

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

### **REGULAR MEETING**

**September 10<sup>th</sup>, 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, September 10<sup>th</sup>, 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. Marty Hughes, Revenue Manager, Accounting Department; Ms. Pamela Martin-Bevan, Clinical Services Division Director, Health Department; Mr. Thomas Pletcher, Clinical Assistant Director of Mental Health, COMCARE; Ms. Susan Wilson, Program Director, Healthy Babies; Ms. Jo Templin, Director, Human Resources; Mr. Ron Holt, Assistant County Manager; Ms. Irene Hart, Director, Community Development; Ms. Kristi Zukovich, Director, Communications; Ms. Bev Baalman, Marketing Director, COMCARE; Mr. Roger Blurton, Sr. Zookeeper, Sedgwick County Zoo; Mr. Larry Byers, Shop Supervisor 1, Fleet Management; and, Ms. Kristi Vermillion, Deputy County Clerk.

### **GUESTS**

Mr. George Ramsey, 2902 W. 30<sup>th</sup> St, Wichita, KS 67217

Ms. Debbie Gann, Vice President of Communications and Public Affairs, Spirit Aerosystems

### **INVOCATION**

The Invocation was led by Reverend Mike Bradshaw of Haysville Christian Church, Haysville.

### **FLAG SALUTE**

### **ROLL CALL**

**Chairman Winters** said, "I might mention that this morning Commissioner Welshimer will not be with us as she is attending a funeral. Next item please."

### **PROCLAMATION**

#### **A. PROCLAMATION DECLARING SEPTEMBER 7 – 13, 2008 AS SUICIDE PREVENTION WEEK.**

**Chairman Winters** said, "Commissioners, we have two proclamations for consideration this morning. I will read the first.

**Regular Meeting, September 10<sup>th</sup>, 2008**

**WHEREAS**, in the United States, one person dies by suicide every 16 minutes; and

**WHEREAS**, in Kansas, suicide is the tenth leading cause of all deaths and second leading cause of death among youth ages 15 to 24.

**WHEREAS**, one out of every six Kansans who die from suicide is from Sedgwick County; and

**WHEREAS**, each death by suicide intimately affects at least 8-10 other people, with approximately 630 newly bereaved mothers, fathers, sisters, brothers, friends, neighbors, and work associates in our community during 2007; and

**WHEREAS**, one of the most important factors is our resistance as a society to speak openly about suicide. Our lack of understanding keeps us from detecting signs, asking direct questions, and acting to get immediate help.

**WHEREAS**, the Sedgwick County Suicide Prevention Task Force is dedicated to reducing the frequency of suicide attempts and deaths through awareness and education, intervention and research.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Thomas G. Winters, Chairman of the Board of Sedgwick County Commissioners do hereby proclaim September 7-13, 2008 as

**“SUICIDE PREVENTION WEEK”**

in Sedgwick County and I encourage all citizens to make themselves aware of the warning signs and risk factors associated with suicide and make suicide prevention a community effort. Dated September 10, 2008.

Commissioners, that is the Proclamation, what is the will of the Board?”

**MOTION**

Commissioner Norton moved to accept the Proclamation and authorize the Chair to sign.

Commissioner Parks seconded the motion.

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

**VOTE**

## Regular Meeting, September 10<sup>th</sup>, 2008

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

**Chairman Winters** said, “And to accept the Proclamation is Bev Baalman and Bev I see there are a number of the Suicide Task Force Team in the audience so welcome.”

**Ms. Bev Baalman**, Marketing Director, COMCARE, greeted the Commissioners and said, “Thank you Commissioners and good morning. I am with the Sedgwick County Suicide Prevention Task Force through COMCARE of Sedgwick County and thank you for the Proclamation this morning. I would like those task force members in the audience just to stand for taking their time to come in this morning. It is Suicide Prevention Week and this year’s theme is ‘Embracing Diversity Through Research and Practice’ and the goal this year focuses on those critical people being family members, friends, neighbors, and work associates and providing them with the information and education so that they can assist those who are at most at risk for suicide. This week we are handing out 50,000 of these bookmarks. Ya’ll have one and I have placed some extras over there on the table. We’ve gotten them to school systems throughout Sedgwick County. This week they will be in 13 Dillons and Walgreens stores at their pharmacy counters. There are community organizations this week that will be handing out to their consumers as well and then also the Department of Aging here in Sedgwick County has gotten those out to senior centers and will go out with Meals on Wheels. But Friday, September 12<sup>th</sup>, we have about 108 volunteers who will be posted at 27 different Quik Trips throughout Sedgwick County handing these out to individuals. Again it is our way of getting the information and education out on the warning signs. These bookmarks do have the warning signs of suicide on them. It also tells you what to do if you recognize someone who is at risk and then where to call for help. I again thank you. I also appreciate all the support that you Commissioners have given the task force over the number of years that we have been together.”

**Chairman Winters** said, “Alright, well thank you very much Bev and we certainly want to thank those members of the task force who continue to work on this issue. We appreciate your community effort and thank you all to you who are on the task force.”

**Ms. Baalman** said, “Thank you sir.”

**Chairman Winters** said, “Commissioner Norton?”

## Regular Meeting, September 10<sup>th</sup>, 2008

**Commissioner Norton** said, “Bev, before you run off. I always ask the question, you know, what is the state of suicides in our community kind of, what does that look like? A little bit tougher economic times sometimes put families in stress or the wage earner is in stress and that increases the chances for that, at least the environment that it could happen. What does it look like right now in our community?”

**Ms. Baalman** said, “Well in 2007, we had 63 suicides here in Sedgwick County, which was up from the previous year. Probably the average age of someone within that 63 suicides was a Caucasian male, age 45 and I think one thing that continues to bring up questions is the majority of those suicides occur in the residence where there was probably another family member living there and I think that is why I think the goal this year is so important, is that we really need to focus on each other. Those people who are around those who are at risk and seeking help and sitting there and listening and not leaving them and removing the means from the area. The means being, access to pills, guns, or other means.”

**Chairman Winters** said, “In other years we focused on seniors who may have life threatening kind of injuries and chronic illness that tend to end their own life and we have focused on teenagers who have had problems. You are telling me now that the demographic of suicide has changed a little bit for a lot of different reasons and you are focusing a little different ways.”

**Ms. Baalman** said, “We are and the reason for that is back in 2000 when we started this, nationally, there were a lot of supports put in place for the youth as well as the elderly population. Not so much for that group in between so now the focus is that group in between. It is not that we aren’t having those elderly suicides, they are still there but yes, it is that group now and between that we need to focus on as well. Thank you Commissioner Norton.”

**Commissioner Norton** said, “Thank you. That is all I have Mr. Chair.”

**Chairman Winters** said, “Alright thank you very much. Thanks again Bev. Oh, did you have a question. Commissioner Unruh?”

**Commissioner Unruh** said, “That is fine. We don’t need to prolong it. Bev, I just wanted to say that I appreciate the effort of the task force and that the issue we are talking about is not one that citizens of our community are helpless in the face of it. We can all be a Link for Life as this little bookmark that you’ve provided for us talks about and it primarily requires us to be sensitive and be willing to respond when we see that need but some very practical instructions and guides for how we can be part of the solution is provided on the bookmarks so I would encourage folks to look for this and make a commitment to be a Link for Life in our community. Thank you.”

**Regular Meeting, September 10<sup>th</sup>, 2008**

**Chairman Winters** said, “Thank you Commissioner Unruh. Madame Clerk, would you call the next item.”

**B. PROCLAMATION FOR INFANT MORTALITY AWARENESS MONTH.**

**Chairman Winters** said, “Commissioners, I will read the second Proclamation for your consideration.

**WHEREAS**, the Infant Mortality Awareness campaign has been designed by the National Healthy Start Association to increase the community’s awareness of the high rates of infant deaths; and,

**WHEREAS**, in the last five years, an average of 63 infants have died each year in Sedgwick County; and,

**WHEREAS**, babies who are born low birth weight are more likely to die before their first birthday and African American babies are more likely than any other race to die from low birth weight complications; and,

**WHEREAS**, the Healthy Babies Home Visitation and Group Education Program in Sedgwick County, Kansas, is one of nearly 100 federal Healthy Start projects nationwide; and,

**WHEREAS**, the mission of Healthy Babies is to reduce the incidence of preterm and low birth weight births among high-risk moms in Sedgwick County; and,

**WHEREAS**, the Infant Mortality Awareness campaign offers the opportunity for the community to be educated about the role they can play in ensuring we have Healthy Babies;

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

**“INFANT MORTALITY AWARENESS MONTH”**

Dated September 10<sup>th</sup>, 2008. Commissioners, this is the Proclamation, what is the will of the Board?”

## Regular Meeting, September 10<sup>th</sup>, 2008

### MOTION

Commissioner Unruh moved to adopt the Proclamation.

Commissioner Parks seconded the motion.

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

### VOTE

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

**Chairman Winters** said, “And here to accept the Proclamation is Susan Wilson with the Health Department.”

**Ms. Susan Wilson**, Program Director, Healthy Babies greeted the Commissioners and said, “I am so grateful for this time to really take time to think about Infant Mortality Awareness and the National Healthy Start Association is taking this time for A September to Remember. They have created a poster in honor of Infant Mortality Awareness and we actually have our own healthy baby, Destiny Reid on the poster this year. Destiny is right here and Destiny is actually in the audience with us. This is actually yours to hang in your office and Destiny, if you would like to come up, Krisha. Destiny and Krisha are actually a Healthy Babies success story and Midge, if you would like to come up real quick. Midge is our Healthy Babies home visitor who has served with Krisha to help her be a success story. Destiny are you going to talk? We are so pleased to have Krisha as part of our program and I would like to tell you her success story now.

Krisha’s mom actually referred her to Healthy Babies when she was 18, she was in her third trimester and Krisha just wanted to know more about being pregnant, wanted to know about labor and delivery and she wanted to know about breast feeding. On July 23<sup>rd</sup>, 2007, Destiny was born. She was healthy and Krisha, we were so pleased, she immediately initiated breast feeding. Once Destiny was born and they settled into their little routine, Krisha knew that she needed to have full time employment and she needed to support herself and her baby and so she asked her home visitor, do you have any openings at Healthy Babies, I really like the program? And as luck would have it, we actually did have an opening at the time for a fiscal associate so Krisha went through the interview process and we hired her in September 2007 as a fiscal associate. This began Krisha’s role as a dual home visitor client and employee with the Healthy Babies program and they actually

## **Regular Meeting, September 10<sup>th</sup>, 2008**

worked to schedule her home visits during her lunch hour and it has worked out really well. Krisha has been so excited to be a client and an employee of the Healthy Babies program, mentoring some of our other clients, it has been a very exciting time for her and actually with the support of her home visitor she has successfully breast fed Destiny for 6 ½ months which is a very exciting thing for us. With Midge's encouragement in August of 2008, Krisha began classes at Butler County Community College with the goal of becoming a Registered Nurse and she hopes to one day come back to the Healthy Babies program as a nurse home visitor. So we are very pleased, we are very proud of Krisha. We hope to have her around for a very, very long time. So thank you Krisha, thank you Destiny for coming. She brings Destiny into the office often so we can watch her grow and we are going to have her around for a long time so thank you for letting us bring her today."

**Chairman Winters** said, "Alright, well thank you very much. Commissioner Norton?"

**Commissioner Norton** said, "Well and you know as we embarked on the visioning several years ago one of the benchmarks that we looked at for Health Department and a healthy community was low infant birth weight and infant mortality and at that time we were concerned that Wichita and Sedgwick County had a little bit higher rate than the State of Kansas and we worked pretty hard and I know the Health Department and other organizations have worked real hard to make sure that we increase those numbers because wellness in the very early stages of life really dictates wellness in other parts of your life, so a good early start is so powerful to our community. And truthfully, we can't afford to waste any human capital in our society, the youngest to the oldest and Healthy Start, I am very supportive of it. I sit on a work committee through the United Way on children and families and we are constantly worried with infant mortality and low birth weight and those kinds of issues, so I applaud you for that. I am very supportive of the Proclamation. Carry on the good work through the Health Department."

**Ms. Wilson** said, "Thank you, thank you."

**Chairman Winters** said, "Yes and thank you again Susan. For you and your staff and all of the folks that work on the Healthy Babies. I think it has certainly been something that I think has really come on a lot stronger since I have been a Commissioner and I am very proud of the fact that we have supported the Healthy Babies start and that we tried to do this ounce of prevention that really has long lasting effects, so thank you and your team for all the work you do."

**Ms. Wilson** said, "Thank you for your support. Thank you."

## **RETIREMENTS**

**Regular Meeting, September 10<sup>th</sup>, 2008**

**C. PRESENTATION OF RETIREMENT CLOCKS.**

- **ROGER BLURTON, SR. ZOOKEEPER, SEDGWICK COUNTY ZOO, WILL RETIRE OCTOBER 1, 2008 AFTER 29 YEARS OF SERVICE.**
- **LARRY BYERS, SHOP SUPERVISOR 1, FLEET MANAGEMENT, WILL RETIRE OCTOBER 1, 2008 AFTER 34 YEARS OF SERVICE.**

**Ms. Jo Templin**, Director, Human Resources greeted the Commissioners and said, “This agenda item recognizes the long term County public service of two of our employees who have made the decision to retire. We would also like to thank Mark Reed, Zoo Director and Kevin Myles, Fleet Manager for being here to support their employees as well as many co-workers and family members who are here today. One of the co-workers said, ‘It’s your job today to talk this person out of retirement.’ I said, ‘Well I think it is a little late for that but we can certainly celebrate and give them a good sendoff’ so that is why we are here today. Our two retirees are here. First we have Roger Blurton who is Sr. Zookeeper with the Sedgwick County Zoo. He will retire October 1<sup>st</sup> after 29 years of service.”

**Chairman Winters** said, “Alright thank you. Roger, step right on up here. We have this token certificate of remembrance and we also have this clock that we would like to give you as a token of appreciation. You know, every job and every position in Sedgwick County is important to the citizens. Some have special twists to them and as I see a number of your colleagues from the zoo are here today working in an environment like the Sedgwick County Zoo for what, how many years? 29 years has got to be a rewarding experience. We hope it has been rewarding for you. I can assure you it has been rewarding for the citizens and the visitors at the zoo. That is a marvelous place to be, it’s a marvelous place for our community and others that visit the zoo, you have been a part of that and on behalf of the Board of County Commissioners we would like to say congratulations on your retirement and we hope that you will appreciate this clock in retirement. Would you like to just make a comment or two?”

**Mr. Roger Blurton**, Sr. Zoo Keeper, Sedgwick County Zoo, greeted the Commissioners and said, “I would like to thank the County Commissioners and the County for their support of the zoo so I could have that job for so many years. I would like to thank Mark Reed, Director of the Zoo, Jim Marlett, Assistant Director, Mike Quick, my immediate boss, Curator of Mammals and the rest of the Zoo staff, my wife is here to help me celebrate and it has been a long fun career and Mark wanted me to mention that I have a little problem on my shirt today. We just did a well baby check of two baby lions that were born last month and they are doing fine. The two little lions will be on exhibit later.”

## Regular Meeting, September 10<sup>th</sup>, 2008

**Chairman Winters** said, “Well thank you very much and congratulations again.”

**Commissioner Norton** said, “Roger before you step down what are you doing next? That is one question.”

**Mr. Blurton** said, “I am working. I am going to be doing some lawn care and some property management for some rental properties that a cousin of mine owns.”

**Commissioner Norton** said, “And let’s do a little tag for the zoo. What was your favorite mammal or animal after all these years?”

**Mr. Blurton** said, “Chimpanzees have always been my favorite and Marbles is my buddy and always will be my buddy.”

**Commissioner Norton** said, “Well you will have to go back and visit him.”

**Mr. Blurton** said, “Oh I definitely will.”

**Chairman Winters** said, “Alright, congratulations again.”

**Ms. Templin** said, “Our second retiree is Larry Byers. He is Shop Supervisor 1 at Fleet Management and he will retire October 1<sup>st</sup> after 34 years of service.”

**Chairman Winters** said, “Alright, Larry step right on up please. Again we have this certificate that we would like to present you as a reminder of your time at Sedgwick County and we would also like to present this clock and again, as a token of appreciation from the citizens of Sedgwick County. Fleet Management is an important responsibility from the smallest lawnmower to every fire engine, police car, ambulance and all the equipment in between and for your 34 years we are very appreciative of the time that you have spent at Sedgwick County. We congratulate you and we wish you the very, very best in the future and if you would like to make just a comment you certainly could.”

**Mr. Larry Byers**, Shop Supervisor 1, Fleet Management, greeted the Commissioners and said, “I want to thank you for this day and this moment for me and I happen to have three, two of my old bosses and my existing boss back over there to boot me out. Mark Duncan and Bob Lamkey, they are old Directors of mine through the years. I have been there so long I got so many bosses and Kevin Myles is my existing boss. I just want to thank you guys for the many years I spent with you, the time I’ve spent with you and the time you put up with me and some of the Fleet people are here

## **Regular Meeting, September 10<sup>th</sup>, 2008**

to see me off and I just want to thank you guys for being my family and my best friends and of course, my wife, Barbara and my daughter, my youngest daughter and my youngest grandchild is right there, Mason, and I want to thank you for coming. Just thank everybody for a good travel I had here.”

**Chairman Winters** said, “Well we are pleased that all of your friends and family have been able to come, Larry and again do we have any comments up here?”

**Commissioner Norton** said, “Well, Larry, what’s next? After 34 years of going to the same place, what are you going to do now?”

**Mr. Byers** said, “I’ve got nine grandchildren, half of them play ball.”

**Commissioner Norton** said, “Oh ok, say no more. In 34 years your job had to have changed, what you worked on and what the technology was. Give us a little history. You know 34 years of Sedgwick County history is leaving with you, so give us a little of that, throw it out to everybody.”

**Mr. Byers** said, “I’m an old timer. I am going to wish it off to my young partner of there who is going to take over but when I started I worked out of the body shop. And when I started here in ’74 there wasn’t a body shop. I had left the aircraft industry, I had lost my job there, just had a new baby and a new home and someone told me go to the County, there’s an opening so I applied and got on here but my real passion was cars so I went back to night school while I worked at the County and got my degree in Body Repair and I just hung in there. I heard the rumor there was going to be a body shop opening and sure enough in ’78 they opened up the body shop and a very good friend of mine even to this day started it out by the name of Eldon Titus and I was hired on a week right after him and him and I worked side by side together for 28 years and he retired and the rest is history. It’s my turn.”

**Commissioner Norton** said, “Well it is your turn and enjoy your retirement and those nine grandkids because that makes it all pretty worthwhile doesn’t it?”

**Mr. Byers** said, “Yes sir it does.”

**Commissioner Norton** said, “Congratulations.”

**Mr. Byers** said, “Thank you sir.”

**Chairman Winters** said, “Alright, congratulations.”

**Regular Meeting, September 10<sup>th</sup>, 2008**

**CITIZEN INQUIRY**

**D. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING A PUBLIC OFFICIAL.**

**Commissioner Norton** said, “Is there a Mr. Ramsey?”

**Mr. George Ramsey**, 2902 W. 30<sup>th</sup> St, Wichita, KS 67217 greeted the Commissioners and said, “I am here to ask you Commissioners as representatives of us in the community to suspend the current serving Sedgwick County District Attorney, Nola Fulston, for the corrupt manner that she has used her office to protect her friends over the years from possible prosecution in different cases. In my particular case, in 1994 April, thinking that her office was the safest place to go with information about a cocaine and marijuana dealer in this community. I gave the information about this person, Janie Potter, to her personal investigator. I was unaware that Nola Fulston and Janie Potter were horse riding buddies, they practiced dressage together. Ms. Fulston went to Janie Potter and said, ‘Janie, do you know a George W. Ramsey?’ When Janie affirmed that she did, I had met her a couple of times through an acquaintance, Nola Fulston then said, ‘Well, he claims that you are dealing cocaine and marijuana and I had better not hear anything more about it.’ I heard this from another drug dealer, this other acquaintance, Douglas R. Clark, who asked me point blank if I had informed on Ms. Potter through Nola Fulston’s office. I tried to deny it. He filed that away and two years later to the exact month again in 1996 in April I was attacked by Douglas R. Clark and his then wife, Dana Herndon-Clark, at my residence as a direct result of Nola Fulston giving my name to that drug dealer. My name was then provided to other drug dealers as well. She violated my trust as a confidential informant, she broke the law when she did that, she protected a drug dealer when she did that and I feel that she should be fired, not retired, from her duties as Sedgwick County District Attorney. At the very least she should be suspended pending a Justice Department investigation into her activities. This corruption started at the top with Nola Fulston and it worked its way down because I was the one that was beaten by this dealer.

I was subsequently convicted in City Court by an incompetent Judge who admitted she should not have convicted me and was later fired for that and even the Wichita Police Department, Detective Garcia was in charge of Domestic Violence and Battery at the time. He failed to carry out a proper legal investigation into this matter and as a consequence things just rolled downhill from there. I appealed to State Court and found out that you don’t appeal misdemeanors to State Court and I was punished further there and besides Nola Fulston; Sharon Dickgrafe, City Prosecutor; Neil Brady, Public Defender, and Julie Conley, Public Defender for the City, should all be disbarred, every one of these people should be disbarred from the practice of law and I think Nola Fulston should go to jail for what she did to me. Again, I am just appalled. I have waited all these years because I have been angry and bitter but this year I am going to vote and if you want to do the right thing...”

## **Regular Meeting, September 10<sup>th</sup>, 2008**

**Chairman Winters** said, “Mr. Ramsey, Mr. Ramsey, Mr. Ramsey! We are not going to turn our podium and our public comment time into campaigning and remarks about campaigns. We are just not going to do that. We are going to show some latitude here but I think this is not the place to talk in derogatory terms about public officials. I think you are in the wrong spot. If you want to continue your thought you can do that but we are not going to go into campaigns.”

**Mr. Ramsey** said, “Oh I am not trying to go into campaigns sir and I apologize for that. What I would say though is based on my personal experience that I don’t believe anybody in this community can feel safe in reporting drug dealers to the Sedgwick County District Attorney’s office because you don’t know who’s friend they might be and again I am going to ask that she be suspended and that a Justice Department investigation into her activities be initiated.”

**Chairman Winters** said, “Alright, thank you for your remarks. Madame Clerk, call the next item.”

### **E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING TAXES IN SEDGWICK COUNTY.**

**Chairman Winters** said, “Is Mr. George Fulp in the room this morning? Mr. George Fulp? Seeing no Mr. Fulp we will call the next item.”

### **NEW BUSINESS**

### **F. APPROVAL OF AN AGREEMENT BETWEEN SEDGWICK COUNTY AND THE OAKLAWN IMPROVEMENT DISTRICT FOR CONTROLLED ACCESS TO THE FOLLOWING ROADWAYS IN OAKLAWN ON SEPTEMBER 20, 2008 IN CONJUNCTION WITH THE OAKLAWN/SUNVIEW BLOCK PARTY PARADE.**

- a. Willow Way, between Juniper Street and Brookhaven.
- b. Brookhaven, between Willow Way and Chestnut.
- c. Chestnut, between Brookhaven and Juniper Street.
- d. Chestnut Drive, Between Juniper Street and 47<sup>th</sup> Street South.
- e. Crossing 47<sup>th</sup> Street South.
- f. Cedardale Avenue, between 47<sup>th</sup> Street South and Fairhaven Drive.
- g. Fairhaven Drive, between Cedardale Avenue and Meadowview Avenue.
- h. Meadowview Avenue, between Fairhaven Drive and Oaklawn Drive.
- i. Oaklawn Drive, between Meadowview Avenue and Cedardale Avenue.

**Chairman Winters** said, “Well, Mr. Manager you can handle this.”

**Regular Meeting, September 10<sup>th</sup>, 2008**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “We’ve had this request for the last several years and you see on the agenda item that we are just approving the closure of these streets for a block party. We would recommend, we have all the appropriate documentation and insurance. I would recommend you approve this agreement and authorize the Chairman to sign.”

**Chairman Winters** said, “Alright thank you. We are on Item F, is there a motion to approve this agreement?”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**G. APPROVAL OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND ATHLETICS WICHITA FOR CONTROLLED ACCESS TO CERTAIN COUNTY ROADWAYS FOR THE PURPOSE OF SPONSORING THE KAKE-TV/WICHITA MARATHON ON SUNDAY, OCTOBER 19, 2008.**

**Mr. Ron Holt**, Assistant County Manager, greeted the Commissioners and said, “This is another controlled access similar to the one you just approved. It was worth noting that this event, this will be the 29<sup>th</sup> year for this event and as with last year and previous years Wichita Athletics have made arrangements with the Sheriff’s Reserve and Sedgwick County Sheriff’s office to support the sections of the County roadways that are in the course. Actually no streets will be closed; they will cone a lane to run on Oliver and 47<sup>th</sup> Street. We would recommend that you approve the agreement and authorize the Chairman to sign and I would be happy to answer any questions you might have.”

**MOTION**

**Regular Meeting, September 10<sup>th</sup>, 2008**

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

Commissioner Unruh seconded the motion.

**Chairman Winters** said, “Commissioner Parks?”

**Commissioner Parks** said, “Just for the people out there watching and so the citizens will know on these last two items, Section four of the agreement on these items does address insurance and when people come to us, that is one of the things they have to get so I just wanted to make sure that they knew there is an insurance policy and rider that does protect the County on this.”

**Mr. Holt** said, “Absolutely, thank you Commissioner.”

**Commissioner Parks** said, “Thank you.”

**VOTE**

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

**H. ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH SPIRIT AEROSYSTEMS, INC.**

**Ms. Irene Hart**, Director, Community Development, greeted the Commissioners and said, “Today I am pleased to present for your consideration an economic development grant agreement with Spirit Aerosystems, Inc. Today, what I am going to do is to explain what is in the agreement, show how it fits into our economic development policy and then finally introduce officials from Spirit Aerosystems. Sedgwick County, the City of Wichita and the State of Kansas worked together for months in competition with other states to ensure that Spirit Aerosystems continues to thrive and expand in Sedgwick County, Kansas. The agreement for your consideration today states that Spirit will construct a 375,000 square foot building, remodel some existing buildings and develop infrastructure to accommodate increased orders and new production. One example of their new production would be the Columbus fuselage for Cessna. They will also increase employment by 700 positions by the year 2012 according to the schedule provided in the agreement and figured from a base of 9,258 current employees. That employee figure does not include the employment associated with the 787 production. The average of those 700 positions will be \$60, 615 per year.

## **Regular Meeting, September 10<sup>th</sup>, 2008**

In return, Sedgwick County will provide \$1.6 million over five years corresponding with the increase in employment as scheduled in the agreement. We will also provide a 10 year property tax abatement under the issuance of taxable revenue bonds by the City of Wichita and will be the issuer of all the necessary building permits related to the construction of the new facility. The agreement also spells out how compliance will be monitored and any penalties for non compliance. Sufficient funds have been budgeted to pay for the 2008 and 2009 payments for the five year agreement.

Now how does this agreement fit into our economic development incentive policy? We have a joint policy; Sedgwick County has a joint policy with the City of Wichita. It has been in effect for at least four years and it is available on our website and I will briefly summarize that policy. In the policy we have stated that the purpose for economic development incentives is to broaden the tax base, to create new jobs and to promote the economic growth and welfare of Wichita and Sedgwick County. Now none of us like incentives but we recognize they are necessary because of the competition with other localities for businesses and jobs. All requests for incentives must have an economic impact analysis and a return on investment calculation completed by, in our case we use the Wichita State University Center for Economic Development and Business Research, and our target ratio is a 1.3 to 1 ratio. That means for every dollar in incentive we expect \$1.3 returned from that investment.

Not every business nor every new job qualifies for incentives. Incentives are limited to nine specific categories of businesses and even then the average wage of the new jobs must be higher than the average wages in the area. In addition the business must be current on their payment of property taxes. There are specified criteria which can be considered by the Commission when determining whether or not to offer the incentive and some of these criteria include the size of the project, how big the investment is, the total number of jobs and wages, the potential for further expansion and increased employment and the retention of existing employment. So how does the Spirit opportunity fit into our policy? Well, Spirit is an eligible business in two categories; first, it is a manufacturing business that exports its project out of our area and imports dollars in exchange for that project and their Corporate Worldwide Headquarters is in Sedgwick County and that brings an intangible value to the community. Having a Corporate Headquarters here brings an intangible value in that workforce attraction and community reinvestment and in business travel that comes to our community instead of having to go out all the time. Although the return on investment formula calculates a return of 1.02 to Sedgwick County, so there is still, according to the formula, there is still a return for investment. We consider the additional criteria that the average wage proposed is over \$60,000, which is almost twice the average area wage, the capital investment of more than \$70 million results in increased capacity for production and longer range employment stability, and the project adds 700 well paying jobs to our community. Based on these factors we recommend your approval of the grant agreement. Today we have with us Debbie Gann, who is the Vice President of Communications and Public Affairs with Spirit Aerosystems.”

## Regular Meeting, September 10<sup>th</sup>, 2008

**Ms. Debbie Gann**, Vice President of Communications and Public Affairs, Spirit Aerosystems, greeted the Commissioners and said, “Good morning Mr. Chairman and Commissioners. I just want to thank you this morning for hearing this request from Spirit Aerosystems and if you recall back in 2005 when Spirit Aerosystems was created I think there was a lot of uncertainty. There is uncertainty among our employees, there was a lot of uncertainty in the community about could we stand on our own and be successful, and I think there was also uncertainty about our commitment to Wichita. And it is now three years down the road and I’m happy to report that we have been very successful in our first three years. We were created to go out and win business, non-Boeing business and expand our portfolio and that’s exactly what we have been able to do. We have added some new customers; Gulf Stream, Sakorski, Rolls Royce, Airbus, and then of course our cross-town partners, Cessna, who will be helping to build the Columbus, so in many respects, I think we have done exactly what we were created to do. And I can also tell you that I think we have also continued to demonstrate our commitment to Wichita. I can tell you that we get calls at least monthly, sometimes weekly, from other states and other countries trying to get us to go look at their locales in which to do business, because these are very well paying jobs. One thing that’s a little different about our business is when you make a decision to build a product in a certain locale; you’re generally making that decision for the life of the product because you have to invest so much in a plant and the proper equipment to build that product. You can’t just change your mind a couple years down the road and pick it up and move to a new city so it is a very long-term commitment, we are in a long-term business, and as we look at all these business opportunities we have been able to capture over the last three years, we knew that we had one shot to get that work and if we didn’t get it then we wouldn’t be able to bid on the next new airplane for another 20 years or so. So it is a very long-term business and we’re certainly proud of the business in this community. I just want to say, I know you guys already know this, you have a great team but the partnership that we’ve seen among the State and the City and the County in helping us keep these jobs in Wichita and bring these new jobs to Wichita has just been outstanding. I would be happy to answer of any of your question. But I do just want to thank you and tell you you have a great team here.”

**Chairman Winters** said, “Alright, thank you very much, Debbie. We certainly appreciate your being with us today and we would like for you to certainly share with those others in senior management positions that you are right and we recognize the fact that when our aircraft manufacturers build new products here, it is a commitment to our community and we couldn’t be more pleased with that expansion of operations that we’ve now seen from several of our aviation companies. And part of what we hope as part of that decision that you all have made is our commitment to aviation and in the National Center for Aviation Training at Jabara Airport. We think that is going to be a valuable asset for not only aviation but for many, many businesses in our community. So you are correct, we can see the commitment that you have made, that Cessna and others are making and we are certainly appreciative of that. My only question would be, and I am sure we all know the answer, the City of Wichita had their part of the package on their agenda yesterday and am I correct in understanding that they moved forward with their half of this

## Regular Meeting, September 10<sup>th</sup>, 2008

agreement?”

**Ms. Gann** said, “You’re correct. It was a unanimous decision.”

**Chairman Winters** said, “Alright, very good. Thank you. Commissioner Norton?”

**Commissioner Norton** said, “Well, I think one thing that is exciting with this infrastructure build is that a lot of new technology is going to be built into this factory. I mean at one time we kind of heard it being called the Factory of the Future but I don’t know what the iteration is now but that is exciting that new emerging technologies will be utilized in this partnership. Not only is there ultimately \$42 million worth of new payroll when all the workers are online but there is that huge investment in infrastructure that will add to the campus along Oliver, which is so important to this community. I am also excited about the link of Cessna and Spirit in our community. That partnership to show that aviation can work together and build great products for the world is so exciting because in so many cases the things that we have done, particularly as a County Commission, and obviously we have taken a little criticism for it on the Aviation Training Center that the ground is broken on, those kind of relationships and the need of 1,000 workers at Cessna and 700 workers at Spirit start to tell the story of what aviation is going to be in the future of Sedgwick County. And training that linkage with N.I.A.R and research being embedded into the production and manufacturing facilities and recreated as curriculum in a National Center for Aviation Training to deliver the best paid, most productive workers in aviation to Spirit and Cessna and our other aviation partners is just powerful. So I am going to be very supportive. I applaud Spirit for selecting Sedgwick County and Wichita as the place to build this plane and it could have been other places and that just adds to all the hard work that a lot of people have put into making this economy generate jobs and generate wealth and generate capital and to keep us functioning as a society and a civilization here because in many cases it is about the economy and it is about jobs and this is just one more hash mark on the good side for this community and I appreciate it. Thanks.”

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

**Commissioner Unruh** said, “Thank you Mr. Chairman. Well, I would just want to second the comments that have been made by Commissioner Winters and Commissioner Norton. They expressed well, I guess, my attitude about our appreciation for this investment in our community. \$260 million investment, 700 jobs is very significant and the fact that we can partner with the other government agencies to make this workable for your company I think shows that we are all part of this team that you mentioned. One question though or perhaps that you could state that I would like to ask that should your goals not be met, there are certain provisions to recapture part of our investment is that correct?”

## Regular Meeting, September 10<sup>th</sup>, 2008

**Ms. Gann** said, "Correct. In fact, if we don't meet the prior year's commitment on jobs then you don't release the following year's money. It is a phased approach so you are correct."

**Commissioner Unruh** said, "Ok well, thank you. I think that just helps make this a strong agreement for our investment of public funds and it looks like it is definitely a win for the citizens of Sedgwick County so thank you."

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

**Commissioner Parks** said, "Yes, I just wanted to bring up the phased portion of that but that has already been brought up so I won't be redundant there. Also, a couple of months ago we had a similar support of Cessna and to give equal time to Spirit I wanted to make a challenge to them also that when you do create these jobs if there are outsourcing jobs that go out there, that we look at Sedgwick County businesses first, that we look at the State of Kansas second and keep them in the U.S. if we can. This is vital to our local and national economy to not outsource to foreign countries and I would just challenge Spirit to also look towards that kind of economy. Thank you."

**Ms. Gann** said, "Commissioner Parks, I can tell you we have about 100 suppliers in Kansas and I think about 65 here in Wichita and as we do go out to look at what parts that we are going to need to buy to supply our plants to build this airplane. Those certainly will be on the list of consideration. And I do just want to thank you all again for your leadership in the Jabara Technical Training Center because I can tell you when you look to go add this many employees for a project like this, if you don't have a pipeline to keep those folks trained and to get them into the community and get them trained, it doesn't matter how nice of a building you build or how great equipment you put in it if you don't have the skilled employees to run the machines then you can't be successful. So we as an aviation industry and certainly Spirit know that that is critical to our ability to sustain the jobs we have and to grow in the future. So again I thank you for your leadership."

**Chairman Winters** said, "Alright, thank you again very much for being with us today Debbie. Irene do you have any other comments?"

**Ms. Hart** said, "One of the partners that I neglected to mention was the Greater Wichita Economic Development Coalition, GWEDC. The units of government can work hard but it is helpful to have some entity that pulls us together along with the private sector to develop responses to these kinds of proposals. This effort went on over many months and GWEDC was the focal point for coordinating all of these resources. That is how they fit into the economic development system."

**Chairman Winters** said, "Alright, thank you very much."

**Regular Meeting, September 10<sup>th</sup>, 2008**

**MOTION**

Commissioner Unruh moved to approve the agreement and authorize the Chair 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	Absent
Chairman Winters	Aye

**Chairman Winters** said, "Thank you Irene. Debbie, thank you for being with us this morning. Next item."

**I. APPROVAL OF AN ADVOCACY GRANT APPLICATION TO THE BIKES BELONG COALITION.**

**Mr. Marty Hughes**, Revenue Manager, Accounting Department, greeted the Commissioners and said, "The Sedgwick County Public Works Director was recently approached by members of the Oz Bicycle Club to apply for this grant to the Bikes Belong Coalition which would provide \$15,000 in funding to post bicycle awareness signs on Sedgwick County roads. Under this project, the Sedgwick County Department of Public Works would make and install both bicycle and Share the Road signs on 60 miles of roads that have been identified as part of a 100 mile bike route loop around Wichita but within Sedgwick County. Four signs would be installed in each mile section, two of which would be facing each way on the road. These signs are meant to promote health and safety on our County roads. All signs would be made to the specification of the Federal Highway Signing Designation. There is a \$15,000 match which Public Works has identified within their existing budget to provide for this project. All work will be completed in house by Public Works employees through their sign shop. Total cost of the project is \$30,000, which will fund 240 signs at a cost of \$125 per sign. Since this is an advocacy grant the application includes information provided by the Oz Bicycle Club including the health and safety issues addressed by the additional signage. I would be glad to answer any questions you might have about this project at this time and I noticed that there are members of the Oz Bicycle Club here in the audience today if you have any questions of them as they are the advocacy group, which is enthusiastically promoting this program. So I would recommend that you approve the action."

## Regular Meeting, September 10<sup>th</sup>, 2008

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

**Commissioner Unruh** said, "Thank you. Marty, by our participating in this bicycle route, putting up signs, that doesn't imply any liability for the safety of these folks who are out there, in case something should happen, do we have any liability?"

**Mr. Hughes** said, "Not to my knowledge but I would defer to the Counselor I would suppose."

**Commissioner Unruh** said, "Mr. Euson, could you respond to that?"

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "Could you restate for me please?"

**Commissioner Unruh** said, "The question is if we participate in this program and erect the signs around the City here in Sedgwick County does that imply any liability for us for safety or accidents or if something should happen to one of the riders?"

**Mr. Euson** said, "There is certainly the possibility that if you erect the signs without making improvements to the roadways that there could be some increase in liability. You certainly have the discretionary authority under the Kansas Direct Plans Act to erect the signs and be shielded by liability in that regard. But yet you have a duty to maintain the road in a reasonably safe condition for the purposes in which it is intended and so if you intend it to be used for bicycles and have only maintained it for automobiles and somebody rolls a bicycle into a pothole I suppose it's certainly a possibility you could have some liability. I don't think there is a great deal of liability to be had but we certainly run the risk of being sued by somebody. I don't think the risk of success is great but you certainly run a greater risk of being sued because you are expanding duties. Does that...?"

**Commissioner Unruh** said, "Well, I didn't like the answer very well but I mean if this doesn't expand us over what might normally be our liability from road usage I guess we are open to that sort of exposure anyway, is that correct? That you described?"

**Mr. Euson** said, "In some regards, yes, yes you are."

**Commissioner Unruh** said, "Because we are not expanding roadways. I mean, we are just showing this is a route that would be a good route, the nearest the bicycle club can determine."

## Regular Meeting, September 10<sup>th</sup>, 2008

**Mr. Hughes** said, “Yea it is a route that has been identified by the bicycle club that they frequent, that they use in their rides. It is not designated as a bicycle route by the County as such but the signs would bring attention to motorists that the route is used by bicyclists and to maybe watch for them.”

**Commissioner Unruh** said, “Ok so this is an attempt to maybe make it more safe?”

**Mr. Hughes** said, “Right, yes, absolutely.”

**Commissioner Unruh** said, “Alright, I think that helps me. Thank you.”

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

**Commissioner Parks** said, “Well in these times of \$3 or \$4 gallon gas I would think that there would be more bicycles and I have certainly been observant and seen more bicycles and motorbikes out on our County roads. My question is, this is just not for the Oz group, it’s for anybody that wants to use that and if those people know that those designations are there they might be more inclined to use those for transportation in fact, is that correct?”

**Mr. Hughes** said, “That is correct. It’s for everybody.”

**Commissioner Parks** said, “Thank you.”

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

**Commissioner Norton** said, “Well I guess my question is, designating it as a bike route does not change the rules of the road at all. Bicyclists have every opportunity and obligation to follow the rules but so does motorists is that correct? And they have a reason to ride on the thoroughfares that is authorized by State law?”

**Mr. Euson** said, “That’s absolutely correct unless they are controlled access roadways which these aren’t and you know, certainly the motorists as well as the bicyclists have a duty to maintain proper lookout and control of the vehicles and there is always fault to be involved in the assessment of the negligence if that comes up.”

**Commissioner Norton** said, “And no different, than we have a pretty well an obligation to the public to maintain roads and thoroughfares that are under our jurisdiction to the best of our ability

**Regular Meeting, September 10<sup>th</sup>, 2008**

and knowledge through our Public Works Department already, is that correct?”

**Mr. Euson** said, “Yes.”

**Commissioner Norton** said, “You know, I am going to be supportive. You know, the litigation part of it is a little dicey except that I think government entities are open to anybody that wants to litigate on almost any issue at any time so I don’t know that that is going to be a deterrent for me. I think, hopefully, it will make that route safer because people will be a little more aware and I am going to be supportive.”

**Chairman Winters** said, “Alright, thank you Commissioner Norton. Just to clarify one thing that you had indicated, you talked about declaring this a bike route. We are not declaring anything a bike route.”

**Mr. Hughes** said, “No, that’s correct.”

**Chairman Winters** said, “We are just going to put up signs that say look out for bikes or bikes...?”

**Mr. Hughes** said, “That’s correct.”

**Commissioner Unruh** said, “Well, that’s helpful to me.”

**Chairman Winters** said, “Alright, thank you. Commissioners, any other questions? What is the will of the Board?”

**MOTION**

Commissioner Norton moved to take the recommended action.

Commissioner Unruh seconded the motion.

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

**VOTE**

**Regular Meeting, September 10<sup>th</sup>, 2008**

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

**HEALTH DEPARTMENT**

**J. AGREEMENT WITH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT TO SERVE AS REGIONAL COORDINATOR IN SOUTH CENTRAL KANSAS FOR THE KANSAS BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM, OTHERWISE KNOWN AS THE EARLY DETECTION WORKS (EDW) PROGRAM.**

**Ms. Pamela Martin-Bevan**, Clinical Services Division Director, Health Department, greeted the Commissioners and said, “The Health Department operates an Early Detection Works program that is designed to reduce breast and cervical cancer morbidity and mortality by providing breast and cervical cancer screenings to income eligible women in Kansas. Last year 45 women were diagnosed with cancer through this program, 20 with cervical cancer and 25 with breast cancer. Non-participation in this program, which provided 1,600 screenings last year, would diminish our ability to reduce breast and cervical morbidity and mortality of income eligible women in this region. Our proposed recommended action is to approve this agreement and authorize the Chair to sign.”

**Chairman Winters** said, “Alright thank you Pam. Commissioners, questions, comments? What’s the will of the Board?”

**MOTION**

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

Commissioner Parks seconded the motion.

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

**VOTE**

**Regular Meeting, September 10<sup>th</sup>, 2008**

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

**K. AMENDMENT TO THE AGREEMENT BETWEEN THE STATE OF KANSAS HEALTH POLICY AUTHORITY (KHPA) AND THE SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS/SEDGWICK COUNTY HEALTH DEPARTMENT TO EXTEND THE HEALTHY FAMILY KANSAS PROGRAM.**

**Ms. Wilson** said, “Good morning again, Commissioners. Healthy Babies has received funding from KHPA since 2002 to provide home visits to our high risk moms in Sedgwick County and in support of the Healthy Babies program, KHPA has increased funding for this 2008-2009 contract year by \$169,112, increasing our total contract to \$700,000. The increased funding will allow our program to expand from home visitation to centering pregnancy and centering parenting group models of care. Research shows that this model of care not only improves birth outcomes but also improves patient satisfaction with care and is cost effective. With this model of care we are going to also have the home visitation component but also have the group model too. In 2007, we provided 6,987 home visits to 931 moms and babies. In 2009, with this additional funding we anticipate we will provide 8,500 home visits and group education to 1,180 high risk moms and babies. I request that you approve the amendment and authorize the chair to sign.”

**MOTION**

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

Commissioner Unruh seconded the motion.

**Chairman Winters** said, “Susan, we talked about some of this Healthy Babies stuff earlier when we did the Proclamation this morning but I think you and your staff and the Health Department can be assured that the Commissioners realize the importance of this whole program and are very supportive and want to continue helping in every way possible just knowing that we can make an influence on the very youngest and even before birth, that it really pays dividends for the family and the community so these are great programs and we are glad you are finding other financial resources.”

**VOTE**

Commissioner Unruh	Aye
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**Regular Meeting, September 10<sup>th</sup>, 2008**

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

**L. STAFFING TABLE ADJUSTMENT TO ELIMINATE AN ADMINISTRATIVE TECHNICIAN AND COMBINE THE SALARY SAVINGS WITH NEW KHPA FUNDING TO CREATE A CENTERING PROJECT MANAGER, AN INTERPRETER/FISCAL ASSOCIATE AND A PART-TIME LACTATION CONSULTANT WITHIN THE HEALTHY BABIES PROGRAM.**

**Ms. Wilson** said, “This is an extension of the same contract and with the new funding it will replace the Knight Foundation funding that ends in September. That five year grant that we had, the Wichita Cares Grant, we will add a Centering Project Manager, we will add an Interpreter/Fiscal Associate and a part time Lactation Consultant and I would ask that you approve the amendment and authorize the Chair to sign.”

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**Commissioner Parks** said, “I am not real crazy about one of the positions on this but I am not going to, as you throw the baby out with the bath water on this. I did discuss the Interpreter position with the Department Head and understand that a little bit more, that that’s not all they are doing but I wasn’t really enthused about hiring a new person to be an Interpreter for this program but I will be supportive of it.”

**Chairman Winters** said, “Alright, thank you.”

**VOTE**

Commissioner Unruh	Aye
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**Regular Meeting, September 10<sup>th</sup>, 2008**

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

**DIVISION OF HUMAN SERVICES - COMCARE**

**M. AGREEMENT WITH CITY OF WICHITA TO PROVIDE OUTPATIENT DRUG TREATMENT FOR DRUG COURT CLIENTS.**

**Mr. Thomas Pletcher**, Clinical Assistant Director of Mental Health, COMCARE, greeted the Commissioners and said, “This is the renewal of our agreement with the City of Wichita to provide outpatient drug treatment services to clients in the Municipal Drug Court Program. Treatment is provided in several degrees of intensity including outpatient services, intensive outpatient services and continuing care based on the client’s treatment needs. While the pace of the treatment may vary it generally takes a person about a year to progress through the program to graduation. Graduation is determined by the Court based on completion of the program, continued abstinence and having paid program fees. This program does allow people to address their substance abuse issues behind the person’s legal charges, for example, one person that I will call Carrie, became involved in the program following a possession of drug paraphernalia charge and this allowed her to address her depression and daily intoxication. She worked very hard and learned to cope with her many losses without drinking or using drugs. A change from what she had done most of her life. She is now working nearly full time, remains clean and sober, contributing now to the community and her family in a much healthier way. I would be happy to answer any questions that you might have about this program but would recommend that you approve the agreement and authorize the Chairman to sign.”

**Chairman Winters** said, “Alright thank you Tom. Commissioners, do you have any questions, comments? If not, what is the will of the Board?”

**MOTION**

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

Commissioner Parks seconded the motion.

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

**VOTE**

**Regular Meeting, September 10<sup>th</sup>, 2008**

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

**PUBLIC WORKS**

- N. APPROVAL OF K.D.O.T. FORM 1306 “CERTIFICATION OF REAL PROPERTY ACQUISITION PROCEDURES AND UTILITY ARRANGEMENTS” FOR SEDGWICK COUNTY PROJECT 811-J, N ½ K; WIDENING OF RIDGE ROAD BETWEEN K-96 & 53<sup>RD</sup> STREET NORTH. CIP# R-282. DISTRICT 4.**

**Mr. David Spears**, Director, Bureau of Public Works, greeted the Commissioners and said, “Item N is the approval of K.D.O.T. Form 1306 for the project on Ridge Road between K-96 and 53<sup>rd</sup> St North, designated as R-282 in the Capital Improvement Program. This form certifies that all rights of way have been acquired and all utility arrangements have been made and federal funds will pay for 80% of the eligible costs of construction for the project. I recommend that you approve the Form 1306 and authorize the Chairman to sign.”

**MOTION**

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

Commissioner Unruh seconded the motion.

**Commissioner Parks** said, “I just wanted to say that you left out a little piece in there that when we acquired those right of ways it was done without going to a forceful jury or a judge condemnation and I appreciate your work on that and the cooperation of the people out in that area also.”

**Mr. Spears** said, “Thank you.”

**VOTE**

Commissioner Unruh	Aye
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**Regular Meeting, September 10<sup>th</sup>, 2008**

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

**CONSENT AGENDA**

**O. CONSENT AGENDA.**

- 1. Amendment to Agreement with Board of Indigents' Defense Services (BIDS) for the provision of criminal defense services to indigent Sedgwick County Drug Court Program participants.**
- 2. Establish Additional Budget Authority in the CDBG Microloan Fund Center.**
- 3. Schedule post annexation public hearing for November 12, 2008 (City of Maize – District #3 and #4).**
- 4. General Bills Check Register for the week of August 27 – September 2, 2008.**
- 5. Order dated September 3, 2008 to correct tax roll for change of assessment.**

**Mr. Holt** said, "You have the consent agenda and I would recommend that you approve as presented."

**MOTION**

Commissioner Norton moved to approve the Consent Agenda as presented.

Commissioner Unruh seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
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**Regular Meeting, September 10<sup>th</sup>, 2008**

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

**RECESS TO FIRE DISTRICT #1 MEETING 10:15 A.M. TO 10:31 A.M.**

**P. OTHER**

**Chairman Winters** said, “At this time I will call back the regular meeting of the Board of County Commissioners. Commissioners, we do need to have an Executive Session but before we do that is there any other business that we need to discuss? Commissioner Parks?”

**Commissioner Parks** said, “Well since I didn’t have any other business last week I will have quite a bit this week. Before the Fire Department leaves and I did want to tie this to a particular case but there is a couple of things we can learn out of this. Seatbelt use is life saving. There is no doubt about it. You know for a lot of years I preached that, until I used mine I didn’t really have my heart in it but I am telling you people, use your seatbelts. There is not enough seatbelt usage out there, it saves lives and injuries and when you are approaching an intersection like that and any time that the people out there, the people that are watching today and on rebroadcast, be aware of your surroundings and when you hear those sirens pull over. Be ready to yield at those intersections. The people that are doing this, that are going to these scenes are not just arbitrarily going and they are going to save somebody’s life so it is important that you yield to them and you pull over and you make sure that those emergency vehicles get the respect that they need.

Also on more of a lighter note, in about 10 days we are going to be starting the Valley Center Fall Festival in the Valley Center area. Ottaway Amusements on the Midway, a parade on Saturday, bike show, First Annual Motorcycle Show and I think there are going to be some real surprises there and we anticipate a lot of bikes, custom and otherwise and 755-9999, you can call the coordinator for that and get your bike in a show, if you have a custom motorcycle or some contraption that looks like a motorcycle I guess that you want to get in there. Call and talk with them about that and there will be a lot of prizes and trophies that will be given to that. Sunday there is a car show and it is usually bigger than the RiverFest one and I will expand on that a little bit next week but this Sunday there is a flea market at the Pavilions at the Coliseum Complex. If you haven’t been to that lately, go. It’s different then it was 10 years ago and please attend that just to see what is out there. I think you will be pleasantly surprised. It is just 10 minutes from downtown Wichita out there and it is easy access and lots of parking. Thank you.”

**Chairman Winters** said, “Alright thank you. Commissioner Unruh?”

## **Regular Meeting, September 10<sup>th</sup>, 2008**

**Commissioner Unruh** said, “Alright, thank you Mr. Chair. Well, first of all I want to also express our gratitude and thankfulness that you all survived that crash. These pictures we got up here look like that was a nasty accident so I would second Commissioner Parks recommendation to all of our citizens about seatbelts and being aware of our emergency vehicles when they are on the street and then moving on from that, Mr. Chair, I just want to express thanks to all the folks who supported the Sedgwick County Zoo by attendance at the Zoobilee last weekend. Most of us were there and in spite of some weather that started out a little misty and competition from football games and the State Fair there was a really good turnout and just appreciate the folks who took advantage of the evening and supported the Sedgwick County Zoo.

Next, I just want to mention that we are sponsoring a Solid Waste Summit that is going to be held this weekend for City administrators in Sedgwick County and also for Electeds in Sedgwick County as we investigate the possibility of moving towards contracted municipal solid waste collection and the benefits that it can bring to the community in terms of lower monthly expenses and also including some extra benefits like curbside recycling so our solid waste plan indicated we expected the communities to move in that direction so we are helping facilitate that with this Solid Waste Conference this weekend.

Next, I would also like to say the City of Bel Aire is having their Fall Festival this weekend up in Sedgwick County District #1. It is going to be a good time by all. I will not be able to be in attendance because I am going to be at the Solid Waste Summit but would encourage folks to take advantage of that local fall festival.

And then lastly, I just want to mention the fact that Commissioner Norton and I were in attendance yesterday at the Wichita Independent Business Association’s monthly luncheon and there was a presentation by Colonel Michael Kruger, who is second in command at McConnell Air Force Base, talking about some of the activities out at McConnell Air Force Base and their economic impact on our community and South Central Kansas. It was a very well presented discussion that he gave to us, not only showing how McConnell is interval to our national security but also about how they have a big part in our economics of our local area. They have almost 16,000 people employed who are associated with McConnell Air Force Base with an annual payroll of nearly \$356 million so they are not only good, they are good partners in a lot of ways, but one of them has to do with economic impact that they have in our area and we are thankful that we are here and thankful to all the folks who are involved in Team McConnell.”

**Chairman Winters** said, “Alright thank you very much. Commissioners, we do need to have an Executive Session. Could I have that motion please?”

### **MOTION**

**Regular Meeting, September 10<sup>th</sup>, 2008**

Commissioner Norton moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with legal council on matters privileged in the attorney/client relationship, relating to pending claims and litigation and legal advice and that the Board of County Commissioners return to this room from Executive Session no sooner than 10:50 a.m.

Chairman Winters seconded the motion.

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

**VOTE**

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

**Chairman Winters** said, “We are in recess for Executive Session.”

**The Board of Sedgwick County Commissioners recessed into Executive Session at 10:38 a.m. and returned at 10:58 a.m.**

**Chairman Winters** said, “Alright I will call back to order the Regular Meeting of the Board of County Commissioners September 10<sup>th</sup>, 2008. Let the record show that there was no binding action taken in the Executive Session. We do have other business. Mr. Euson.”

**Mr. Euson** said, “Thank you, Mr. Chairman. Commissioners, while in Executive Session we discussed a couple of Worker’s Compensation cases. Again a reminder for which the County is self-insured and one of these involves an employee by the name of Pamela Brown. I would ask that you agree to settle this case in the amount of \$16,026.15 and this settlement would close all issues in this case relating to future medical payments and review and modification of the award. And then we also discussed the case involving Billy Yates and this involves a 37% impairment to both legs, suffered in the course of employment and this amount of settlement would be \$67,571.70 but this would leave open issues relating to future medical and review and modification. But unless you have any questions I would recommend you approve both of those in one motion.”

**Chairman Winters** said, “Alright thank you Mr. Euson. Do we have a motion to resolve the case of Brown and Yates in the amounts that Mr. Euson described?”

**Regular Meeting, September 10<sup>th</sup>, 2008**

**MOTION**

Commissioner Norton moved to resolve the case of Brown and Yates in the amounts that Mr. Euson described.

Chairman Parks seconded the motion.

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

**VOTE**

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

**Mr. Euson** said, "Thank you Commissioners."

**Chairman Winters** said, "Mr. Euson is there any other business from you? Mr. Manager? Commissioners this meeting is adjourned. Thank you."

**Q. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:00 a.m.

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

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**THOMAS G. WINTERS, Chairman**

**Regular Meeting, September 10<sup>th</sup>, 2008**

Third District

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

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

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**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

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**Don Brace**, County Clerk

APPROVED:

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, 2008

