an infrastructure. We’re moving more towards defining it that way. I think a drainage manual is very appropriate if everybody will use it.

I don’t want to invest the money in putting together a manual and then have it go on a shelf and everybody still designing drainage by serendipity. That’s just not going to work. I guess as we move this along and I’ll be supportive, we want to make sure that we market it to everyone to adopt it as the standard for Sedgwick County because we found out that all drainage is interrelated.

What a municipality does may affect a township, what the County unincorporated may do may affect a small city, what Wichita does may affect some unincorporated area and some townships. It’s all related. I think it’s good, but we need to make sure everybody has a chance to have some input and adopt it very easily.”

Mr. Weber said, “I think if I could add to that for a second. I think you’ve created a situation where you’ve made it possible for all the stakeholders to get to the table. Some of the smaller more outlying communities aren’t really interested yet. But it’s available to them. The other thing that’s happening is through the use of the Technical Advisory Committee, you basically have all the engineers in town that are doing drainage work at the table.

Those people, as they do, honestly, the bulk of the work in this community is in City of Wichita at that or Sedgwick County. If those people start using that manual, they are going to carry that with them to the Mt. Hopes’ or wherever things are happening, where these communities don’t have one, it’s just going to sort of infuse itself in everything that were doing.”

Commissioner Norton said, “Okay. That’s all I have, Mr. Chair. Thanks.”

Chairman Winters said, “Thank you. Mr. Commissioner Parks?”

Commissioner Parks said, “I’ve noticed in your backup here, it says that it has the cost on there of a half a million dollars, the County’s portion will be \$218,000, that several cities, other cities in Sedgwick County have agreed to help. Is that just a minute part of that or was that by request or kind of tell me a little bit about the other cities participation in this.”

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Mr. Weber said, "When the Floodplain Management Task Force was kind of working on this, at that level there were a number of cities also involved in that process. I don't remember who they were and maybe Dave remembers more than I do, there were three or four communities that Dave asked them, 'would you participate with the City of Wichita and Sedgwick County in paying for this manual'. It's minute in terms of the whole project. It may be for some of the communities, it's probably, was a little bit tough. I don't know if you want to expand on that or not, Dave."

Mr. David Spears, Director, Public Works said, "We sent a letter to all of the little smaller cities, all 20 cities and asked if they would like to participate and do what they could. For example, Sedgwick, I think gave \$100, something like that and there was two or three that gave money, as my recollection but I do not remember how much it is. Jims right, it is a minute amount. We did ask and some did what they could."

Commissioner Parks said, "I wanted to clarify that. When it gets to the point of regulations and impacting property owners, are these things that are in this manual going to be brought back to this Board for consideration?"

Mr. Weber said, "The manual itself is not a regulation, its engineering guidance I guess is the way I put it, standard ways of doing things and standard data to work off of. If the work of the manual is completed and there are things that appear that they would need to be in the form of regulation, an example might be, we have a Floodplain Management Regulation that sees the free board, the flood elevation at your house, is specified that your first floor has to be two feet above that. That's a regulation."

If the manual is developed and it, for some reason, concludes there should be a different level set for the free board, that would have to come back and be adopted by the County Commission and the various cities to actually create that regulation that changed it to whatever new number we had. A lot of this stuff, it ist methods and practice and what the manual is trying to do is take this whole wide field of things that you could do and narrow it down to the three or four that work here in this kind of flat country and that are acceptable to the local governing bodies or their engineers in terms of what's an acceptable method."

Commissioner Parks said, "I wanted to make sure we didn't have regulation without representation."

Mr. Weber said, "That would never happen here in Sedgwick County."

Commissioner Parks said, "Thank you."

Chairman Winters said, "Thank you. Commissioner Unruh?"

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Commissioner Unruh said, "Thank you, Mr. Chairman. We'll, I'm going to be supportive. This is a considerable amount of money and, you know, as Commissioner Norton said, we don't want to have a document that is not accepted and used. But I think we need to go forward with it because, as we have seen this year in particular, storm water management is a considerable problem for all the jurisdictions in Sedgwick County.

So to have a game plan that we all have kind of agreed to as we approach the problem makes sense and not doing it leaves us still with a fragmented approach to it that might have people working against one another. So I think it's the appropriate thing to do. I'm going to be supportive and I appreciate the cooperation by the communities who have decided they want to participate financially at whatever level it is. I'm appreciative of that. That's all I had, Mr. Chair."

Chairman Winters said, "Okay. Thank you. Commissioner Parks?"

Commissioner Parks said, "I just had one more thing, it kind of dove-tails in with this. The last month or so, we haven't had any flooding problems in Sedgwick County, nor City of Wichita, or anywhere else that I'm aware of."

Mr. Weber said, "I've noticed that too."

Commissioner Parks said, "Now we've had some drainage problems and I think there is a lot of play on words a lot of times with either media or just the common person that the flooding part of it comes, it from a different term and it's more when the river comes up and goes out of its banks and then there is a flooding problem.

Missouri and downstream on the Missouri River and Mississippi River have had some flooding problems, definitely. I know my appointee to the Drainage Committee said that's quite a unique thing, we need to define whether it's a drainage problem or a flooding problem, so sometimes those two terms get intermingled when they shouldn't be. Just wanted to throw that in."

Chairman Winters said, "Okay, thank you. Commissioner Norton?"

Commissioner Norton said, "I guess the other consternation I have is that a drainage manual that guides us must also guide individual developers. We see that many times the acceptable practice, what needs to be done with drainage doesn't always get adopted by individual developers and that causes a huge amount of problems in local sub-divisions and outlying township areas. Anything that we do should probably go through the scrutiny of builders associations and realtors and other folks that have their finger in the pie for how we develop.

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Because infrastructure done right really is good for the public good. Infrastructure done wrong has unintended consequences, maybe not immediately, but down the road. I think it's going to be very important, not only do we make sure that the local engineers understand, the local staffs of the jurisdictions understand, but folks that develop and put in neighborhoods also understand that they might want to have a copy of the drainage, acceptable drainage practices and build that into how they develop subdivisions, because we end up with years later, with the unintended consequences of not taking care of it properly with best methods in our community."

Mr. Weber said, "All right. I should, I guess, add that in this work that AMEC is doing, there is a healthy dose of public input, or involvement required. They will be having meetings with, I can't remember exactly how it's rolling out, but there will be plenty of opportunities to get all those stake holders in for input. In fact, they will be in town next Wednesday afternoon, and actually sit down and meet with the Storm Water Management Advisory Board to start a conversation with them on what their expectations are for the manual."

Commissioner Norton said, "One thing, you know, I have learned through the last several years with the drainage issues that I've had is that many times developers may want to take a shortcut because of cost, and then secondly, homeowners demand their property rights to be able to build whatever they want, and it may not fall into what is acceptable drainage practices for their piece of property or property that's contiguous to it."

So I hope that whatever we come up with will define our community with really good practices that everybody will accept and understand and will create a much better society for us down the road if we follow the rules. That's a little soap box, bit soap boxish, but it needs to be said. I understand drainage in a very close level right now. Thank you, Mr. Chair."

Chairman Winters said, "All right, thank you. Seeing no other questions of Jim at this time, what is the will of the Board on Item-H?"

MOTION

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

Commissioner Welshimer 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, "Thank you Jim."

Mr. Weber said, "Thank you."

Chairman Winters said, "Next item."

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JUNE 26, 2008.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of June 26th results in five items for consideration. First item:

**1. CHANGE ORDER #1 – ARENA – WATERMAN IMPROVEMENTS – FACILITIES DEPARTMENT
FUNDING – INFRASTRUCTURE – STREETS**

Recommendation is to accept the Change Order and modify the Contract with the City of Wichita in an amount of \$158,289.38. Item 2:

**2. THREE EACH, 2009 FORD E – 450 CHASSIS – FLEET MANAGEMENT
FUNDING – VEHICLE ACQUISITION**

Recommendations to accept the low bid from Rusty Eck Ford in the amount of \$89,976. Item 3:

**3. TWO EACH, SLIDING EQUIPMENT TRAILERS – FLEET MANAGEMENT
FUNDING – VEHICLE ACQUISITION**

Recommendation is to accept the bid meeting specifications from Berry Tractor in the amount of \$77,552. Item 4:

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4. ERGONOMIC CHAIRS – ALL DEPARTMENTS
FUNDING – ALL DEPARTMENTS

Recommendation is to accept the bid from Scott Rice for items 1, 2, 20 through 24, 34, 36, 43 through 45, and from T. E. Berry for items 8 through 19, 25 through 29, 32, 33, and 38 through 42, and establish contract pricing with each vendor through February 7th, 2009. And item 5:

5. CLOTHES, LINENS AND TOILETRIES – DEPARTMENT OF
CORRECTIONS
FUNDING – ADULT INTERMEDIATE SERVICES &
SANCTION/SEDGWICK COUNTY YOUTH AFTERCARE PROGRAM

That recommendation is to accept, and for the record I am going to make a slight modification, the recommendation is to accept the low overall bid from Bob Barker and establish contract pricing for one year with two one-year options to renew. We would be happy to answer any questions, and I recommend approval of these items.”

Chairman Winters said, “All right. Commissioners, are there questions? Commissioner Norton?”

Commissioner Norton said, “I would like a little more information on number one, Change Order, obviously we’ve gotten into some contaminated soil, but that’s gotten to be a much higher price. I was always a little dicey on putting money into infrastructure along Washington and Waterman, this just adds to that, so maybe a little more explanation, that’s a pretty good sized change order.”

Ms. Baker said, “Okay. The Change Order extends from a bid process that the City of Wichita did with these improvements, storm water and sewer along Waterman. Our contract and the purchase order that was written was based on the engineer’s estimates. And that’s what the Board approved at the time this was presented.

The end of the bid process the engineers estimate from the City was low and didn’t cover the entire bid cost. The contract obligated us to pay our share of the bid costs. That’s what \$106,000 of this Change Order is. The contract also obligated us to share a third of the cost, any costs related to contaminated soil.

At the time that the contract was approved and the purchase order was written, there was not a cost associated or any contaminated soil that was identified. Through the course of the project, contaminated soil was found, action had to be taken on the City’s part to get it cleaned up, the result of that work is a \$51,862 expense for the County. Our share of what we had agreed to.”

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Commissioner Norton said, “I guess my question is, did we not do an environmental, I think everybody around knows there is a potential for all of that area to be contaminated somehow, did we not do enough of an environmental to discover that long before today?”

Ms. Baker said, “While this is a City project, they would be best to speak to how much in depth they went through, standard practice is you go through, you do spot checks. Sometimes you find things, sometimes you don’t. You might have been able to anticipate that somewhere, because of the size of the project and the length, somewhere along the line you’re probably going to find something, but generally when we make recommendations, we don’t like to guesstimate the preferences.

We present what is known as fact, and then as things come up, then we address those accordingly. It helps you in that it doesn’t appear that were just throwing money, like for an estimated, you know, here’s a contract being presented to you and we are going to estimate \$200,000 if needed for cleanup or contingency to cover those costs. Sometimes it doesn’t really make sense to do that if you really can’t quantify or identify the unknowns. You have got a general expectation that there may or may not be something out there, and you just, we would just take the position that if we find it, we will address it at that point in time.”

Commissioner Norton said, “I guess the second part is, \$106,000 over the engineers estimate, were they woefully under the estimate or have prices gone up so dramatically since then that that’s changed the real world?”

Ms. Baker said, “I can’t answer that question. Ron Holt might be able to in terms of when the estimate was prepared versus when it was awarded.”

Ron Holt, Assistant County Manager, greeted the Commissioners and said, “I will try to be brief. Let me take you back and remind you that this project was from the Arena site along Waterman to Main, and we’re involved in it with the City because it is a sewer line, storm sewer line that we needed for the Arena, so we collaborated with the City. They put in a water line, we put in, on our behalf, they put in a sewer line, they did, we put in a storm water line, they put in a sewer line.

We all worked this together on this contaminated soil. And ours is right, they did the studies, but they didn’t find this particular soil. So it was an after the fact find when they started the excavation there. The thing that I would just remind you, in addition to this, because we worked this project with the City, we had a savings of \$300 some thousand, if we would have done our storm water line stand alone, it would have cost us \$300,000 more. While this is an increase, it is really less than we would have paid if we had done it alone. And in fact, we would most likely have run into this same problem because it was the street area that needed to be excavated. I hope that’s helpful.”

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Commissioner Norton said, "Okay. That's all I've got."

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

Commissioner Parks said, "To elaborate a little bit on what Mr. Norton said, I did ask a question of environmental when this first came up, when we were first looking at this connection with the Arena. I did want to ask one other question here with this, and certainly it is not an anticipated from me, what line item, we just want to make sure, what line item this is coming out of?"

Ms. Baker said, "Infrastructure and streets in the Arena project."

Commissioner Parks said, "It is in the Arena budget and the sales tax will be applicable to that?"

Ms. Baker said, "Correct."

Commissioner Parks said, "Thank you."

Chairman Winters said, "Thank you. Commissioners, any other questions? Commissioner Welshimer, did you have a question?"

Commissioner Welshimer said, "No. It was answered."

Chairman Winters said, "Very good. Are there any other questions? Seeing none, what is the will of the Board?"

MOTION

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

Commissioner Welshimer 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, "Thank you, Iris."

Ms. Baker said, "Thank you."

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

CONSENT AGENDA

J. CONSENT AGENDA

- 1. One Easement for Right-of-Way for Sedgwick County Drainage Project along Webb Road and east 69th Street North; D-833-G. District #1.**
- 2. Two Right-of-Way Easements for Sedgwick County/KDOT Project 817-V,W,X; road widening project on Meridian between 47th Street South and 71st Street South. CIP# R-281. District #2.**
- 3. Employment Agreement with Mark Reed, Director, Sedgwick County Zoo.**
- 4. Salary adjustments for various Sedgwick County Zoo positions.**
- 5. Order dated June 25, 2008 to correct tax roll for change of assessment.**
- 6. General Bills Check Register(s) for the week of June 25, 2008 – July 1, 2008.**

Mr. Buchanan said, "Commissioners, you have the Consent Agenda before you, and I would recommend you approve it."

Chairman Winters said, "Commissioners we have the Consent Agenda. What is the will of the Board?"

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MOTION

Commissioner Welshimer moved to approve the consent agenda as presented.

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	Nay
Commissioner Welshimer	Aye
Chairman Winters	Aye

Chairman Winters said, “Commissioners, that brings us to the conclusion of the agenda items on today’s Agenda. We’re under ‘Other’ does anybody have any other discussion topics? Commissioner Welshimer?”

K. OTHER

Commissioner Welshimer said, “Last Saturday I went out to the Spirit Employees Park in southeast Wichita for the ham radio field day. It was quite interesting. It’s a group of people who are very avid with their hobby of ham radioing, but they provide a service to all of us in that they are first responders to disasters and emergency situations where they are available, and it is all on a volunteer basis.

They come from all over the United States, and they set up their ham radios, equipment, and so on, and bring their teenagers and they all exchange information and it was quite interesting. I think the most interesting thing about it is that they work in coordination with government departments, emergency departments, and seem to be there when we need them on a volunteer basis. Anyway, it was quite interesting. Wanted to give them a plug.”

Chairman Winters said, “All right. Very good. Commissioner Parks”

Commissioner Parks said, “I would like to thank Deb Gruber for her article on the Arena tax distribution from last week. She did a good job on that. It is unfortunate that the editorial staff of the Eagle missed the point, but we will press on for future things and hope to get better on that.

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Park City has a parade on the 4th in the morning. You can get more information, if you want to participate in that through the Ark Valley News and read all about that, and I would just like to say have a safe 4th of July. There's already been a few injuries in our hospitals I've noted, and we just need to make sure that we have a safe 4th. Thank you."

Chairman Winters said, "All right, thank you. Well, today is July 2nd, so 4th of July is coming up on Friday, and we wish everyone a happy 4th. There are a couple of small towns having events. I believe Maize is having an event on the 4th, Garden Plain is having their celebration, so if you want to take in small town celebration and again, we would encourage everyone to be safe over the holiday. Commissioner Norton?"

Commissioner Norton said, "I guess I can only say ditto. Haysville is having a parade, I will be there throwing out candy. I would urge folks that want to celebrate around the County, if you look in the paper or call a neighbor, you can probably find a parade, barbecue or display somewhere close to you.

It is good advice to be careful. We've had some fires. Fireworks in America are part of the 4th of July. We certainly would like to have people be safe with them. If you have children or teenagers with fireworks, make sure there is adults watching, make sure you douse everything. Watch the roofs of your neighbor's homes because we really don't want to have problems with fireworks.

Last thing I have, I continue to work on some drainage issues down south. I want to thank my fellow Commissioners for understanding and helping me with that a little bit. We have some citizens and some infrastructure in real trouble down south, we've worked pretty hard to try to mitigate it, we haven't come up with long-term final solutions.

Hopefully some of the action we took today with the drainage manual will start describing what needs to be done with some of these problem areas. But I would like to thank my colleagues for being understanding and helping me out with that as we try to move forward down south. That's all I have Mr. Chair."

Chairman Winters said, "Commissioner Welshimer?"

Commissioner Welshimer said, "I announced this last week, but of course Derby is having their parade, too, on the 4th of July. I intend to participate in that."

Chairman Winters said, "All right. Very good. Well, everyone have a good holiday weekend. Is there anything else to come before the meeting? Mr. Manager? Mr. Euson?"

Mr. Buchanan and **Mr. Euson** said, "No, sir."

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Chairman Winters said, "We are adjourned."

L. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:20 a.m.

**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