

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 23, 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 23, 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; Mr. Paul Drouhard, DIO, Facility Maintenance; Mr. John Schlegel, Director, Planning Department; Ms. Dorsha Kirksey, Director, Housing; Mr. Mark Masterson, Director, Department of Corrections; Dr. Timothy Rohrig, Director, Forensic Science Center; Mr. Roderick Harris, Director, Center for Health Equity; Ms. Claudia Blackburn, Director, Health Department; Mr. David Miller, Budget Director, Division of Finance; Mr. Bob Lamkey, Director, Public Safety; Rob Lawrence, Project Services; Mr. Steve Cotter, Director, EMS; Judge John Kisner, Division 17; Mr. Tom Pletcher, Clinical Director, Mental Health; Mr. Joe Thomas, Sr. Purchasing Agent, Purchasing; Ms. Amanda Matthews, Communications Coordinator; and, Ms. Evelyn Good, Deputy County Clerk.

GUESTS

Ms. Linda Merrill, President/CEO, Envision
Mr. David Austin, Envision
Mr. George Fulp, 14220 Donegal Circle, Wichita, KS 67230
Mr. Dayne Rinehart, 9310 E. Marion
Mr. Jerry Brown, 7128 E. 101st St. N, Valley Center, KS
Ms. Anne Nelson, 1512 Horizon Drive, Derby, KS
Ms. Bev White, 2707 E. 21st St.

INVOCATION

The Invocation was led by Mr. Brad Snapp, Wichita, Kansas

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES

Regular Meeting, July 2, 2008

Chairman Winters said, “Commissioners, you have 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 July 2, 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.”

PROCLAMATION

A. PROCLAMATION DECLARING JULY 25, 2008 AS “ENVISION’S 75TH ANNIVERSARY DAY.”

Chairman Winters said, “Commissioners, we have one Proclamation today for your consideration.

WHEREAS, Envision Incorporated, the largest provider of low vision rehabilitation and employer of people who are blind or have low vision in the region, was incorporated as a private nonprofit agency on July 25th, 1933 in Wichita, Kansas, and

WHEREAS, in the midst of the great depression, a group of Wichita leaders created the Wichita Workshop and Training School for Adult Blind Incorporated, and

WHEREAS, the agency now known as Envision, seeks to allow the blind to work in the community and promote the social welfare of the adult blind, and

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WHEREAS, Envision has served countless numbers of people who are blind or have low vision and expects to serve countless more as aging baby boomers experience age related eye disease which results in vision loss, and

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim July 25th, 2008 as

‘Envision’s 75th Anniversary Day’

and Sedgwick County do honor their many achievements and commitments to people who are blind or have low vision. Dated July 23, 2008. Commissioners, that’s the Proclamation. What’s the will of the Board?”

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, “I see that we have Linda Merrill here, President and C.E.O., and David Austin. So if you would both like to come to the microphone and just make a couple of comments about Envision, please.”

Ms. Linda Merrill, President/C.E.O., Envisions, greeted the Commissioners and said, “All right, thank you very much. We appreciate your acknowledgment of our 75th Anniversary.

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You know, research indicates that vision loss among the baby boomers is going to be at the epidemic proportions. And because of these early citizens of Sedgwick County, 75 years ago, we are all going to be blessed by having Envision here in our community. And now that we're neighbors, just across the street, up a little bit from you, want to invite you to stop in and see what we are doing in case you or any of your family members or friends ever need our services. Thank you so much. "

Chairman Winters said, "We have a couple comments. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. It's been my privilege to serve on the Board of Envision for the last couple of years, so Linda and David have become good friends of mine.

I'm very much committed to the mission of Envision, which is education and employment opportunities for those who are blind and low vision, also, providing clinical and rehabilitation services to those who are blind or low vision. So it's a very good mission and so far we have been very successful under Linda's leadership, appreciate your efforts. But Linda, could you tell us just a little bit, how many blind or low vision folks do we employ at Envisions?"

Ms. Merrill said, "We have over 200 people who are blind or low vision working at Envision. We are the largest employer within this region. We are actually recruiting people from California, from the New England States, from the upper Midwest, Texas, I think I mentioned California, so people who are blind and low vision are coming from all over the country seeking employment at Envision.

Additionally, people from all over the country are coming to Envision seeking low vision rehabilitation services because the word is really getting out about the quality of services and the uniqueness that we provide."

Commissioner Unruh said, "And there is a very highly qualified low vision specialist working at the Envision property and that's Dr. Parks?"

Ms. Merrill said, "Absolutely. The State of Kansas is, again, extremely blessed to have Dr. William Parks working at Envision's Low Vision Rehab Center. He comes to this state with tremendous credentials and background in research and a 21 year history of working solely in low vision."

Commissioner Unruh said, "And then, coming up pretty quickly, we have got a clinic at Envision that's going to help folks that have vision problems vote. We don't have a voting clinic?"

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Ms. Merrill said, “That’s right. On August 23rd, Envision will be hosting a voting clinic that is for people who are blind and low vision that need to use the accessible voting machines. It’s an opportunity to come in and kind of try the machine out before they actually start to use it. We will also have a kiosk set up so that individuals could register to vote. With all these people coming in from out of state, we want to make sure they are registered to vote and ready to go for this fall, for the Presidential Elections. We’re really excited about that. Again, we’ll be just across the street. You all just stop in.”

Commissioner Unruh said, “Alright, thank you.”

Ms. Merrill said, “Thank you.”

Chairman Winters said, “Linda, thank you and David both for being here this morning and congratulations on 75 very good years. Madam Clerk, would you call the next item?”

PLANNING DEPARTMENT

B. PLANNING DEPARTMENT.

POWER POINT PRESENTATION

- 1. CASE NUMBER ZON2008-00025 – ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL TO LC LIMITED COMMERCIAL, WITH A PROTECTIVE OVERLAY; GENERALLY LOCATED ON THE SOUTH SIDE OF 21ST STREET NORTH AND 1/5 MILE WEST OF 159TH STREET EAST (15621 EAST 21ST STREET NORTH). DISTRICT #1.**

Mr. John Schlegel, Director, Planning Department, greeted the Commissioners and said, “In this first case that I’m presenting to you, this portion of 21st Street, out near the Butler County Line, 159th Street East should look pretty familiar to you because I have presented two similar types of cases on adjoining properties over the past several months. It’s about a fifth of a mile, the property, the application property, is about a fifth of a mile west of 159th Street, you can see it on the screen, on the south side of 21st Street North. It consists of 4.7 acres, its one unplatted tract of land.

It’s currently developed. You can see on the aerial photo that I’ve put up before you now, with a single family residence and some accessory buildings. It has about 445 feet of frontage along 21st Street. You can see from that aerial photo that 21st Street currently is a two-lane arterial, but the there should be construction starting very soon on improving 21st Street out to the Butler County Line as a five lane arterial.

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Going back to the zoning map, you can see the zoning designations. The property currently is SF-20 and is surrounded by similar type of zoning. On the north side of 21st Street is the Monarch Landing CUP and that is surrounded by RR zoning to the west and north. As I mentioned, you have reviewed similar types of zoning requests very recently for this property at the northeast, or southwest corner of 21st Street and 159th, and then also for these two properties, immediately to the west of the application property.

The character of this area is changing very rapidly from basically a rural area, very low density area, to a more intensely developed area. Monarch Landing, of course, is building out just on the north side of 21st Street. A new school on this parcel. Then just across the County Line, in Butler County and the City of Andover, is the Cornerstone Commercial Planned Unit Development. There's a new hospital being built on that property, new school site, Andover School site being built on that side of 159th Street.

The recommendation from the planning staff for this particular request was that the same types of provisions that were put in place and approved for the Monarch Landing CUP for this portion, for these parcels and then also for the other two rezonings south of 21st Street, be approved by the MAPC, which is what they did at their meeting on June 19th.

So they adopted the staff recommendation at that meeting for approval with protective overlay 214 and like I said, the provisions of that protective overlay are the same as for these other properties.

We have had no protests, no complaints about this particular rezoning. The net effect of an approval of that, of this zoning request, is that we would have the same commercial zoning along 21st Street, along this portion of 21st Street from the Monarch Landing entrance all the way over to 159th Street. So with that, you have a recommendation before you from the Planning Commission for approval with protective overlay number 214. I can take any questions."

Chairman Winters said, "Thank you, John. We do have some. Commissioner Welshimer?"

Commissioner Welshimer said, "All we are doing is changing the zoning, we don't know what's going in there. Isn't that correct?"

Mr. Schlegel said, "No. We don't know specifically what will be built."

Commissioner Welshimer said, "Once we change the zoning, this doesn't come back to us?"

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Mr. Schlegel said, “No. You would not be seeing any type of requests for specific type of use. They would be allowed to do anything that’s allowed under this particular zoning with this protective overlay.”

Commissioner Welshimer said, “And it doesn’t come back to anybody? So, you know, where they place the buildings on there, what kind of a business they put in there is...”

Mr. Schlegel said, “Those are all reviewed by staff then. When they would come in for the next step would be, before they would come in for building permits would be, they would have to plat this parcel. So there would be a review of things like access from 21st Street to this property, the drainage would get very thorough scrutiny at that time. When they actually came in for building permits is when staff would review what they’re proposing to make sure that it conforms to the zoning requirements and to what’s outlined in the protective overlay.”

Commissioner Welshimer said, “That still leaves a lot open to whatever the developer wants to do. And do we know who the developer will be that will be putting commercial buildings on this site?”

Mr. Schlegel said, “No. This application is from the current property owners, and we do not know what their plans are at this time.”

Commissioner Welshimer said, “I’m going to support this, it’s in my District. But I do have concerns that somewhere along the line we need to address. We are having owners come in and change the zoning and then the person that’s actually going to be doing all this just comes in after the fact and I would like to know more about what’s going to happen to that neighborhood and what’s going to be there. But absent the, any objection from the neighborhood, I have no reason to oppose it at this time. Thank you.”

Chairman Winters said, “Commissioner Welshimer, I believe that this is in Commissioner Unruh's District. This is 21st Street North.”

Commissioner Welshimer said, “Oh, its north. Okay. Sorry.”

Commissioner Unruh said “That’s okay. You said good things.”

Commissioner Welshimer said, “I was thinking it was in mine.”

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Chairman Winters said, "All right. Seeing no other questions from the Commissioners, this is not the official hearing, but it is always our tradition to hear from any neighbors or people who want to comment on zoning changes. Is there anyone here in the meeting room today who would like to address the Board of County Commissioners on this zoning change? Please come forward and give your name and address for the record please."

Mr. George Fulp, Fulp and Associates, 14220 Donegal Circle, Sedgwick County, greeted the Commissioners and said, "Commissioner, you're correct. I used to be on the Metropolitan Area Planning Commission. The Monarch Development that's already started, prior to that this was all residential. And now that the Monarch is in there, it changes the character of the street and the community, Restor's (sic) Residential.

They're building homes rapidly off of 21st Street. What we call, in my opinion, spot zoning. Once you open a corridor, residential corridor to allow a tract or piece of land that fronts the road to change its zoning to LC or whatever, commercial, then eventually the next, the adjoining plot of land is going commercial, the next and the next is going to go commercial. That's what we used to call, when I was on the Commission, spot zoning. There were a few of us who were vehemently against this.

I do oppose this, however it's going to pass because the majority of the Planning Commission is influenced and/or controlled by its members who are in the real estate and development industry. I do object to this. Again, it's an example of spot zoning. Central Avenue has been widened to four lanes all the way to Butler County. At least when I was on the Commission, I delayed the widening of 13th Street from K-96 all the way to Butler County, four lanes. It doesn't need it. If you drive on 13th Street now, even in rush hour, it looks like Downtown or K-96 or I-35 at 2 in the morning.

Yet the next street over is going to be 21st, which they want to widen all the way. This is nothing more than for the convenience of development, commercial development in the future. Long history in this County has been that developers get zoning changed to commercial. Then the influence they have on governing bodies through campaign contributions at taxpayers' expense, we widen the roads. When we widen the roads, we must put in sewers, we must put in storm drains. Then they will get the zoning changed and they will hook into the existing, already paid for by taxpayers, utilities, infrastructure at no cost to themselves.

So I and my neighbors, and those of my association strenuously object to the approval of this. Just another example of developer control and spot zoning. Thank you."

Chairman Winters said, "All right. Thank you. Do you have a question of this gentlemen?"

Commissioner Welshimer said, "Your neighbors and you, do you live near this site?"

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Mr. Fulp said, "Yes, ma'am."

Chairman Winters said, "Is there anyone else in the audience who wishes to address the Board of County Commissioners on this zone change? Anyone else? We'll limit discussion to the Bench. Commissioners, comments? Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. This is in District 1, and I'm very familiar with the widening of the streets on Central Street, which was our project, 13th Street, which was our project, and soon to be developed 21st Street. The constituents in my area that I've heard from, including those in the Crestview Improvement District, have been delighted with the improvements in those roads and the safety that it's brought to the citizens.

A year or so ago, 13th and 127th Street was somewhat of a dangerous intersection, repeatedly got calls there for improvements to that intersection. It does enhance the flow of traffic along those streets and it will help in managing traffic as we widen 21st Street. All these roads are mile line roads that are designed to be through streets and carry traffic. So I think the road improvements are well done.

The specific item that we're talking about here, which I have also not heard complaints about, seemed like it's on a road that's going to be a five lane road. It's consistent with already approved zoning, and I haven't had contact with either developers or the applicant or other citizens in the area, but in light of the fact it's going to be a five lane road, other areas around there are already developed, I'm going to be supportive of this. As I said, I have not heard complaints about this development except from Mr. Fulp this morning. I'm going to be supportive."

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

Commissioner Parks said, "Well, I think I'm going to be supportive of this. I do agree with many of the things that Mr. Fulp said, however, there's a fundamental property right in the United States, and the people that own this property want to do certain things with it.

Now, having said that, there are rights that the other property owners around that have, and this is where this is a tough decision. That if those rights are encroached upon, then the people need to speak and I would like to have heard from somebody around that area if there was a big objection to this. I see no petitions, I see nobody standing up to speak to this. That weighs heavily in my decision also.

The other question that I had, City of Wichita pretty much is going to be right up against this. Are there plans, Mr. Schlegel, for the City of Wichita to annex this before any major street improvements come about?"

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Mr. Schlegel said, “No. I don’t think they’re planning this, to annex it before the street improvements are made. I mean, they have plans and they’re moving forward with the plans for this street improvement as we speak. In order to be able to get municipal services, sewer and water, they would have to annex into the City of Wichita. I don’t know exactly what the timing of that would be because like I said before, we don’t know exactly what the applicant’s plans are for the property.”

Commissioner Parks said, “One of the things that Mr. Fulp brought up also, do we not have sewer districts that, if a commercial establishment would come in there, that they would be required to buy in or pay into a sewer district or a water district?”

Mr. Schlegel said, “By a sewer district, you’re referring to the City of Wichita?”

Commissioner Parks said, “Yeah. If the project is done, if the mains are put in along in that area, do we have a sewer district or a water district?”

Mr. Schlegel said, “The City of Wichita would be the provider of that particular service here. I’m sure that they have lines already out to service Monarch Landing. So it would be a matter of extending that service line to this property to provide that service. Does that answer your question?”

Commissioner Parks said, “Well, generally I think it is a City of Wichita question. I believe there are avenues to recover that money from those districts that would be set up to get the utilities there. Thank you.”

Chairman Winters said, “All right. Commissioner Welshimer?”

Commissioner Welshimer said, “Well, this particular change of zoning is not as much a problem for me as it is our own planning zoning rules and regulations and how we go about doing this. I see the person who is actually involved; who is actually going to make use of the land and develop the land under these new zoning regulations is unknown. What he’s going to do and who he is unknown. That bothers me. Otherwise, I don’t have a problem with it. I’m in two different worlds here.”

Chairman Winters said “All right. The only comment that I would have is, if we look at most major intersections in Sedgwick County, we have allowed zoning over the years. In fact...”

Commissioner Welshimer said, “I’m sure we have.”

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Chairman Winters said, "...years ago, within four miles of the City Limits, every intersection was zoned commercial on all four corners. This is not an unusual project.

John, you began the presentation by saying this will be familiar because we have changed the zoning in a number of other partials on this piece of property or along 21st Street and what this is in effect doing is it's allowing all citizens to know what's going to happen at this commercial corner sometime in the future. It's not developed now and it could be years away, but folks will know what's going to happen.

Some commercial development is going to happen. Then you begin to think about, again, the distance this intersection is from other intersections with commercial, and citizens, I believe, want a local dry cleaners and insurance agents, et cetera, that we see on commercial corners. I just don't think this is anything out of the ordinary of what we do in many other places."

Commissioner Welshimer said, "On down the road to the east is Butler Road, and that's where the commercial is right now. Back here at 159th, is not, is there any commercial there now?"

Mr. Schlegel said, "No, there's nothing developed at that intersection."

Commissioner Welshimer said, "That's all houses."

Chairman Winters said, "But this is less than a quarter of a mile from that intersection."

Commissioner Welshimer said, "I understand that."

Chairman Winters said, "Okay. Commissioner Unruh?"

Commissioner Unruh said, "I would just make the comment that limited commercial has certain restrictions that disallows some development that you might find offensive and added to that is a protective overlay which has higher restrictions, specific requirements on lighting and screening and setbacks and overhead doors and those sort of things, that restricted development, to a degree, that I think is compatible with what's already been planned for the area.

It's not as though the applicant can then, after it gets zone changed, can come in and sell to a developer who can do anything. I mean, that's what we're doing here is saying we're going to let the zone change happen, but it's going to be with light commercial and a protective overlay to protect the development of the area.

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When this street is completed, the five lanes that the City of Wichita is in charge of that project, the residential areas around it have already been annexed, so this is a logical, reasonable, controlled development that's happening, and I think consistent with what we're doing. I'm going to continue to be supportive."

Chairman Winters said, "All right. Are there any other questions Commissioners? Seeing none, we're ready for a motion."

MOTION

Commissioner Unruh moved to adopt the findings of the Metropolitan Area Planning Commission; approve the zone change to LC Limited Commercial subject to platting within one year and the provisions of Protective Overlay#214; direct staff to prepare an appropriate Resolution after the plat has been approved and the provisions of Protective Overlay #214 have been met; and adopt the Resolution.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Winters said, "Next item please."

- 2. CASE NUMBER CON2008-00027 – CONDITIONAL USE PERMIT FOR AN ACCESSORY APARTMENT LOCATED ON PROPERTY ZONED RR RURAL RESIDENTIAL; GENERALLY LOCATED ON THE NORTH SIDE OF 101ST STREET NORTH, MIDWAY BETWEEN 63RD AND 79TH STREETS EAST (7128 EAST 101ST STREET NORTH). DISTRICT #1.**

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Mr. Schlegel said, “The applicants in this particular case are seeking this conditional use for an accessory apartment on this rural residentially zoned property of just under seven acres in size in order that the mother of the husband that owns this property can live in a proposed 1,250 square foot manufactured home, that they would place on the site on a permanent concrete foundation.

You can see on the aerial photo that I have put before you now, the house and accessory buildings that exist on the property today. And on the site plan that I have put up before you, you can see where the proposed manufactured home would be placed in relationship to the existing house and the proposed shared driveway in this location coming in off of 101st Street North.

Because that manufactured house would have its own kitchen, bathroom and sleeping quarters, it is classified as a separate dwelling unit and, hence, the need for them to apply for this conditional use in order to be able to place that on the site. They are proposing to share utilities with the existing house and we do have a photograph. This is the existing house on the site.

Going back to the aerial photo, you can see that immediately surrounding the property is agricultural fields and going back to the zoning map, you can see the area is entirely, the entire vicinity of this application area is zoned rural residential.

Just a quick reminder, that the conditional use is, zoning code requirements for accessory apartments as a conditional use are spelled out in your Agenda backup report. They do restrict this to one accessory apartment per lot, that the appearance of the accessory apartment must be compatible with the main dwelling and with the character of the neighborhood. It must, the accessory apartment must be remain accessory to and under the same principle single family dwelling as exists on the lot and the water and sewer service provided to the accessory structure shall not be as a separate service from the main dwelling.

This item was heard by the Metropolitan Area Planning Commission at its meeting on June 19th. At that meeting, they recommended by a vote of 10-1 to approve this with the conditions that were recommended by staff. Those recommendations are outlined in your Agenda backup report. Basically, would add only that in addition to the code requirements that the, there would only be one drive coming off 101st Street, that both structures, the primary residence and the accessory apartment, share that driveway.

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There were a number of protests at the MAPC public hearing. Those objections were of the nature that putting another residence on this property was unnecessary, that they, there was a proponent at the public hearing that felt what they should do is add the accessory apartment to the primary structure. Also, that they felt that a manufactured home would be out of character with the existing homes in the area and that this proposal would have a negative impact on the areas property values.

We do have a number of protest petitions equating to over 95 percent of the notification area. So that will be a factor in the vote today. If you do go along with the findings of the MAPC to approve this, that will require four votes to do that. Similarly, if you would override the MAPC recommendation and deny this application, that will also require four votes to do that. With that, I'll be glad to take any questions."

Chairman Winters said, "All right. Commissioners, before we ask if there's anyone from the public who wants to speak, do any of you have questions of John? All right. Seeing none, again, the official hearing for this case took place at the, before the Metropolitan Area Planning Commission, but it is our custom to allow citizens to discuss a case such as this to do that. Is there anyone in the room who wants to address the Board of County Commissioners on this case? Is there anyone? Yes, please come forward. If there's anyone else, if you would move towards the speaker's podium. Please give your name and address for the record and we like to limit comments to five minutes if we can."

Mr. Dayne Rinehart, 9310 east Marion, Wichita, Kansas, greeted the Commissioners and said, "I personally own Village Homes and am assisting my customer in the purchase of this new manufactured home for his mother. I have done a little homework to help the Commissioners make an educated decision on this. The property in question that we saw on the screen is right here. This is the blown up picture of the vacant field where the home will be placed.

I drove down the road to the east and the nearest neighbor he has is at 6717 East 101st. I took a picture, it's relatively a small farmhouse on the tax roll at \$43,000. The nearest resident I'm sorry, this is to the west, the nearest to the east is tied up with 80 acres and is a comparable home to what he's proposing to put on his property. I brought a picture of the home that his mother is trying to purchase, which is a residential designed manufactured home, it's built in Halsted, Kansas, by a company that we have done business with for 18 years. They're a very, very good company.

This is how the home would be placed. It would be on the permanent foundation. These are two projects that are similar to what this will look like when it's completed. This is one we just, in the Exhibit A, here that we completed in the City of Douglas. This one here is just close to 21st Street and Andover Road, as a matter of fact, this is in the City Limits of Andover.

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When I look at the property and what she's asking to do, based on what I saw in the neighborhood, not only is it extremely comparable, I thought it would complement the street personally. I would be happy to bring these up if you guys would like to see them."

Chairman Winters said, "Yes. just hand them to the Commissioner Welshimer and she can pass them down."

Commissioner Welshimer said, "Thank you."

Chairman Winters said, "All right sir, could you tell me your name one more time?"

Mr. Rinehart said, "My name is Dayne Rinehart. I own Village Homes, the business that is handling the project for Mr. and Mrs. Brown."

Chairman Winters said, "Thank you very much, sir. Is there anyone else who wants to, does anyone have a question for Mr. Rinehart? Seeing none, does anyone else have, does anyone else like to address the Board of County Commissioners? Is there anyone else? Yes, please come forward. Give your name and address for the record please."

Mr. Jerry Brown, 7128 east 101st Street North in Valley Center, Wichita, Kansas, greeted the Commissioners and said, "I would just like to say that we came here to convince you to let us put my mom's home next to us because she's getting up in years and she lives way out in Severy, and you know, the hospitals and stuff like that are real close by. She's sitting over there in the corner.

And anyway, we, this is the quickest way, you know, besides trying to have the aggravation of building something for her and so this is what we have come up with and anyway, I have a letter or I have an application here for a water meter, is what we're going to have to have in that area. We found out its going to have its own water meter and its going to share the septic system. If I find that the septic system is not adequate enough, then we will be putting in a bigger septic system to accommodate both homes.

That's really about all I have to say. We are just trying to get my mother a place to be right next to us so we can look after her."

Chairman Winters said, "All right. Thank you very much. We do have a question. Mr. Parks?"

Commissioner Parks said, "Do you have a lagoon or holding tank in laterals?"

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Mr. Brown said, "It's a holding tank, and we had it surveyed by the septic people, and they said that it is big enough and that we had it assessed by Bill Longnecker. He looked at the situation over and said it would accommodate both homes. She's one single person and me and my wife and boy, who has recently purchased his own home; it would be us three using that septic system."

Commissioner Parks said, "And you're on rural water?"

Mr. Brown said, "Yes, sir."

Commissioner Parks said, "Thank you."

Chairman Winters said, "All right. Thank you very much. Is there anyone else in the audience today that would like to address the Board of County Commissioners? Anyone else like to address the Board of County Commissioners on this request? Seeing none, we'll limit discussion to the Bench. Commissioner Parks, did you have another question or did I forget to turn off your light? All right. Commissioner Unruh?"

Commissioner Unruh said, "Thank you Mr. Chair. I just want to declare as this issue has come before us, I have had contact before a meeting with folks who were both opposed to the application and folks who were in favor of the application. So I just wanted to declare that openly and say that throughout those conversations, I didn't come to any conclusion until we heard the testimony today.

I guess I'll just go ahead and say that from what I have heard and seen on the drawings, and also Commissioner Norton and I drove out and took a firsthand look at the property the other day, and I am fully sympathetic with the folks who say they moved out there for a reason. They don't want higher density, they want to have the 80 acres by themselves and I understand that.

However, it appears to me that two homes on seven acres that house three individuals is not overburdening or creating too much density in the area. It's not, there's some stigma attached to a double wide or something, this is not that situation. This is a manufactured home on a permanent foundation, its 160 feet from the street, 160 feet from the property line, that's a little over 50 yards. It seems like it has sufficient screening between any other property, which at this time, at least, is not even, there's no residence on them, its open farmland.

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Although one call I got from someone who is against it has said they're thinking about putting some of their family out there on a nice rural home and they just didn't want the change in the character of the neighborhood, I don't think that this reaches that level. Seems like it's not an unusual or out of line request, our zoning policies allow for this. Within the policies, there are certain requirements and restrictions. Mr. Schlegel, that's correct, isn't there, that this application has met?"

Mr. Schlegel said, "That's correct and they would all apply."

Chairman Winters said, "Okay. For those reasons, I'm going to be supportive of this. And I can only apologize to those folks who are opposed to it and who are neighbors, but sometimes you have to make a decision you think is reasonable decision and the correct one, and I believe supporting of this application is the right thing to do."

Chairman Winters said, "All right. I see no other Commissioners asking to speak; I think we're ready for a motion."

Mr. Schlegel said, "Mr. Chairman, before you go to a motion, there is one small matter I need to bring up. Based on something I just heard the applicant state when he was at the microphone, it sounds to me like he's going after a second meter for rural water district service, in which case then, if he's going to do that, he would need a waiver from you, as part of your motion today, to the requirement in the code that says that the he has to provide the service from the main dwelling. That would not be an unusual thing for you to do and it would certainly be something that staff would recommend that you do."

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

Commissioner Unruh said, "Thank you, Mr. Chair. So if I understand the dilemma we have here is that our zoning rules require that it be on the same meter but the rural water district requires that it have a separate meter?"

Mr. Schlegel said, "Right. And that requires then that you waive the requirement in your code for it to be served off the same water meter."

Chairman Winters said, "We can do that."

Commissioner Unruh said, "Well, we will do that."

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Chairman Winters said, "I have a question before you make that motion, though. In reading the backup, did I read something about a motion or MAPC that it was moved with no requirement for platting? Do we need to say that or is that part of what the recommended action is?"

Mr. Schlegel said, "That's part of the recommended action, is subject to the conditions recommended by the Metropolitan Area Planning Commission."

Chairman Winters said, "That would not require this to be platted?"

Mr. Schlegel said, "Correct."

MOTION

Commissioner Unruh moved to approve the Conditional Use, subject to the conditions recommended by the Metropolitan Area Planning Commission (MAPC); and include a waiver for a water meter required by the Rural Water District and adopt the findings of the MAPC; and 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

Chairman Winters said, "Thank you. This is approved then. Mr. Rinehart, I think your pictures worked their way to the back of the room. Madam Clerk, call the next item."

PUBLIC HEARING

C. PUBLIC HEARING REGARDING THE 2009 RECOMMENDED SEDGWICK COUNTY BUDGET.

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Mr. William P. Buchanan, greeted the Commissioners and said, “Before we begin the public hearing, I would like to reintroduce or introduce you to Dorsha Kirksey, who has just been promoted recently as the Sedgwick County Director of Housing. Now, Dorsha has been with the County for 21 years, and she started when she was like four. Besides being, she’s worked in the Appraiser’s Office, Aging, Human Resources and now Director of Housing. She is a poster child for taking personal responsibility for your career.

As a mom and as homemaker, as a full time employee while she’s been employed at Sedgwick County, she also obtained her Bachelors Degree and Masters Degree. So that takes extraordinary work when our lives are so full. So we’re just delighted that once again, we get to promote Dorsha and it’s not true that she can’t keep a job, she just keeps getting better ones. We want to make sure you could put the name with the face and we’re pleased that she is going to be part of our management team. Congratulations.”

Ms. Dorsha Kirksey, Director, Housing, greeted the Commissioners and said, “Thank you.”

Chairman Winters said, “Mr. Manager, thanks for the introduction. And Dorsha, congratulations, we have a great Management team. We know you know how to work through the system, but be assured that the Board of County Commissioners is very interested in your department and what you’re doing and if there’s a way we can assist to help you, we would certainly like do that. Would you like to make a comment?”

Ms. Kirksey said, “Just would like to say that I’m extremely thrilled to have this opportunity to serve the community in this way and thank you for your congratulations.”

Chairman Winters said, “Thank you very much. Did we call the next item?”

Mr. Buchanan and Commission Unruh said, “Yes.

Chairman Winters said, “Now you can start with it.”

Mr. Buchanan said, “Thanks, Commissioners, for that opportunity. This is the first public hearing on the recommended budget for the fiscal year 2009. Fiscal year 2009 begins January 1st. The recommended budget was submitted to you and presented to you at the last meeting and its appropriate now, Mr. Chairman, to open the public hearing and hear comments. I would remind folks that you can comment online when you want to connect to us at the County. Thanks.”

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Chairman Winters said, "Commissioners, I see you have no questions at this time, so I will open the public hearing. The public hearing on our 2009 budget is now open. Is there anyone here in the audience who would like to address the Board of County Commissioners on the 2009 budget? Is there anyone? Please come forward. Give your name and address for the record and we like to try to limit our comments to five minutes."

Mr. George Fulp, Fulp and Associates, 14220 Donegal Circle, Sedgwick County, greeted the Commissioners and said, "I thought that there would be a big line and I would go last. First of all, kudos to Mr. Buchanan's staff. Well presented budget. Good detail. All you got to do is not worry about the volume. You have to go look and find it but well presented."

We do see a mill levy on property tax of 1 point. Although small, at least it's a good start. We've worked diligently over the weekend to try to find possibilities of maybe increasing that reduction. Here's what we found and we'd like to throw out.

Page 31, summary by operating fund, because it kind of all draws back to that page. We look at the third section, Federal, State assisted funds, these are all grants. If you look at the 2009 projected revenue from those grants, \$146 million, expenditures is \$153 million. Obviously, were spending about \$7 million more than we're getting in grant money, with the exception of the grants for the Corrections Department, Emergency Management and the Sheriff's Department.

If we only, if we could and not required by law to, throw in some extra funds or some matching funds, if we could only expend to the level of the grants we receive, leaving those three alone, Corrections, Emergency Management, Sheriff, we have an opportunity here to save around \$4-\$4.5 million. Possible. I don't know because I couldn't find the detail if we have to match these funds that we're getting from grants. Sometimes we do, sometimes we don't. Possibility of \$4 million there.

Page 487, we're again subsidizing the Coliseum at \$585,000. We have been subsidizing for quite a while. I know there's some talk about perhaps looking at disposing of it down the road. But you have already imposed a \$1.50 per event ticket to help defray some of the tax money that we are having to spend to subsidize the Coliseum. We suggest, add another dollar. Maybe that could reduce that subsidy by \$200,000.

Exploration Place, the same thing. Try to get another \$1-\$1.50 on the entrance fee or some kind of income. That could reduce the subsidy to Exploration Place by \$100,000.

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Page 486 and 545, the Kansas Afro-American Museum. The building has been designated as a national historical place. That's good. Perhaps, I don't know, there might be some Federal money available in the National Historical Society to help defray that. But this year in the CIP budget we have \$99,000 to help replace and restore the stained glass windows. Since the building is a National Historical in the Registry, I think that's okay. Because the building is what's been designated as a national historical place.

However, in the general fund, we have \$185,000 designated to go to the organization, which is a 401EC, for a general operating cost. We don't think we should be doing that. Like (inaudible) they should be standing on their own and like any other charitable organization and that amount should be taken out of the budget. Another possible savings.

W.S.U., although in the detail, Mr. Buchanan did satisfy my curiosity, we do have a written agreement and commitment to W.S.U. to subsidize them for the next couple of years. They, by their own announcement, they have \$189 million in assets. They did receive \$8.2 million bequeath from a wonderful family who left them when they passed just this year. It might be we ask that someone consider negotiating with W.S.U. to see if we can reduce this year's \$7.1 million projected to go to them at least back to last year's level and perhaps a million or so, a million and a help that because of the windfall they received. Again, another possibility."

Chairman Winters said, "Mr. Fulp, that's the five minutes. Do you have much longer, we could go a couple more minutes, but I don't think..."

Mr. Fulp said, "Minute and a half."

Chairman Winters said, "Okay. All right, sir."

Mr. Fulp said, "In fact next item says next to last item."

Chairman Winters said, "Okay."

Mr. Fulp said, "Administrative personnel costs. We are not talking contract, employee contracts or anything else. Over the last ten years, we have had years when we have had zero inflation. And yet, administrative and management personnel have received 2 percent increases. This year, we're projecting a 4 percent. It's tough for everybody. It's tough for those who pay taxes too. We respectfully request they consider cutting that in half. That would save a considerable amount of money.

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Finally, not all the areas can be covered but just in those areas in the limited time we have, we wanted to point out an opportunity here, if you look at them seriously, we have an opportunity to pull off the budget \$4.5-\$5 million. And that would enable us to take that one point on the mill levy and make it larger. Far more significant. So we ask that you consider that. We think these are reasonable requests. We wish you all the best and thank you for your time.”

Chairman Winters said, “Thank you, Mr. Fulp. Is there anyone else in the audience who would like to address the Board of County Commissioners? Yes, please come forward. Please give your name and address for the record and we like to keep it to five minutes please.”

Ms. Ann Nelson, 1512 Horizon Drive, Derby, Kansas, greeted the Commissioners and said, “I’m with Central Plains Regional Healthcare Foundation we’re a nonprofit charitable healthcare program organization and an nonprofit affiliate of the Medical Society of Sedgwick County. I’m here for two reasons this morning.

First of all, Central Plains manages the Project Access Program which coordinates donated medical care for uninsured people and Sedgwick County, over the last nine years, has provided funding to support for Project Access. So I’m here, first of all to say thank you for that.

Secondly, I’m here today to share with you a community partner’s perspective on Sedgwick County Health Department. I’ve had the opportunity to work with Health Department officials over the last 20 years. It has a very long history of serving thousands and thousands of people in our community. Two years ago, Claudia Blackburn arrived as the Executive Director for the Health Department and Sedgwick County Commission began a comprehensive review of the Health Department’s role in our community.

I’m going to embarrass Claudia. I’ll tell you that she’s just done a terrific job, has provided a lot of leadership through the Health Department, and is considered an excellent community partner among medical providers.

The Health Department provides a great deal of leadership and many programs and services including tobacco use reduction activities for example. The staff provides a lot of technical support to local communities that are considering clean indoor air ordinance, including Derby, my hometown.

They provide support and education to local employers that are implementing work site health wellness programs, including the Medical Society, immunizations and health screenings, dental services for children, disease surveillance and response to public health emergencies, several large programs serving children, women and families and many other services that are accessible to each of us.

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In addition, the Health Department has provided leadership for the Vision Group, which consists of executive directors of our local community clinics and other dedicated health leaders. The Vision Group's goal is to work collaboratively to strengthen the safety net health care system and to better coordinate the work that we're doing on behalf of the patients that access services at those provider sites.

Over the last couple of years, County officials and Health Department staff have provided amazing leadership on a significant Health Access Project. You have led many, many meetings among local community partners to meet goals in three areas. Increasing access to healthcare services, and increasing access to health coverage plans for the uninsured and underinsured in our community, improving how health providers coordinate care on behalf of uninsured persons and educating residents about how to better navigate a very confusing and disjointed healthcare system.

In addition, staff and community partners distributed hundreds of packets of very valuable information to our areas uninsured during the 'Cover the Uninsured Week' in April. Through the Health Access Project, the Health Department's new Center for Health Equity was created. And that will examine, in advance, the understanding about health disparities among diverse groups of residents here in Sedgwick County.

The Health Department has established community wide partnerships and sound management practices. Thank you Claudia, to you and your staff for the terrific work you do every day on behalf of the public's health and thank you Commissioners for providing the leadership, and the support needed for a strong Sedgwick County Health Department."

Chairman Winters said, "Thank you very much Anne."

Commissioner Welshimer said, "Thank you."

Ms. Nelson said, "Thank you."

Chairman Winters said, "Thank you for being here. Is there anyone else in the audience today? Yes, please come forward. Again give your name and address."

Ms. Bev White, CEO, Center for Health and Wellness, 2707 East 21st Street, greeted the Commissioners and said "I too, would like to thank you, Commissioners, for your support of the Sedgwick County Health Department. The Center for Health and Wellness works very closely with the Health Department. The Health Department assists us with the Vision Group and also through the Health Access Project by providing facilitation and technical assistance.

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I'd also like to you know how pleased we are for your consideration of a proposed budget expansion for the CHE. We work closely with Rod Harris, and we also congratulate Claudia Blackburn and her staff for the work that they do. Rod assists us in taking a look at how we can improve access to healthcare, and also, decrease health disparities.

We thank you for your leadership, we thank you for choosing Claudia and choosing Rod, because we're enjoying that relationship with them, and applaud your approach to taking a look at the entire County and how we can have a more healthy community. Thank you."

Chairman Winters said, "Thank you very much for being here. Is there anyone else in the room this morning that would like to speak to the Commissioners concerning the 2009 County budget? Anyone else? All right. At this time I will close the public hearing. Thank you to those of you who spoke, and we have a number of our department heads and staff, we have folks from the Sedgwick County Extension in the audience today.

We appreciate very much all of your help as we continue this process of going forward with developing our 2009 budget. Next public hearing on this budget will be on August 13, at which time we'll adopt at the conclusion of that, we will have discussion and then adopt a budget. Commissioner Norton?"

Commissioner Norton said, "We didn't have a lot of input today which, I don't know if that is really good or really bad. We've had years where we've had a lot of people parade up but, I took good notes from Mr. Fulp, to be sure I look at those line items and try to understand the impact of making some kind of decision different than what maybe we're already going to.

But I wanted to really kind of focus on Health Department and what Anne and Bev said. We have really moved forward in our Health Department over the last few years. We had the Health Assembly that was organized through WSU, the Urban Affairs group. We did that some four years ago and out of that came a whole new direction and thought process for delivering public health.

You know, Claudia was part of that original retooling of our whole continuum as far as the Health Department. We talked about where we were as far as the Health Department at that time and what were the roadblocks and the pitfalls to our community that would be in front of us in the next ten to twenty years.

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And one of the things that came out of there was health access, access to healthcare, a medical home, and provision for uninsured, underinsured people in our community. And we then embarked on a summit that brought together many leaders in our community to start talking about this very important issue. And if you look at the national landscape of what is being talked about, domestically during the election year, health reform and health costs just continues to bubble up as one of the number one items in the nation.

I'm really gratified that we have pulled together all of the partners in the community to have this very, very tough conversation in our community about wellness and health and access to healthcare and dealing with the, not only the quality of life and moral issues of making our community healthy and getting access for everybody, but the economics of it because it is such a drain on our economics, if we don't look at it, take care of it, make sure that every dollar spent is spent as wisely as can be and contributes to the health of our community.

I appreciate the kind thoughts and statements but, it's something I think that has become one of our core values because we do sit as the Board of Health, we're not only the County Commission but we're the Board of Health and I think we take it pretty seriously that we have a challenge in our community, to promote wellness and health, and education and prevention and make sure we're good partners in this conversation on health access.

And it's interesting, we just got back from NACo, it's one of the bigger topics that everybody is talking about in 3,300 counties around the United States. So, we're one of four or five counties that have taken it much more serious than many others and have started the dialog much stronger and earlier than anyone else. I hope I didn't steal Rod's thunder for coming up as the next item. Thank you Mr. Chair."

Chairman Winters said, "Thank you commissioner Norton. We said this before; Commissioner Norton was a presenter at the National Association of Counties annual meeting, talking about the things that are happening here in Sedgwick County. We felt privileged that he was one of the presenters as it relates to healthcare.

All right. There is no other questions at this time under this Agenda item. We have concluded the public hearing; we need to have a public hearing in the Fire District sitting as the Governing Board of the Fire District. At this time I will recess the Regular Meeting of July 23rd, and I will call to order the meeting of the Board of County Commissioners sitting as the Governing Body of the Fire District #1, Regular Meeting July 22 (sic), 2008."

D. RECESS TO THE FIRE DISTRICT #1 MEETING.

The Board of County Commissioners recessed into the Fire District #1 Meeting at 10:12 a.m. and returned from recess at 10:15 a.m.

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Chairman Winters said, "Before we take back up the Regular Meeting, I would like to suggest we take a five minute recess."

Commissioner Norton said, "So moved."

Commissioner Welshimer said, "Second."

Commissioner Norton said, "Do we need a motion?"

Chairman Winters said, "We can recess without a motion."

Commissioner Norton said, "Okay, good."

Chairman Winters said, "Five minutes, we're in recess."

The Board of County Commissioners recessed for five minutes at 10:16 a.m. and returned at 10:21 a.m.

Chairman Winters said, "I think we are ready to begin. I will call back the Regular Meeting of July 23, 2008. Madam Clerk, would you call the item?"

HEALTH DEPARTMENT.

E. HEALTH DEPARTMENT.

1. PRESENTATION TO REPORT PROGRESS OF THE SEDGWICK COUNTY HEALTH ACCESS PROJECT.

Chairman Winters said, "We'll pause for a moment while technology catches up."

Ms. Matthews, Communications Coordinator, said, "If we could have just a moment, I'm going to go check something."

Chairman Winters said, "Very good."

Commissioner Norton said, "We should have taken a longer recess."

Mr. Buchanan said, "Commissioners, if it would please you, you could move onto Item F."

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Chairman Winters said, "Let's just do that. We will move to Item F, which is the Public Safety item. And we need to take an Off Agenda Item in the Public Safety arena. So, Commissioners, could I have a motion to take an Off Agenda item?"

MOTION

Commissioner Welshimer moved to take an Off Agenda Item regarding assignment of real estate purchase contract for purchase of land for EMS Post #3 relocation.

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, "Bob you're up."

Mr. Bob Lamkey, Public Safety Director, Greeted the Commissioners and said, "Thank you for the opportunity to present this Off Agenda item. As you're aware, we're relocating, in this year's CIP, one of our EMS posts, EMS Post #3, to the vicinity of Wesley Hospital. That's been planned for and looked forward to for a long period of time.

In the process of looking for appropriate property in the area, we encountered an opportunity that is unique in our normal processes but one, that I think, presents us with some real advantages. There is a piece of property on the, essentially cornered by Central and Chautauqua, it's last life was a barbeque place, about 18,000 square foot that held currently in a purchase contract by New Rapid, LLC.

They were going to do development there and determined that was no longer necessary for them so they are ready and willing to assign us that contract, the contract is for \$130,000. The piece of property is appraised at \$126,000; the original asking price was \$149,000. And we have looked at other properties in that area that are being offered for considerably more.

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Bob Parnacott, from the Legal Office, has reviewed the purchase contract and so my recommendation to you is that we accept the assignment and authorize the Chairman to sign and we'll proceed with purchasing that piece of property. If you have any operational questions about the area or the purpose of the move, Steve Cotter, your EMS Director, is here to answer those kinds of questions."

Chairman Winters said, "All right. Thank you Bob. One more time, the purchase price is?"

Mr. Lamkey said, "\$130,000. And LLC, all LLC, New Rapid, LLC is asking us to do is they have put \$5,000 in escrow in that property and we recover their escrow and that would be, of course, part of our purchase price. The total price is \$130,000."

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

Commissioner Norton said, "This helps out with the strategic location of a EMS station. Where is the closest station present now to give us a little history of how that changes that delivery mechanism?"

Mr. Lamkey said, "I have the man who can do that, Steve Cotter, your EMS Director. Steve?"

Mr. Steve Cotter, EMS Director, greeted the Commissioners and said, "Let me clarify I understand your question. The current property we're looking at, you're asking the closest station to that current property?"

Commissioner Norton said, "Well does this replace a station, relocate or add to...?"

Mr. Cotter said, "It is going to relocate the current Post 3."

Commissioner Norton said, "And where is that at now?"

Mr. Cotter said, "The current Post #3 is at Woodlawn and 21st, basically on Shady Brook, just off of Woodlawn and 21st."

Commissioner Winters said, "Okay. What does this do to the overall delivery mechanism of the system? Does it change that dynamic any at all? Does it improve it, what...?"

Mr. Cotter said, "Actually, I think it will improve it. We have analyzed, first all of, our drive times relative to the east side of the city on the 859 scale and the Post 22 Addition of 24-hour truck at Post 22, which is at Hillside and K-96, has a significant overlap in that area."

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We still have a coverage capability up there and in moving the Post it will more closely align us to the call load. Most of the calls that that Post currently runs are south and southeast, southwest, generally south with that Post. This will place the station in a more appropriate area relative to the call load and give us an increased strategic advantage with respect to the call load.”

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

Chairman Winters said, “Okay thank you. Are there other questions? Commissioner Welshimer?”

Commissioner Welshimer said, “I don’t have another question but I just want to comment. I think this is a very good negotiating contract. And I think it’s good for everybody involved. And I think you did a good job.”

Mr. Cotter said, “Thank you ma’am.”

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

Commissioner Parks said, “I think it’s a good move but I have one question about, has there been a environmental study to make sure this is clear and clean?”

Mr. Lamkey said, “I believe so, but, Rob Lawrence, are you here some place? I brought all of the experts with me today.”

Commissioner Parks said, “Very good.”

Mr. Rob Lawrence, Project Services, greeted the Commissioners and said, “We have looked at this from a environmental standpoint. There is no history of anything at the location that we could find that would preclude an EMS Post.”

Commissioner Parks said, “Thank you.”

Chairman Winters said, “Thank you. Any other questions? Commissioners, I think we’re ready for a motion.”

MOTION

Commissioner Welshimer moved to receive and file.

Commissioner Parks 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, “Thank you very much. Thank you Bob. We’ll continue on with the Public Safety portion. Madam Clerk, would you call Item F-1?”

F. DIVISION OF PUBLIC SAFETY.

1. ESTABLISHMENT OF THE SEDGWICK COUNTY DRUG COURT PROGRAM.

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, “I’m here this morning to request your approval for budget authority to establish the Sedgwick County Drug Court Program.

You may recall on May 28, Public Safety Director, Bob Lamkey and District Court Judge Joseph Kisner, who is in the audience, explained the value of adding this Adult Drug Court Program to the local criminal justice system. Following their presentation you approved initial funding of \$96,282 to hire the first three positions and associated funding needed to begin work on establishing the Drug Court Program. That work is now underway and it’s moving along well.

I’m here to request the remainder of the funding necessary to implement the program this year in 2008. You have been provided budget documents detailing our best estimates of the cost to begin operations October 1, 2008. The request for the balance of the funds is \$650,081. If approved, the total budget for 2008, including startup costs, is \$746,363.

The Finance Department has indicated the funds are available and will come from the Public Safety contingency. The budget includes \$359,515 for one time startup costs and the remainder for operations including personnel, contractual and commodities.

As you know, the program requires involvement of the District Court, District Attorney’s Office, Public Defender, Sheriff, COMCARE, and the Corrections Department.

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It is expected the program will cost approximately a little less than \$1.1 million in 2009, which you will deal with in the 2009 budget. I request your approval for the balance of funding authority, which is the \$650,081, to establish the Sedgwick County Drug Court Program in 2008. I'll be happy to answer any questions and Judge Kisner is here in the audience, should you have any questions for him."

Chairman Winters said, "Thank you very much Mark. We have had a great deal of discussion over the past several months about the Drug Court but, Commissioners, again, anyone has any questions, this is a path we decided we would start on some time ago. Commissioner Parks?"

Commissioner Parks said, "Just as a public, to get this out in the public, the application for Drug Court participation goes through the DA's Office, is that correct?"

Mr. Masterson said, "Judge Kisner, would you like to field these system questions?"

Commissioner Parks said, "What I'm getting at is that the smaller communities in the County, and I think I have said this at a staff meeting before, but I wanted to get this out to the smaller cities, can use this court at no additional expense to them?"

Judge John Kisner, Division 17, greeted the Commissioners and said, "The answer is, it will be available to anyone who is charged in the 18th Judicial District, anyone in the State Court system in Sedgwick County. The application process will actually go through the Drug Court Program itself. The coordinator under Community Corrections umbrella.

I think that Mark Strugle has been hired to oversee the program, a long time employee of Community Corrections and so, the applications, if you will, will go through that office. The applications can, will have to be approved by whoever the sentencing Judge is in that individual defendant's case. But they will all be cases that, these are post convictions, these will be individuals who have already pled guilty to whatever the underlying charges are and will be somewhere in the probation process and then they will go, with the approval of the Judge and obviously the commitment of the client, they will make application to the Drug Court Program, the coordinator will be the initial review.

We've had a lot of discussion about who we're looking at as far as criteria and there will be a kind of an Oversight Committee that will kind of, on a ongoing basis, look at those applications, give the coordinator the basic understanding of who we're going to take and so forth. But it will be through our program itself."

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Commissioner Parks said, “So if you do have a conviction, or multiple convictions, in a City Court that might in fact be eligible for this system?”

Judge Kisner said, “Certainly we’ll look at the background of the individual, prior convictions, obviously if those, there is violent, prior violent convictions, those are probably not people we’re going to look at unless they have been quite a while back. We’ll look at their entire situation before determining whether or not we think they are a candidate for our particular program.”

Commissioner Parks said, “I just wanted to clear that up and get that out in the public.”

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

Commissioner Norton said, “Judge, before you go, this is really, focused on people that have substance abuse and drug use problems, not folks that deal in drugs or make a living out of drugs. You say Drug Court and that sounds pretty broad but it’s really pretty narrow. Is that correct?”

Judge Kisner said, “Absolutely. Just a little more clarification on Commissioner Parks’ question, we’re talking about people who are on probation and felony cases only at this point. It will be people who are in the 18th Judicial District Court system not, won’t be in Municipal Court convictions, it will have, only have to do with those in the 18th Judicial District. What we’re looking for, simply, are folks who, but for their addiction, would very likely be successful, people in our community, could take care of their families, have and hold down jobs.

And we’re going to try to keep them out of the County Jail, we’re going to try to keep them away from the Secretary of Corrections and incarceration and help them learn to help themselves fight their addiction and work on a number of other things they need to make their lives better over the long-term. But yeah, we’re not looking at anybody who is convicted of possession with intent; they are not going to be eligible for this program.”

Commissioner Norton said, “The other thing is, this is not new ground were plowing, there is plenty of evidence around the United States of other Drug Courts. In fact, many, many jurisdictions have already got evidence based programs that show that there is a reason to have a Drug Court. We’re a little late in putting one here but, it’s not a new program particularly.”

Judge Kisner said, “Absolutely. The Drug Court concept has been implemented about 20 years ago. We have 20 years of experience through other jurisdictions; obviously the folks in our jurisdiction don’t have a lot of experience. We’ve already started the process.

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We sent two prosecutors last week to Annapolis for a full week of training with the National Drug Court Institute. I spoke with them briefly. Other than their challenges in the airports, they had a great time and they learned an awful lot and we're going to be meeting with them tomorrow. And others, including myself, are going to be going as we get closer to starting our own program. Obviously, there is tremendous amount of resources in folks who have experience, who have had success, who have seen failure and we're going to learn from them and we're hoping to be able to hit the ground running later this year."

Commissioner Norton said, "Okay, thank you. That's all I have."

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

Commissioner Unruh said, "Thank you Mr. Chair. I want to say I'm going to be supportive of it as we have been throughout this process. I think the process to get us to this point has been very thorough and deliberate in the way that we have done the research, and I guess research is the right word that we've done to make sure this is successful and appropriate for our County. We've had a variety of department heads involved, the Criminal Justice Coordinating Council has been involved and we have just continually taken logical progressive steps to get to this point. For now we're going to commit the money to it and actually get the program started.

We're stepping across the threshold and saying now we're putting money behind it to make it work and convinced it will work and are appreciative of the hard work, Judge, that you have done and Mark and Kerrie and all of the folks involved with the Criminal Justice Coordinating Council to get it to this point. I'm ready to move forward. Thank you."

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

Commissioner Parks said, "I'm still trying to get out there to help my Municipal Courts."

Judge Kisner said, "I understand."

Commissioner Parks said, "If there is a series of misdemeanors that the DA would decide to invoke the Individual Criminal Act or something such as that, to make it a felony, than that could, in a far-reaching sense, help the Municipal Courts out a little bit then?"

Judge Kisner said, "I think certainly in those kind of situations we will look at anybody who is charged with a felony in the 18th Judicial District will be eligible for consideration.

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It doesn't necessarily have to be, and I think we have talked about this before, the underlying offense does not have to be a drug offense. We see a lot of folks over in our jail who are there because they committed thefts, maybe committed other acts to try to get the money they need to help their drug situation, and try to buy drugs or whatever it might be. We're certainly going to look at those the folks as well. And if the underlying issue is addiction, then they will be somebody we will consider."

Commissioner Parks said, "I'm certain that you will and an important fact of this is that we go out and train the people in the area that we're using this."

Judge Kisner said, "Absolutely and that's really our focus right now, to a large extent is getting the training, I know that Mark and Kerrie Platt, both were able to go St Louis to the National Drug Court Institute, their annual conference, and there is a tremendous amount of resources that they were exposed to there and a lot they have brought back and its going to be very helpful and should save us, frankly, a lot of time and some money."

As commissioner Norton indicated, we can watch other communities, many who are very similar to ours, who are doing this already, and we can learn from them, hopefully not make some of the mistakes they have made and try to, you know, utilize these dollars very, very efficiently.

We certainly, I do, on behalf of myself and I know many of the Judges, are very pleased with this Commissions initial indication of support for this program. And, it's a big step, and we're going to be very cognizant of the fact were spending tax dollars from this community and we're going to spend them carefully and wisely."

Chairman Winters said, "All right thank you. Commissioner Welshimer?"

Commissioner Welshimer said, "Well, you both have a difficult job ahead. And I think we have the right leadership, and that would be the two of you. Most grateful you're doing this and I wish you the absolute best, and we're hopeful for good results. Thank you."

Judge Kisner said, "Thank you."

Chairman Winters said, "Thank you Commissioner. I would just echo those comments. Judge Kisner, we're glad that you and Judge Corrigan are on board with this. We know we couldn't start down this road if the 18th Judicial Court System was not with us. And so we appreciate very much your help."

Judge Kisner said, "Thank you very much."

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Chairman Winters said, "All right Commissioners, unless there is other comments, I think we're ready for a motion here."

MOTION

Commissioner Unruh moved to approve establishment of the Sedgwick County Drug Court Program and authorize budget authority transfer from the Public Safety Contingency.

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. ADDITION OF ONE ADMINISTRATIVE SPECIALIST POSITION, B219, THREE INTENSIVE SUPERVISION OFFICERS, B219, AND ONE ASSISTANT INTENSIVE SUPERVISION OFFICER, B216, TO THE DEPARTMENT OF CORRECTIONS' STAFFING TABLE; ADDITION OF THREE SUBSTANCE ABUSE COUNSELOR POSITIONS, B219, TO COMCARE'S STAFFING TABLE; ADDITION OF ONE SHERIFF DEPUTY POSITION, PSGRP22, TO THE SHERIFF'S OFFICE STAFFING TABLE; AND ADDITION OF .5 FTE ATTORNEY POSITION, B325, TO THE DISTRICT ATTORNEY'S STAFFING TABLE FOR THE SEDGWICK COUNTY DRUG COURT PROGRAM.**

Mr. Masterson said, "I request your approval to add the positions recited by the Clerk to the staffing table of the Corrections Department, COMCARE, Sheriff and District Attorney. These include nine fulltime positions and half a position for an attorney to the District Attorney's Office, .5 FTE. The positions are necessary to implement the Sedgwick County Drug Court Program. The budget impacts in calendar year 2008, is \$163,217, and in 2009's budget is \$458,130. I'll be happy to answer any questions."

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Chairman Winters said, "Thank you. Commissioner's, questions?"

MOTION

Commissioner Welshimer moved to approve the additions to the Department of Corrections, COMCARE, Sheriff's Office and District Attorney's Staffing Tables for the Sedgwick County Drug Court Program and authorize budget authority transfer from the Public Safety Contingency.

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."

3. ADDITION TO THE FLEET OF ONE SMALL SEDAN (CLASS 132), TO BE USED BY THE SEDGWICK COUNTY DRUG COURT PROGRAM.

Mr. Masterson said, "The Drug Court Program will treat a target population you just heard about of felony offenders with serious drug problems, addictions particularly. In addition to drug treatment they will be closely supervised by officers through both office visits and announced and unannounced visits to their homes and work sites to verify compliance with court orders. A County vehicle displaying the County logo is necessary for Supervision Officers to use in making these contacts in neighborhoods. It provides added safety to our officers. I request your approval to add the small sedan to the fleet of the Corrections Department and funding is provided in the startup budget that you just approved. I will be happy to answer any questions."

Chairman Winters said, "Thank you. Are there questions or comments Commissioners? What is the will of the Board?"

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MOTION

Commissioner Norton moved to approve the addition to the Fleet inventory and authorize budget authority transfer from the Public Safety Contingency.
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

Mr. Masterson said, "Thank you."

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

4. EMPLOYEMENT AGREEMENT WITH DR. BAMIDELE ADEAGBO TO PROVIDE FORENSIC PATHOLOGY SERVICES.

Dr. Timothy Rohrig, Director, Regional Forensic Science Center, greeted the Commissioners and said, "The Forensic Science Center has a Pathology Division, which is more commonly known as the Coroner's Office, we currently have one open forensic pathology position we would like to fill. In the request before you is an Employment Agreement to hire Dr. Adeagbo to fill this open position. The Coroner's Office is charged with the investigation of sudden violent death that occurs within our jurisdiction and to make a determination of cause, and manner of death.

By filling this open position we'll have our 2 1/2 authorized positions filled and will allow us to fulfill this function to the highest of our ability. I will be more than happy to answer any questions that you have on this Employment Agreement and look forward upon your approval to having Dr. Adeagbo join our team."

Chairman Winters said, "All right. Thank you Dr. Rohrig. We have done sufficient background checks and believe that this gentleman is qualified, capable and able to perform these functions?"

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Dr. Rohrig said, “Yes, Dr. Adeagbo is a very well qualified physician, has a number of years experience as a general practice physician and surgeon. He also has many, many years of specialty training in the area of pathology and specifically forensic pathology.

And in addition to the medical credentialing, we also do, through our Personnel Department; a complete background looks to make sure that he is well suited for our team.”

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

Commissioner Unruh said, “Thank you. And the addition of Dr. Adeagbo will allow us to, then, eliminate a couple of part-time positions?”

Dr. Rohrig said, “Yes. Currently the open position we are covering with three part-timers that are actually out of state, so this will allow us to have our own physician here in town and those three part-timers, that we’re currently using to help cover the open time slot, will no longer be on our payroll.”

Commissioner Unruh said, “Thank you. I think that is an improvement to the organization.”

Chairman Winters said, “All right. Commissioners, any other questions or comments? Seeing none, what is the will of the Board?”

MOTION

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

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 Dr. Rohrig.”

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Dr. Rohrig said, “Thank you.”

Chairman Winters said, “That concludes the Public Safety Agenda items. Let’s go back now to the Health Departments Agenda item. And, since this is a ‘Receive and File’ if there is a problem with technology, we could postpone this until next week because we have a copy of the presentation and it looks like the public would probably like to see that.”

Ms. Amanda Matthews said, “I believe we’ll have it here in a moment.”

Chairman Winters said, “Okay. There we go. All right. It was hiding. Madam Clerk would you call this item please?”

NEW BUSINESS

HEALTH DEPARTMENT.

E. HEALTH DEPARTMENT.

1. PRESENTATION TO REPORT PROGRESS OF THE SEDGWICK COUNTY HEALTH ACCESS PROJECT.

POWER POINT PRESENTATION

Mr. Roderick Harris, Director, Center for Health Equity, Sedgwick County Health Department, greeted the Commissioners and said, “I would like to thank you, the Board of Commissioners, for supporting the Health Access Project and its efforts, and primarily Commissioner Norton, for your leadership with all of our efforts over this past year.

What I intend to do in this presentation is just to share with you what the charge was for each of the working groups and also what their progress has been since of September 2007. The goal of the Health Access Project is to identify community based solutions to increase access for residents to primary care medical homes. By medical homes, we mean places that are accessible in their community; they are affordable and places where they can have an ongoing relationship with, for their primary care medical needs.

As for the working groups we have four working groups we have worked with. First, we have coverage. Improving coverage options for the uninsured residents, that’s what their charge was, and for the coordination working groups, they wanted to improve the coordination of our existing services for uninsured residents.

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Third, navigation. They wanted to improve the communication and information regarding the available programs and services in our community. And then our 4th working group, which is 'Cover the Uninsured Week', is an Ad HOC group that was strictly in place for about two months that really just worked on coordinating our efforts for our outreach of "Cover the Uninsured Week", which was the last week of April, 2008.

We have a Milestone report. You may have received a copy of this, it's also available online. This is the Milestone report that was written by our partners with Hugo Walls, School of Urban and Public Affairs, and in that report we described with the initiative work for each working group, also what the current status is for their activities, also what their next step of recommendations are for our next year, and then also, who is going to be responsible for those recommendations and moving those forward. Individual responsibilities, community responsibilities and as well as organizational and governmental.

So to begin to talk about some of the outcomes and what our results were for this past year, the working groups identify what our uninsured population would be that we would talk about our efforts for. Based on the recommendations for the KHPA, Kansas Health Policy Authority, also the research we have seen, as far as State data on covering our uninsured residents, we chose these as the target groups: small businesses and those that maybe self-employed; individuals who are 19-24 who tend to come off their parents insurance but are just caught up in the age range where they may be college students or what not and not have insurance; children who are not covered by Health Wave but maybe eligible, and for various reasons are not enrolled; and then we're wanting to look at individuals who are excessive users of the emergency rooms and see if we can drive down that inappropriate usage of our medical system.

An Information Campaign was created and 'Cover the Uninsured Week' is when we kicked that off, and we do have Health Access education kits that have been developed. Those are available electronically on our website as well. We also provided presentations to the public and to private organizations to show them the information indicated, explain how to use the information. Some of that included self-care information on how they can care for themselves as well as care for their children, but also, what are these affordable medical home options in our community, whether it's community clinics or resources such as Health Wave, Medicaid et cetera. And also, we selected Two On One as an essential source for information so that if individuals did not have a kit they could call 211 to have access to this information and where they could go for an affordable home. 211 is heavily publicized throughout all of our information campaign materials.

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Third, we have here, a transportation survey. The staff at the Center for Health Equity, as well as some of the participants in the working groups, worked with our community clinics to do a survey of some of their patients. These patients were randomly selected and we looked at what their transportation barriers are when accessing care. One of the key findings is more than 1/3 of these patients at these clinics said that they do not have adequate transportation when seeking healthcare.

Fourth, clinic capacity assessment. As Bev Whitehead mentioned, we did conduct a capacity assessment with the Center for Health and Wellness and our other community clinics and we found out that greater than 47 percent of the uninsured residents are seeking care at these clinics. There are some limitations to these studies. There may be duplication between clinics, but generally speaking, from what these clinics reported as their unduplicated patient population, 47 percent of our initial residents are being seen at these clinics and they have the current capacity with their current resources to serve as many as 54 percent of our uninsured residents.

We also have our Health Access Project website. People can go to sedgwickcounty.org, go to the Health Department's website and you will see Health Access as one of the key areas and our Health Access information is there. That will include our patient education kits, would also include maps of where these clinics are, also our Milestone report.

So the working group came up with a recommendation they suggest we implement as we move forward in our next year. Number one, we have research data on emergency room usage by our uninsured residents. As Commissioner Norton had mentioned, driving those costs down would be an improvement to our situation here in Sedgwick County, if we could eliminate unnecessary emergency room usage.

Also, number two, to develop a strategy for extending clinic hours of operation so if we can have the clinics open past 5:00, past 6:00, for residents who would need urgent care or primary care after hours that would be a certain help to our situation here.

Number three, develop and implement multiple strategies to enable efficient and effective transportation. We have this transportation survey and the results. Now, what can we do to delve further into that information, also, come up with a transportation plan for these residents?

Four, the working groups felt that we needed to build a better relationship with the Kansas Health Policy authority, in fact, form partnerships and improve our communication. Communication from Sedgwick County to KHPA, but also from KHPA to Sedgwick County.

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Five, study the feasibility of a shared health information system, find better ways for our community clinics to communicate with one another and also find better ways of keeping that information consistent in real-time so that appropriate care can be given to those patients. And the Medical Society of Sedgwick County is taking the lead on that.

Number six, enhance publicity and capacity of the 211 system. United Way has agreed to take the lead on that as well. We're really looking for better ways to promote and publicize 211 and all the efforts that we're doing as to help Access Project.

Seven, continue outreach for the Information Campaign to reach the targeted subpopulations. As you have noticed in the earlier slides we have four target groups. We did target the small businesses and the self-employed individuals during "Cover the Uninsured Week", but that group for 19 to 24, and also the children, we're really looking to target them during our back to school outreach, so we're looking for opportunity to go out into the community, provide booths, provide presentations and find ways to follow-up with these individuals, maybe in six months, to find out if in fact they have used this information and how useful it has been for them.

Number eight, we're exploring, and Sedgwick County is taking a lead on this one, exploring a 24/7 nurse call line. So individuals in our residential community could call this call line and find out if self-care will be appropriate, if they need to contact their primary care physician or seek emergency care so that we can make sure that people are utilizing our services appropriately.

Number nine, Community Health Coverage Plan. Anne Nelson was here earlier from Central Plains Regional Health Foundation, they have agreed to take the lead on this one and what we're trying to do with this recommendation is find a way to provide funding for either our community clinics or for residents to assist and subsidize their healthcare costs.

Lastly, the recommendation of the working group to have an Oversight Committee. This is to take a timely response to these recommendations, and to provide responsibilities, assign responsibilities to these lead organizations on how we can move these recommendations forward and take Health Access Project to the next level. So we're looking to begin that process in September of this year, and move on so we can have a wonderful report for you at this time in 2009. I can entertain any questions you may have and again, thank you for your support of the Health Access Project."

Chairman Winters said, "All right. Roderick, thanks very much. A very inclusive report. We have had some previous discussion about the health issues, even just this morning. So Commissioner Norton you want to say anything else?"

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Commissioner Norton said, "I think it's a pretty good blush of what the report and the work has done over the last several months. I see it as we were originally taking kind of a shotgun approach, trying to go through everything, and take a broad perspective on what we could do, what the possibilities were, now we have narrowed it down to 8 or 10 items that I kind of said the analogy of we set the cans up on the fence and start taking out the rifle now and shooting them off the fence. We can really start taking a laser focus on some of the recommendations.

Many of them, which is gratifying, are being taken over by other entities. The United Way is taking a part of it, the Medical Society is taking a part, obviously our Public Health Department is taking part. It's not just government is going to do this. There is a broad range of collaborators that are willing to help out with moving this along. So I'm excited about where we're going with it and I will continue to give you updates as we move this along.

But, now the hard work really begins because we have got some work products that have come from hours of data gathering and analysis and debate and now we have actually got some work products that we're going to have to step up and work on. That's all I've got."

Chairman Winters said, "Thank you very much. Commissioners any other comments? Seeing none, is there a motion to receive and file?"

MOTION

Commissioner Norton moved to receive and file.

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, "Thank you Rod."

Mr. Harris said, "Thank you."

Chairman Winters said, "Next item."

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2. RESOLUTION AUTHORIZING THE ADOPTION, IMPLEMENTATION AND USE OF A SLIDING CLIENT RESPONSIBILITY SCHEDULE FOR SERVICES, TESTS, PRESCRIPTIONS, VACCINES, EQUIPMENT AND SUPPLIES PROVIDED BY THE SEDGWICK COUNTY DEPARTMENT OF HEALTH.

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "The fee structure used for the Health Department services has been in place for two decades and it's been revised three times since the transition of the Health Department to Sedgwick County, the last time was in 2007.

There are currently two sliding fee scale client responsibility schedules. One is for family planning, it allows us to slide to 0 based on income and household size. That is a grant requirement. That means that some people who are very low income do not have to pay anything for services. Then there is another client responsibility fee schedule for everything else. And that slides to 5 percent.

The Resolution before you achieves several purposes. Number one, it allows the Health Department Director to revise the schedule annually based on the Federal Poverty Guidelines, which are published every year. And in practice, we have actually been doing this because we have to because of our grant contracts, but we wanted it explicitly in the Resolution.

Then, we will be adding a fee schedule for maternal and infant or prenatal services that is consistent with community pricing for clinics like ours. And it will allow us to charge at least 20 percent of what the services cost. And theoretically that will generate revenue of about \$10,000 for the County.

Then thirdly, it allows the Health Department Director to categorize services into the correct schedule. Family planning, M and I, or everything else, and then to whatever services don't really fit in any of those categories to be in no schedule at all. In other words, there are some services that we provide that we charge full price for and they will stay a full price service. For instance, travel shots are full price. We need the full price so we can buy the vaccine to provide the service.

Then there are some lab tests that we do in our clinics that are not required but recommended. We want to be able to provide those to clients at a lower rate but still recover our costs. So that is basically what this Resolution achieves. If you approve this Resolution it will be published in the local papers and after that it will go into effect. So I would be happy to answer any questions."

Chairman Winters said, "Thank you Claudia. Commissioners are there questions?"

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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

Chairman Winters said, "Next item."

3. ADJUSTMENT TO THE HEALTH DEPARTMENT'S STAFFING TABLE TO ADD A SOCIAL WORKER POSITION, B322, FOR THE MATERNAL & INFANT PRENATAL CLINIC.

Ms. Blackburn said, "The Agenda item before you is a request to move a social work position from the Maternal and Infant or Prenatal Clinic trust fund to the general fund. Just some history, the Maternal and Infant Program or Prenatal Program has been with the Health Department for over 30 years and provides prenatal services to pregnant women who generally cannot afford a private physician. The program has experienced a shortfall because of rising costs and limited funding over the past year and a half, and in order to resolve that shortfall we would like to move the social work position that is currently funded out of the revenue that we generate from the program to the general fund. And this will fully fund the program so that we can see more clients.

Right now we're seeing about 440, with this we'll be able to see 515, which will decrease our wait time for a new appointment to one to two weeks verses five to six weeks, which is what it is currently. The importance of getting women into care early, so that they can start the prenatal care in the first trimester, as much as possible, so we can pick up health problems early and take care of them is really our goal so this will help us to achieve that goal.

The cost for the remainder of 2008 is \$22,411. For 2009 it would be \$53,785 and then it would be part of the Health Department's base budget. I would be happy to answer any questions, I do recommend that you approve this request."

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Chairman Winters said, "All right. We do have some comments, Commissioner Parks?"

Commissioner Parks said, "Long term history on this, this position was cut some years back is that my understanding, and now we're just getting it back into the program?"

Ms. Blackburn said, "Actually we have been funding this. This position has been filled, it may be vacant right now, but has been filled until just recently. We froze a different position to be able to fund the program. This will allow us to unfreeze a medical assistant position and have all of the positions that provide the services and a little additional money to pay for lab tests. So it's a, kind of a budget process of moving the social work position out of the trust to general fund and then, enabling us to unfreeze the position that is currently frozen."

Commissioner Parks said, "I just wanted to get that out. For public comment. I did, I wasn't really sold on this and I talked with Claudia at length about that this week and I think it's a good position to get back into the program."

Ms. Blackburn said, "Thank you."

Chairman Winters said, "All right thank you. Commissioner Norton?"

Commissioner Norton said, "As we worked on Visioneering, one of the things that was a benchmark that came out of health, was the low infant birth rate and infant mortality rates in Wichita compared to the State of Kansas and the nation.

We know that more prenatal services for low income and poverty level folks is going to help improve that status in our community. I think it's very important if we can add 100 people to the process and get them that good prenatal service that one of the benchmarks of engineering might get closer to being met which is, you know, higher birth weight and lower infant mortality.

Claudia, you may want to comment on that, but that's something we continue to worry about in our more mature urban community than maybe somewhere else in Kansas."

Ms. Blackburn said, "It is and we're doing everything we can. This is one piece of solving that problem. The other piece is what we hope to accomplish with the centering pregnancy model we'll be going to. But, we're trying to do everything that science tells us we should be doing to improve the low birth weight rate."

Commissioner Norton said, "Now, tied to this is also a program that's gained huge stature and that's the WIC Program and that is kind of the follow-up to some of the prenatal work is making sure moms and infants are taken care of in the first years of life. Is that correct?"

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Ms. Blackburn said, "Correct."

Commissioner Norton said, "Okay. That's all I have Mr. Chair."

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

Commissioner Unruh said, "Thank you. I'm going to be supportive. I just want to make the comment, what this implies to me is that we're doing a good job of managing the responsibility we have so we can get the right people in the right place to be the most efficient, provide the greatest amount of service. Last Agenda item is managing the situation so we get the right fee schedule to provide services, and yet take advantage of it for the County's benefit when that is possible. So, it looks to me like good management process, I'm supportive and that's all I have."

Chairman Winters said, "All right thank you. Commissioners are there other questions or comments? If not, what is the will of the Board?"

MOTION

Commissioner Norton moved to approve the adjustment to the Health Department's Staffing Table and authorize budget authority transfer from the Operating Reserve.

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, "Thank you Claudia."

Ms. Blackburn said, "Thank you."

Chairman Winters said, "Now if we are done with the Health Department, we'll call the first item for the Division of Human Services, COMCARE, Item G-1. Madam Clerk, would you call that item?"

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DIVISION OF HUMAN SERVICES – COMCARE.

G. COMCARE.

- 1. AMENDMENT #3 TO CONTRACT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES/HEALTH CARE POLICY TO PROVIDE SERVICES FOR CLIENTS MEETING THE GUIDELINES OF SENATE BILL 67.**

Mr. Tom Pletcher, Clinical Director, Mental Health Department, greeted the Commissioners and said, “This is an amendment to our Contract with SRS that provides funding, excuse me, to clients who are being served under Senate Bill 67. The amendment extends the Contract for one additional year and provides \$31,000 to the current grant award making the total revised grant award \$109,050. Senate Bill 67 is a program for individuals who have received 4 or more DUI’s and the program offers treatment rather than incarceration. The program is funded through the State Department of Corrections and is monitored through SRS. Referrals to the program are made by the local community corrections staff and the maximum allowance per each participant is \$3,000. Participants are in the program for about one year. We would recommend that you approve the agreement and authorize the Chairman to sign.”

Chairman Winters said, “Thank you Tom. Questions or comments?”

MOTION

Commissioner Welshimer 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, “Next item.”

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2. THIRD AMENDMENT TO CONTRACT WITH URBAN LEAGUE OF KANSAS TO PROVIDE GROUP AND INDIVIDUAL PSYCHOSOCIAL REHABILITATION AND ATTENDANT CARE SERVICES.

Mr. Pletcher said, “This amendment is to just revise the cap of our current agreement with the Urban League, by an additional \$31,600. It reflects payments for service that are actually delivered this fiscal year. We have utilized this fee for service contract with the Urban League more than anticipated this year in part due because they have both expanded the number of youth that have been served by them and the number of services they have provided. We do value the partnership that we have had with them. As we mentioned before, the Urban League has a very strong family focus in the delivery of their services. This was the first year of this contract with them so when the original compensation cap was established it was an estimate based on anticipated use, that’s why we’re coming back to you right now, based on the actual use during this year. We would recommend that you approve the amendment and authorize the Chairmen to sign.”

Chairman Winters said, “ All right. Thank you Tom. Are there questions or comments? If not, what is the will of the Board?”

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 Tom.”

Mr. Pletcher said, “Thank you.”

Chairman Winters said, “Next item.”

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H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JULY 17, 2008.

Mr. Joe Thomas, Director, Purchasing Department, greeted the Commissioners and said, "There are four items for consideration that resulted from the meeting of the Board of Bids and Contracts of July 17th. Item number one:

**1. VEHICLE DECALS – FLEET MANAGEMENT
FUNDING – FLEET MANAGEMENT**

The recommendation is to accept the overall low bid meeting specifications from Graphic Designs International Incorporated and establish contract pricing for one year with two additional one year options to renew. Item number two:

**2. UNINTERRUPTIBLE POWER SUPPLY – DIVISION OF INFORMATION & OPERATIONS
FUNDING – DIVISION OF INFORMATION & OPERATIONS**

The recommendation is to accept the low proposal and execute a contract with Atlas Electric LLC in the amount of \$105,920.18. Item number three:

**3. SEDGWICK COUNTY WORK RELEASE FACILITY HVAC SYSTEM MODIFICATIONS – FACILITIES DEPARTMENT
FUNDING – REPLACE CONT SYSTEM/CHILLER/CONDENSER/WORK RELEASE**

The recommendation is to accept the bid from R & C Professional Services for the negotiated amount of \$375,675. And item number four:

**4. PEERPLACE SOFTWARE PROJECT – DEPARTMENT ON AGING
FUNDING – AGING CASE MANAGEMENT I**

The recommendation is to accept the proposal from Peer Place Networks LLC for an initial cost of \$84,987 and execute a contract for a total five year cost of \$109,177.15. I would be happy to answer questions and recommend the approval of these items."

Chairman Winters said, "All right, thank you. Commissioners are there questions? Commissioner Norton?"

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Commissioner Norton said, "Joe, on the HVAC, there is, it indicates there is only one bid, now you sent to many more than that, because of other scheduling problems and work load, other bidders dropped out. Is that correct?"

Mr. Thomas said, "That's true sir. We had a mandatory pre-bid meeting and because of the secured facility, it's a 24/7 operation, it was such a tight schedule and required strict coordination, many of the vendors felt they had too many conflicts with existing work schedules."

Commissioner Norton said, "And the one vendor we selected, their bid really was higher than our original bid estimate and it was negotiated down below that original estimate. Is that correct?"

Mr. Thomas said, "Yes sir. The original bid was \$389,400 the budget amount was \$385,000, so after negotiation that brought it down to \$375,675. That's true. "

Commissioner Norton said, "I don't know if that is a good news or bad news thing that we got vendors that are so busy they can't put it into the schedule, that sounds good for the economy but sounds bad that we end up with one.

It was encouraging that you could work with the vendor and get it still below our budget, I guess that is good. Just a lot of money and I want to be sure that the public knew it was scrutinized."

Mr. Thomas said, "Yes sir."

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

Commissioner Parks said, "Along that line, we are leasing the Work Release Facility. Is that correct?"

Mr. Thomas said, "Yes sir, we're leasing that, it's owned by the City."

Commissioner Parks said, "There is no provision in there for a cooperative capitol expenses?"

Mr. Thomas said, "I will have Mr. Paul Dreary come forward and provide more details on that."

Commissioner Parks said, "Thank you."

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Mr. Paul Drouhard, DIO, Facility Maintenance, greeted the Commissioners and said, “Yes, this building has been under lease since about 1987. There are provisions in a lease that was renegotiated in 2005, which allows for the City or County, either one, to bail out of this lease and with 60 days notice. It also protects our investments to the building. There is a depreciation schedule that has been agreed on between the City and the County. Our Finance Department has bought off on it, our Legal Department has bought off on it, as has the City.

If this lease were to end, before this equipment is depreciated, there are several options where the City could buy it out, the County could buy the Work Release building and so on. It’s covered under the lease and I think it’s pretty well protected.”

Commissioner Norton said, “Very well that answers my question. Thank you.”

Chairman Winters said, “Thank you Paul. Any other discussion on the recommendation of the Bid Board? If not, what is the will of the Board?”

MOTION

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

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, “Thank you Joe.”

Mr. Thomas said, “Thank you.”

Chairman Winters said, “Next item.”

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CONSENT AGENDA

I. CONSENT AGENDA.

- 1. One Temporary Construction Easement for channel clearing north of 85th Street North and east of 279th Street West. District #3.**
- 2. One Temporary Construction Easement for Sedgwick County Project 823-X-1870; bridge replacement on Hydraulic between 63rd Street South and 71st Street South. CIP# B-442. District #2.**
- 3. Two Right-of-Way Easements and one Temporary Construction Easement 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.**
- 4. Three Easements for Right-of-Way for Sedgwick County Project 811-J, n ½ K; widening of Ridge Road between K-96 and 53rd Street North. CIP# R-282. District #4.**
- 5. Resolution stating findings made by the Board of County Commissioners at the post-annexation hearing (City of Kechi) held on July 9, 2008 – Ordinance Number 03-483.**
- 6. Resolution stating findings made by the Board of County Commissioners at the post-annexation hearing (City of Kechi) held on July 9, 2008 – Ordinances Numbers 03-472, 03-473, 03-474, 03-479, 03-480, 03-481, 03-484, 03-485, 03-486 and 03-489.**
- 7. Resolution stating findings made by the Board of County Commissioners at the post-annexation hearing (City of Garden Plain) held on July 2, 2008 – Ordinance Number 555.**
- 8. Resolution stating findings made by the Board of County Commissioners at the post-annexation hearing (City of Clearwater) held on July 2, 2008 – Ordinance Number 818.**
- 9. Resolution appointing Bamidele Adeagbo, M.D., as a Deputy District Coroner.**
- 10. Mid-level salary adjustment based on years of Physician Assistant/Advanced Registered Nurse Practitioner, B326, experience.**

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- 11. Waiver of policy to hire a Diversity & Employee Relations Officer, B325, above minimum for the position's salary range.**
- 12. Order dated July 16, 2008 to correct tax roll for change of assessment.**
- 13. General Bills Check Register for the week of July 16-22, 2008.**

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

MOTION

Commissioner Norton moved to approve the Consent Agenda as presented.

Commissioner Unruh seconded the motion.

Chairman Winters said, "We have a motion and a second to approve the Consent Agenda, is there any discussion? Commissioner Parks?"

Commissioner Parks said, "I just did want to say I had a question about a personnel, the raise on number 11, outside of the minimum, and I met with Jo Templin and I'm satisfied that we're doing the right thing there."

Chairman Winters said, "Thank you. Any other comments? We have a motion and a second. Any other comments? Seeing none, call the vote."

There was no further 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, "Commissioners, that brings us to the conclusion of our Regular Agenda items. Are there 'Other' things we need to discuss? Commissioner Norton?"

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J. OTHER

Commissioner Norton said, “Just a couple of things. I would like to send condolences to the family of Jerry Carson of Labette County, who was the President of the County Commission Association and a long term County Commissioner who passed away this week after a long battle with cancer. Jerry and I worked together and I think Commissioner Unruh and Commissioner Winters have worked with Jerry for a lot of years. He was very active in legislative issues and advocated well as a County Commissioner. A good friend and good colleague for many years. We regret his passing and send condolences to his family.

Secondly, maybe the Chairman will want to comment on this, yesterday he held a press conference on veteran’s affairs and what the County is going to do as far as trying to partner with the Veterans Administration and other parts of our County to provide great services to veterans. I applaud the Chairman for moving that along and our County and trying to seek out partnerships as we try to understand what the influx of many veterans are going to be back into our community after the war that we’re in presently. Mr. Chairman, you may have a...”

Chairman Winters said, “I would just add again that this is something I believe we can enhance without really spending any money in addition to what is already being done. We just had several instances where agencies, and even our department, weren’t aware of some of the options that they needed to be taking advantage of to make sure that when Sedgwick County employees come in contact with a veteran there are other resources through the Veterans Administration that are accessible.

We had not previously been asking folks that were booked into the detention facility if they were veterans and several other corrections departments were not asking that question. The Veterans Administration very much wants to bring their resources to the table that can help any former person who has been in the military service.

I think we’ve got the Workforce Alliance of South Central Kansas, our Correction Department, they are working, of course, on employment issues, there are a just number of partners that have come to the table.

I think we had a press conference yesterday to talk about that and again, I think this is a case where we’re just doing things in a different way, not going to spend any more money but by putting it together differently, we’ll have hopefully a positive outcome. Thanks for mentioning that. Commissioner Unruh?”

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Commissioner Unruh said, "Thank you Mr. Chairman. Tomorrow I have the privilege of making a presentation at noon to Cosmopolitan Group, and getting prepared for that I asked our Communications Department to give me facts on the Arena. And so Jenny Gluszek, one of our Communications persons, got me some interesting facts, I want to share with them.

I think a lot of folks in the community might be interested to know that there is 180 people on sight working at the Arena; 5 cranes are working; poured about 2,100 cubic yards of concrete out of 2,400 that they're expecting to pour, so we are moving right along there; the ice rink is 11,575 square feet, going to be 8 inches thick, that is a big part of the structure.

Total number of public toilets, 275 total toilets, good parody between men and women; and going to have 1,157 pieces of equipment that will be used for food storage and for food preparation in the 19 spaces for commissary and kitchen preparation; the power wires that will be used throughout the Interest Bank Arena will be the distance from Wichita to Omaha, Nebraska; telephone data and other fiber cables will go from Wichita to El Dorado and back again; the structural steel and rebar weighs as much as 1,292 elephants, I don't know what size the elephants are but that's, or 3,130 hippos.

If you put the 8 main trusses end to end they would span from Kellogg down to Douglas; the tallest portion of the building, the big spire that's been designed, the tops 220 feet above the ground; the rock, piece that it sits on, is going to be 175 feet to the top of that; and the roofs highest point is 99 feet above the ground.

So, maybe I'm just strange and like facts but I thought all of that was pretty interesting. I hope the public that is kind of watching would, what we're doing with the Arena, would be interested in those facts also. And that's all I had."

Commissioner Norton said, "And the number of days until the Arena tax goes off is..."

Commissioner Unruh said, "We passed that, Commissioner, we passed that."

Chairman Winters said, "All right. Is there any other business to come before the Board? Mr. Manager?"

Mr. Buchanan said, "No sir."

Chairman Winters said, "Mr. Euson?"

Mr. Euson said, "No sir."

Chairman Winters said, "This meeting...Commissioner Parks, did you have one more thing?"

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Commissioner Parks said, “Yes, I just wanted to say that some of the media outlets condensed the discussion from yesterday’s staff meeting a little bit.

And I did want to bring up two important points on the proposed 1 percent sales tax. It’s in the preliminary discussion, it’s a long-term thing. We need to do a lot of things and a lot of study before we implement it and that the presentation that I mentioned yesterday at staff meeting would be in the reduction and somewhere in the 4.5 mill on the property tax reduction. That is a ballpark figure and, that would be under a long period of time that we would bind that by the vote.

So, one media outlet is already put up a poll and they really didn’t really say anything about any of the other things they just kind of said 'do you want more taxes' and of course that is not going to apply. So, we really need to do that.

I did want to say one other thing. I did attend the Arena Tax Oversight meeting yesterday and the next one will be October 28. And still working on some issues there. So, thank you.”

Chairman Winters said, “Thank you. Commissioners, one last call. Seeing nothing else, this meeting is adjourned.”

K. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:27 a.m.

Regular Meeting, July 23, 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