

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

November 4, 2009

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, November 4, 2009, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Kelly Parks, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Karl Peterjohn; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Sheena Lynch, HR Specialist, Organizational and Professional Development, Human Resources; Ms. Annette Graham, Executive Director, Department on Aging; Ms. Dorsha Kirksey, Director, Housing; Ms. Sandy Anguelov, Senior Construction Project Manager, Project Services; Mr. Chris Chronis, Chief Financial Officer; Ms. Cecile Gough, Operations Administrator, Corrections; Ms. Jodi Tronsgard, Grant Coordinator, Corrections; Ms. Iris Baker, Director, Purchasing; Mr. Robert Lamkey, Director, Public Safety; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

GUESTS

Ms. Marsha Hills, Executive Director, Alzheimer's Association
Ms. Kate Jackson, City Council Member, Valley Center, Kansas
Ms. Michele Gors Paris, President/CEO, KPTS
Mr. David MacGillivray, Chairman, Springstead, Inc.
Mr. Joe L. Norton, Gilmore & Bell

INVOCATION

Led by Reverend Sherdeill Breathett, St. Mark United Methodist Church, Wichita

FLAG SALUTE

ROLL CALL

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

Chairman Parks said, "And we do have...I would like to make a motion to amend the Agenda."

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MOTION

Chairman Parks moved to add a Proclamation of the Cold War to Proclamation D and to move Item G to after Item I for some logistical things for Finance. Also, move a Proclamation for Mr. Rogers Neighborhood to after D in the Proclamation.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

PROCLAMATION

B. PROCLAMATION DECLARING NOVEMBER 2009 AS ALZHEIMER'S AWARENESS MONTH.

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, "Commissioners, I'll read this for the record:

PROCLAMATION

WHEREAS; 5.3 million people have Alzheimer's disease – 5.1 million age 65 and older and more than 200,000 under the age of 65; and

WHEREAS; every 70 seconds someone is diagnosed with Alzheimer's disease; and

WHEREAS; from 2001 to 2006, deaths from Alzheimer's disease increased by 47.1 percent; and

WHEREAS; the direct and indirect costs of Alzheimer's and other dementias amount to more than \$148 billion annually; and

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WHEREAS; Sedgwick County is committed to supporting families suffering from this disease with education, information, helpline and research to find a cure and help them through the disease.

NOW, THEREFORE, BE IT RESOLVED, that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim the month of November as

‘Alzheimer’s Awareness Month’

“And it’s dated November 4th, 2009, and signed by our Chairman, Kelly Parks.”

MOTION

Chairman Parks moved to adopt the Proclamation.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Ms. Zukovich said, “And Commissioners, we do have Marsha Hills here from the Alzheimer’s Association, and someone else from her staff is here to accept this proclamation, they’ve also left you some items at your bench there.”

Ms. Marsha Hills, Executive Director, Alzheimer’s Association, greeted the Commissioners and said, “Thank you very much, Commissioners. We are here to represent the 8,000 Sedgwick County residents who do suffer from Alzheimer’s disease, as well as those throughout the country. I had the opportunity to speak at a brown bag County Commission luncheon, I don’t know what it was called, the other day, but I think they were somewhat staggered by the numbers of people that do have this disease and how important it is that we are aware of this disease and we do everything that we can to support research and awareness for this disease. I thank you very much for the proclamation.”

Chairman Parks said, “I’d like to thank you...”

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Ms. Hills said, “And please wear your purple ribbons.”

Chairman Parks said, “Thank you.”

Ms. Hills said, “Thank you.”

Chairman Parks said, “Thank you for all your volunteer work and all the volunteers in your organization.”

C. PROCLAMATION RECOGNIZING VALLEY CENTER AS A 2009 VETERANS DAY REGIONAL SITE.

Ms. Zukovich said, “Commissioners, I’ll read this for the record:

PROCLAMATION

WHEREAS; Veterans’ Day is an important American holiday honoring those who have served in our country’s armed forces; and

WHEREAS; Kansans hold this day in a very high regard, since many say it originated in Kansas.

WHEREAS; in 1953, an Emporia, Kansas shoe store owner had the idea to expand Armistice Day to celebrate all veterans and in 1954, Kansas native Dwight D. Eisenhower officially declared this day Veterans’ Day; and

WHEREAS; the City of Valley Center has been chosen as a 2009 Veteran City. The program recognizes cities throughout the nation that promote veteran awareness. Only two other Kansas cities have been selected for this honor; and

WHEREAS; beginning at 8:30 a.m., November 7 at Life Point Church in Valley Center, veterans and their families will be honored at a reception, followed by a procession led by the US Navy Reserve Color Guard to Valley Center Veterans’ Park for a traditional memorial service including two unique fly-overs.

NOW, THEREFORE, BE IT RESOLVED, that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby recognize Valley Center, Kansas as

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'2009 Veterans' Day Regional Site'

in recognition of the importance this community places on veteran awareness.

“And it’s dated November 4th, 2009, signed by the Chairman, Kelly Parks.”

MOTION

Chairman Parks moved to adopt the Proclamation.

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Ms. Zukovich said, “And Commissioners, we do have Kate Jackson from Valley Center who is here to accept the proclamation and tell us a little bit more.”

Ms. Kate Jackson, City Council Member, Valley Center, Kansas, greeted the Commissioners and said, “Thank you.”

Chairman Parks said, “Want to say a few words?”

Ms. Jackson said, “Thank you, Commissioners. On behalf of the City of Valley Center and the Veterans Commission, we appreciate this recognition. We are a community that is very proud of our veterans and we are honored to have been selected by the National Veterans Committee to be a 2009 Veterans [Day Regional] Site. I know all of your communities and your districts have their

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own events, but if you can, spare the time to come to Valley Center to be a part of one of our three events that day, we certainly would welcome you. Thank you.”

Chairman Parks said, “And congratulations on being one of three sites in the State of Kansas, that’s quite an honor...”

Ms. Jackson said, “Yes it is.”

Chairman Parks said, “...to have that designation, and those aren’t just handed out to everybody. And it’s due to Valley Center’s and your work in the past, I think, that made that possible.”

Ms. Jackson said, “That is correct. Thank you.”

Chairman Parks said, “Thank you.”

D. PROCLAMATION DECLARING NOVEMBER 9, 2009, AS END OF THE COLD WAR DAY

Ms. Zukovich said, “Commissioners, I’ll read this in for the record:

PROCLAMATION

WHEREAS; 20 years ago on November 9, 1989, the Berlin Wall fell and the Iron Curtain that separated eastern Europe from the west was removed and the Communist tyranny that afflicted eastern Europe was peacefully terminated through the hard work of Ronald Reagan, George H.W. Bush, and Mikhail Gorbachev; and

WHEREAS; millions of people were killed under Communism and Marxism going back to the Bolshevik Revolution through starvation, murder, and eradicating certain classes of people and confiscating their property; and

WHEREAS; the famine that occurred a decade later in the Soviet Union through the starvation of the peasant “kulak” class killed tens of millions more in the 1930s; and

WHEREAS; the unprecedented attack on small nations by the Soviet Union removed a number of countries like Estonia, Latvia, and Lithuania off the world map for over half a century; and

WHEREAS; communism’s “class warfare” model established unprecedented concentration and forced labor camps that killed tens of millions around the world between 1917 and 1991; and

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WHEREAS; over 80,000 Americans died in Korea and Vietnam during the 20th century; and

WHEREAS; the risk of nuclear confrontation existed for over 40 years between Communist states and the west; and

WHEREAS; the Cold War and the removal of the Iron Curtain ended without a shot being fired and the Berlin Wall was opened November 9, 1989.

NOW, THEREFORE, BE IT RESOLVED, that Sedgwick County declares November 9, 2009, as

‘End of the Cold War Day’

“And it’s dated November 4th, 2009, and signed by our Chairman, Kelly Parks.”

MOTION

Commissioner Peterjohn moved to adopt the Proclamation.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “And I believe Commissioner Peterjohn is coming around. He wants to say some things from the other side of the podium.”

Commissioner Peterjohn said, “Well, Mr. Chairman, I very much appreciate the indulgence of the other Commissioners and staff, because this came together a bit belatedly, but it’s an important proclamation because seven years ago today I was flying back from Siberia, and I was in what had formerly been a major closed Soviet-era city that produced approximately one third of the nuclear warheads that were threatening us during the Cold War, and they manufactured all the submarine ICBMs (Intercontinental Ballistic Missiles) that were used in the Soviet naval fleet. And for many

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who don't remember the 1980s because they are too young, there was a big issue in this area because they had set up a phased-array radar that was part of an anti-missile system that the Soviets were developing, and I was there on the process of adopting two children, and November 9th has always been special to me because if that wall had not come down, and not come down at that time, there would not have been the opportunity for people in Asia and European Russia and the other countries that were underneath the Soviet domination, the opportunity to break free of the tyranny that had afflicted them for literally, well, almost 100 years. So I very much appreciate my colleagues' indulgence, in terms of helping put this together and I thank you for the proclamation."

Chairman Parks said, "And for the record, that was an aye vote for you to pass that, correct?"

Commissioner Peterjohn said, "If I missed it in the hallway, it was an aye vote."

Chairman Parks said, "Okay."

Commissioner Peterjohn said, "Thank you."

Chairman Parks said, "Thank you."

A. PROCLAMATION DECLARING NOVEMBER 7 – 22, 2009 AS KPTS 2009 MR. ROGERS' NEIGHBORHOOD SWEATER DRIVE.

Ms. Zukovich said, "I'll read this for the record:

PROCLAMATION

WHEREAS; for over 37 years, Mr. Rogers' Neighborhood has personified a place where caring and consideration for others instills good feelings in all of us; and

WHEREAS; these messages, and the wonderful values that children continue to learn from the program, even after Fred Rogers' passing, are timeless; and

WHEREAS; Fred Rogers' red cardigan sweater has come to represent the gentle spirit, warmth, and nurturing of the Neighborhood; and

WHEREAS; the 10th annual KPTS Mr. Rogers' Neighborhood Sweater Drive has continued to grow into unique partnerships between KPTS and other organizations and corporations. More than 20,000 sweaters have been donated and distributed by the Salvation Army; and

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WHEREAS; KPTS and its partners will hold this drive from November 7 through November 22, 2009.

NOW, THEREFORE, BE IT RESOLVED, that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim November 7 through November 22, 2009, as

‘KPTS 2009 Mr. Rogers’ Neighborhood Sweater Drive Month’

in Sedgwick County and recognizes the efforts of KPTS and its partners by enabling the citizens of Sedgwick County to have a much warmer winter.

“And it’s dated November 4th, 2009, and it’s signed by our Chairman, Kelly Parks.”

MOTION

Chairman Parks moved to adopt the Proclamation.

Commissioner Peterjohn seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, “And I do believe we have somebody to accept that proclamation.”

Ms. Zukovich said, “We do. Michele is here from KPTS (Kansas Public Telecommunications Service), and we’re glad she’s here.”

Ms. Michele Gors Paris, President/CEO, KPTS, greeted the Commissioners and said, “Perfect timing. I appreciate the partnership that we have, not only with the community and the support that we receive for our sweater drive every year, the 10th year, we’re happy to help keep children warm in these cold winters. It’s a beautiful day outside today, you don’t need a sweater necessarily, but certainly we know those days are around the corner, and we also appreciate the support that we

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receive from the county and our partnership with you in airing this meeting on PBS (Public Broadcasting Service), KPTS Channel 8, as we speak. So thank you very much for the proclamation, are there any questions?"

Chairman Parks said, "Is this a nationwide PBS project, or this something that's unique to the Wichita/Hutchinson station?"

Ms. Gors Paris said, "It's something that's fairly unique to us. I know that there are stations that also do it, but it is not a PBS mandated thing, it's an idea that came about, about ten years ago, and certainly became something even more successful with sort of an attribute type of fashion to the passing of Fred Rogers, and so it is unique to us, fairly unique to us."

Chairman Parks said, "It's certainly a great asset to the community..."

Ms. Gors Paris said, "Thank you."

Chairman Parks said, "...and you give those out then to the Salvation Army or the Goodwills?"

Ms. Gors Paris said, "Yeah, there are a number of agencies, Catholic Charities, and a bunch of different agencies that receive the sweaters, certainly depending on the number that we receive. It's been pretty successful, the boxes are spread throughout the community and we fill them up."

Chairman Parks said, "Well, I think that's a great project."

Ms. Gors Paris said, "Thank you."

Chairman Parks said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Where do we take our sweaters?"

Ms. Gors Paris said, "There's a number of Walgreens that have them, and we have a list at www.kpts.org where you can find all the various locations where the boxes are, or call the station."

Commissioner Unruh said, "Okay, thank you."

Chairman Parks said, "Can you drop them by the station also?"

Ms. Gors Paris said, "Absolutely. We have big boxes at the station also, and we are on 21st Street North."

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Chairman Parks said, "Right. Commissioner Norton."

Commissioner Norton said, "Well as I drove into work today I passed the Salvation Army on Market Street, and there were people already lining up for services. Probably 100. And people looked like all walks of life, but maybe had fallen through the cracks, the economy had taken them to a different place..."

Ms. Gors Paris said, "Right."

Commissioner Norton said, "...And, you know, Mr. Rogers always said, 'Would you, could you be my neighbor?' And in these hard times, it's time for all of us to look around and see who our neighbors are, not just the guy next door, but the person that's lived in our community, has fallen on hard times, and those of us that have some means need to step up, whether it's a sweater, it's a donations to the red kettles, Operation Holiday, whatever it may be, it will be a tough season for a lot of folks. And this drive just signifies that spirit of neighbors and friends taking care of neighbors and friends. So thanks for coming today, Michele."

Ms. Gors Paris said, "Very well put, Commissioner Norton. Thank you."

Chairman Parks said, "Thank you."

Ms. Gors Paris said, "Thank you very much."

PRESENTATION

E. PRESENTATION OF CAREER DEVELOPMENT CERTIFICATES.

Diversity Certificate

Melanie Ables	Code Enforcement
Christopher Braniff	Corrections
Sheila Clemons	Aging
Shawn Dowd	Corrections
Evelyn Good	County Clerk

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Kimberly Green	Appraiser
Jerome Hayes	Sheriff
Katie Hudlin	Elections
Natalie Kiser	Emergency Communications
Lee Ann Kramer	Corrections
Glenda Martens	Corrections
Kim Pennington	Emergency Communications
Shela Shank	Appraiser
Meredith Thompson	Finance

Professional Development Certificate

Shelia Clemons	Aging
Shawn Dowd	Corrections
Evelyn Good	County Clerk
Jerome Hayes	Sheriff
Eddie Holland	Sheriff
Latrisha Kearney	Register of Deeds
Shawn Laughlin	Corrections
Glenda Martens	Corrections
Melissa McCrary	Corrections
Zachary Querubin	Corrections
Charisma Rankin	Corrections
Dennis Rooney	DIO
Regina Vitale	Corrections

Supervisory/Management Development Certificate

Shelia Clemons	Aging
Rhonda Freeman	Sheriff
Evelyn Good	County Clerk
Kelli Grant	Corrections
Jerome Hayes	Sheriff
Eddie Holland	Sheriff
Katie Hudlin	Elections
Laura Johnson	Aging
Natalie Kiser	Emergency Communications
Shawn Laughlin	Corrections
Tabitha Lehman	Elections
Charisma Rankin	Corrections
Jodi Tronsgard	Corrections

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Ms. Sheena Lynch, HR Specialist, Organizational and Professional Development, Human Resources, greeted the Commissioners and said, “We are here today to recognize these recipients for their hard work and dedication to their career development. Each of these certificates has a number of required classes and elective classes. Obtaining these certificates is quite an accomplishment, as this can be a lengthy process depending on the availability of the classes, as well as their schedules. I would like to thank those that support the career development process, and the supervisors and managers for supporting their employees. We do have a large number of recipients today, so I will ask each group of certificate recipients to come on up.

“So if you are receiving a Diversity Certificate, could you please join me on this side of the room? Our first recipient is Melanie Ables, Christopher Braniff, Sheila Clemons, Shawn Dowd, Evelyn Good, Kimberly Green, Jerome Hayes, Katie Hudlin, Natalie Kiser, Lee Ann Kramer, Glenda Martens, Kim Pennington, Sheila Shank and Meredith Thompson.

“For those receiving the Professional Certificate, could you join me on this side of the room? Melanie Ables, Sheila Clemons, Shawn Dowd, Evelyn Good, Jerome Hayes, Eddie Holland, Latrisha Kearney, Shawn Laughlin, Glenda Martens, Melissa McCrary, Zachary Querubin, Charisma Rankin, Dennis Rooney, Regina Vitale.

“For those receiving the Supervisory Management Certificate, could you join me on this side of the room? Jessica Christian, Sheila Clemons, James Denning, Rhonda Freeman, Evelyn Good, Kelli Grant, Jerome Hayes, Eddie Holland, Katie Hudlin, Laura Johnson, Natalie Kiser, Shawn Laughlin, Tabitha Lehman, Charisma Rankin and Jodi Tronsgard.”

Chairman Parks said, “And while all of you are still here, I wanted to make a little statement that we do appreciate our employees and their hard work in this. Having been a government employee myself for 31 years, I know the seat warmer type of classes that are out there, and I know the ones that you have to work hard in, and these were the ones that you had to work hard in, and we do appreciate that. And for those that weren’t present, also, let’s give all of them a big round of applause. Commissioner Norton.”

Commissioner Norton said, “Well I congratulate all of you. Continuing education is so very important to our organization. The intellectual capital that we build about public service and what it means is critical, and you do that by being dedicated to learning in a lifetime. I always try to call attention to folks that I think even step out among the classes we saw today; Sheila, Evelyn and Jerome were in all three certificate programs. That’s a lot of dedication and I congratulate you, not that everybody else didn’t spend time in classes, but hitting three of them in one period, that’s really

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great, so I congratulate those three particularly. Wonderful job, continue your learning and education, because it makes us all better as an organization. I appreciate that.”

Chairman Parks said, “Thank you.”

Ms. Lynch said, “Thank you.”

Chairman Parks said, “And thank you. We’ll have about a 30 second pause here while some of those people leave the area. Let’s go ahead and call the next item.”

NEW BUSINESS

F. DEPARTMENT ON AGING.

1. HOSPITAL DISCHARGE MODEL (HDM)/AGING & DISABILITY RESOURCE CENTER ENHANCEMENT (ADRC-E) CASE MANAGER GRANT.

Ms. Annette Graham, Executive Director, Aging, greeted the Commissioners and said, “The Kansas Department on Aging (KDOA) was recently awarded two related grants from the Centers for Medicare and Medicaid Services. Through the Hospital Discharge Model (HDM) grant, KDOA will partner with Central Plains Area Agency on Aging (CPAAA), Independent Living Resource Center, local hospitals and community organizations to create a Hospital Discharge Model that was focused on discharging patients on Medicaid back to their homes with community-based services and reducing the number of default discharges to nursing facilities.”

Ms. Graham continued, “Through the Aging and Disability Resource Center (ADRC) Enhancement grant, Kansas Department on Aging will expand and enhance the current Aging and Disability Center project that we partner with the Area Agency on Aging and the Independent Living Center, currently, to manage. This grant and the ADRC grant budgets include funding to hire a Central Plains Area Agency on Aging Case Manager whose time will be dedicated to grant activities. The two grants will share the cost for salary, fringe benefits, office space, travel and other grant related expenses for this position. KDOA will sub-grant these funds to the Central Plains Area Agency on Aging to hire the Case Manager, who will be located in our office space. The funding will be used to increase access for older adults that live in our community and our planning and service area, which is Butler, Harvey and Sedgwick, that are in need of services to help them stay in their homes and community after hospital placement and when they are being discharged. So that transition point, which is a critical point in anybody’s life when they are in an older age, KDOA will provide CPAAA \$64,430 annually to provide these services.

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“The funds being provided for the Case Manager are 100 percent federal dollars, there is no state or local cash match requirement for either of these grants. The grant period is from July 1, 2009, to June 30, 2010. This will be extended for an additional year since this is late getting established, but it is a total of a three-year grant with that amount coming each year. The department has completed the initial process with the grant review team and the grant was submitted and approved for funding. As I said, the grant total is for \$64,430, which will be an annual for three years, that same amount every year. The funds are solely for the purpose of this Case Manager, and there are no additional costs to the county or local mill levy dollars. I would request that you approve the Case Manager grant and authorize the Chair to sign the agreement and other related documents and I’d be happy to answer any questions.”

Chairman Parks said, “I believe we’ve all had a chance to review the backup on this material and speak with Ms. Graham, I certainly did, and wanted to know some things of some items off of the agenda that she had there, and I’m completely satisfied after meeting with her that this is a great program. Commissioner Peterjohn, did you have a comment?”

Commissioner Peterjohn said, “Well, I had a couple questions.”

Chairman Parks said, “Okay, go ahead.”

Commissioner Peterjohn said, “Ms. Graham, can you give me the duration of this grant and what is the likelihood that it would be renewable once we reach the end time?”

Ms. Graham said, “It is a three-year grant, as I said, it did start back in July 1, however, because of the lateness with Kansas Department on Aging getting everything kind of in place and organized and ready to go, and their lateness because they also hired a statewide coordinator for this program, that my understanding is that that three-year grant will be extended, that they get additional time to expend those resources, so another year. As far as the likelihood of that being renewed, I am not sure about that, there’s always that possibility. One of the things I know that they are looking at, at the state level, is with the growing numbers of seniors, and the growing numbers of individuals with physical disabilities that live longer, there is always increased funding going to serve that population, so as our demographics increase with the number of older adults in our community and across the state, they are always looking for new programs and new methods to fund services and to keep more people in the community. So the hope is that through this development of a model, and implementation of this program, that they will save Medicaid dollars, that they can then move over and fund the community-based system and move out of the institutional-based model that they are currently putting more funds in.”

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Commissioner Peterjohn said, “I appreciate your insights and explanation because the Medicaid model obviously could be changed with what’s going on in Washington right now. And if we go through this program, the main beneficiaries is Medicaid, of course they are paying the freight, I just want to make sure that when these two grants expire at the same time, we’ve got a little institutional memory and it’s on the record that we would be relying on this program as basically designed to help the Medicaid program, which of course benefits not only the federal government, but also the state government in Topeka. Thank you, Mr. Chairman.”

Chairman Parks said, “Thank you. Seeing no further comments, what’s the will of the Board?”

MOTION

Commissioner Unruh moved to approve the HDM/ADRC-E Case Manager grant and authorize the Chair to sign the Agreement and other related documents necessary to complete the process.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

2. ADDITION FOR ONE SENIOR SOCIAL WORKER, BAND 322, TO THE CENTRAL PLAINS AREA AGENCY ON AGING STAFFING TABLE.

Ms. Graham said, “This Agenda item is in connection with the previous one that you just approved for the two grant awards from the Centers for Medicare and Medicaid Services for the Hospital Discharge Model to be piloted in the Wichita area in partnership with Central Plains Area Agency on Aging, and Wesley Hospitals, and Via Christi Hospitals and other local providers. The addition of this Senior Social Worker position will enable the development, implementation and evaluation

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of the Hospital Discharge program, and provide adults 60 years of age and older, and their caregivers, assistance with the coordination of community-based services to remain in their homes and in the community as long as possible. This staff person will work closely with the hospital discharge planners, home health agencies and workers to develop and implement this model. The goal of the program is, again, to reduce the number of individuals on Medicaid who are discharged from the hospital to nursing home placement and therefore impact and lower the overall cost of providing services to this population. The estimated cost of the position for a full year is \$55,095. The budget for the grant accepted had personnel budgeted costs of \$52,000 from the total annual grant of \$64,430. The actual cost will be determined at the time of hire, depending on the benefit package that goes along with that. The grant allows for the movement of funds to cover if they exceed the \$52,000, so we have flexibility within that total grant amount to cover the actual cost of services, the staff position and the other costs. The funding is for a three-year grant through KDOA and fund center to be established on approval. I would be happy to answer any questions.”

MOTION

Commissioner Welshimer moved to approve the addition to the Aging staffing table.

Chairman Parks seconded the motion.

Chairman Parks said, “For the record, is this person already employed or is this going to be a total new hire?”

Ms. Graham said, “This will be a total new hire.”

Chairman Parks said, “And will that be advertised as a grant position in case when this grants is complete, then that person could be without a job?”

Ms. Graham said, “Yes, it will be. It will be very clearly communicated this is a position that is grant funded and is totally dependent on the grant funds.”

Chairman Parks said, “Okay. Thank you. Commissioner Peterjohn.”

Commissioner Peterjohn said, “Well, Mr. Chairman, I believe my comments concerning the previous Agenda item apply equally well to this item and I just wanted to place that in the record. Thank you.”

Chairman Parks said, “Okay. Commissioner Welshimer.”

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Commissioner Welshimer said, “And this person, is this limited to the transition between the hospital and the nursing home?”

Ms. Graham said, “This position will do that 50 percent of the time, developing and implementing the plan, and they will also spend 50 percent of their time on the Aging and Disability Resource Center, so that is really staff that are working on refining and redeveloping our model of information and assistance to be a much more in-depth and intensive process to do benefits, options with consumers and clients, to talk to them about long-term care planning, what their current needs are, helping them get established, and referred and ongoing services to help them meet their current long-term care needs for individuals. But it is also working with caregivers, family members, spouses to do more long-term planning, so it will be doing both of those. Another component is just recently through funding from the ADRC grant, the state Department on Aging did purchase a new model, a database that will soon be up online that will have information on long-term care services and referral sources. It will be a very in-depth and broad database that will have information, initially for our area and the Hayes area that have these two programs, but it will eventually go statewide and it will be available on the internet for individuals, for consumers, for family members, for professionals, for seniors themselves and it will be a very great resource that we’re really looking forward to getting online. And as soon as that gets online, I will bring that information back and share some of that with you.”

Commissioner Welshimer said, “Well I think it’s wonderful that we have the aging services that we do provide to the community, and I’m happy that you achieved this grant.”

Ms. Graham said, “Thank you.”

Chairman Parks said, Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. Well, Annette, I don’t really have a question, I just want to make a comment based on my personal experience. When both my mother-in-law and father-in-law were in a situation they were going to be released from the hospital and they were going to have to go to a full-time nursing facility, it’s a very traumatic and emotional time, and for folks who perhaps do not have the family support in the community to help evaluate those options, I think this is a great program that will enhance the quality of life for some of our senior citizens when they face those decisions. Sometimes that is the best option to go to a nursing facility, and other times, if they can be served in home with the services we offer, it’s a cost-efficient way of providing those services rather than a nursing facility. So I understand and agree with Commissioner Peterjohn about the financial benefit seems to accrue to the Medicare organization, but overall, it will result in reduced costs, I believe, that’s a benefit to all taxpayers, because the whole cost of the program goes down. And the benefit to the individual, if that person can survive in a home setting with appropriate services, that’s a much better situation than being in

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a nursing facility. So that's my personal experience with this particular issue and I am going to be supportive."

Chairman Parks said, "Seeing no further discussion, call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Chairman Parks said, "Next item."

G. LEASE OF OFFICE SPACE AGREEMENT BETWEEN CO-CO PROPERTIES, LLC AND SEDGWICK COUNTY HOUSING DEPARTMENT.

Ms. Dorsha Kirksey, Director, Housing, greeted the Commissioners and said, "This item is for a lease for office space at the Harry Street Mall. We're seeking to relocate the Housing Department because our current location no longer meets our business needs. All of our clients are extremely low income, and one third of them are elderly, and parking at our current downtown location is extremely difficult for them. We also do not have enough space to conduct our business and accommodate all of the applicants come in to apply for our services, and other current clients who have to come in to conduct business with us from time to time. The space at the mall allows us to be more accessible to our clients, to have an abundance of free front door parking for our clients and we are able to acquire 700 more square feet of office space for an annual increase in leasing costs of only about \$3,000. We're getting a very good price. All of the moving and leasing costs are 100 percent funded by our HUD (Housing and Urban Development) Section 8 grant. I recommend that you approve the request, and authorize the Chair to sign the lease. I would be happy to answer any questions at this time."

Chairman Parks said, "What is the will of the Board?"

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MOTION

Commissioner Welshimer moved to approve the request.

Commissioner Unruh seconded the motion.

Chairman Parks said, "Motion and a second. Further discussion, Commissioner Norton."

Commissioner Norton said, "Dorsha, you're located presently where?"

Ms. Kirksey said, "We are located currently at Ecco Plaza, which is at 604 North Main, the corner of Main and Elm."

Commissioner Norton said, "Okay. And Housing has been there for how many years?"

Ms. Kirksey said, "We have been there at least, about 15 years at this time."

Commissioner Norton said, "Right."

Ms. Kirksey said, "Quite a while."

Commissioner Norton said, "And that facility hasn't had major upgrades or space changes in that period of time, is that correct?"

Ms. Kirksey said, "That's correct. It has not."

Commissioner Norton said, "Okay. I also understand that that space may be better utilized for the Public Defender and some other entities within the Sedgwick County organization than Housing, is that correct?"

Ms. Kirksey said, "That is correct. The Public Defender currently has a portion of that space. They have expressed a desire in the past to occupy the whole building, I don't know what the status of that request is at this time, but yes, it would be better utilized by other county departments that don't have as much public traffic as we do."

Commissioner Norton said, "Yeah. Well this makes your area much more functional housing, it is on a bus line which makes it easier, there is good parking, and it fits in with the campus that we have already kind of established along Harry Street at the old mall there."

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Ms. Kirksey said, "Correct."

Commissioner Norton said, "We already have several organizations there and this will just plug Housing right into the middle of the campus, so I am going to be supportive of it, but there was some other information that needed to go out. Thank you, Mr. Chair."

Chairman Parks said, "And thank you and you answered a couple of my questions. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. Ms. Kirksey, I think I've got a question more for the Manager than for yourself, because it covers a broader issue. I was just curious, I know the Appraiser's down there at the mall, Housing, when it goes down there, would be added to it. I was just interested in the exact number of how many other departments also had relocated down to that facility on East Harry Street?"

Ms. Kirksey said, "Sandy Anguelov from our Project Services Department is present this morning, she may be able to answer that question."

Commissioner Peterjohn said, "Oh, okay."

Ms. Sandy Anguelov, Senior Construction Project Manager, Project Services, greeted the Commissioners and said, "Good morning. We have the Offender Registration unit out there, Drug Court, Department of Corrections, and also under Department of Corrections, the Juvenile Field Services."

Commissioner Peterjohn said, "And the Health."

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "And the H1N1 clinic."

Chairman Parks said, "Correct."

Commissioner Welshimer said, "And the Appraiser."

Ms. Anguelov said, "That's correct."

Commissioner Peterjohn said, "Okay. I was interested in the entire list and thank you very much."

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Ms. Anguelov said, "You're welcome."

Chairman Parks said, "Is the Appraiser and the CIT (Crisis Intervention Team) in that same building also?"

Commissioner Welshimer said, "Yes."

Mr. Buchanan said, "Yes."

Chairman Parks said, "Okay. Very good. So are we going to get a big seal and put up there before long? Sedgwick County South."

Commissioner Welshimer said, "It's up there. It's up there now."

Commissioner Norton said, "Yeah, over the Appraiser's."

Mr. Buchanan said, "Right over Big Lots."

Chairman Parks said, "I mean a big sign. Yeah. Okay. Very well. It is a good deal per square foot, it's phenomenally good, so certainly can't argue with that. Commissioner Norton."

Commissioner Norton said, "We can go ahead and vote. I had kind of some follow-up questions, but they don't have to do with this, so we could go ahead and vote if you wanted to, Mr. Chairman."

Chairman Parks said, "Okay. Call the vote."

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Ms. Kirksey said, "Thank you."

Commissioner Norton said, "And I'll have follow-up questions for Dorsha, I wanted to address the Manager. Bill, has there been any evidence so far that there's been any chinks in the armor for moving out to Harry Street? It looks like all the entities that are out there have settled in well, the

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clientele have found them, the parking is adequate, we're pretty happy with the landlord, so adding some services out there doesn't look like it's got any down side."

Mr. Buchanan said, "That's correct. So far it has been very successful, a good partnership with the landlord, they are pretty attentive to our needs, and it seems to be working well. We keep looking at those leases and thinking about the long-term, and our long-term needs, to make sure that we are not locked in forever and have options to do whatever we might want to do, either with another landlord or with another building."

Commissioner Norton said, "One of the other amenities out there is that not only the space that we lease, but the open space that they make available for us if we need to use conference rooms or whatever, so that's a nice partnership too, is it not?"

Mr. Buchanan said, "Yes, sir."

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

Chairman Parks said, "Some of the people in my district are sometimes apprehensive about the location of it, however, there is a bus line there. There is a bus stop at 29th and Meridian that goes that far north, and hopefully we can work with Wichita Transit in the future on maybe getting a 53rd and Meridian or a 53rd and the interstate bus stop location. Having said that, I believe we are ready for the next item."

H. GRANT AWARD FROM THE CENTER FOR CHILDREN'S LAW AND POLICY TO CONTINUE PARTICIPATING IN THE DISPROPORTIONATE MINORITY CONTACT (DMC) ACTION NETWORK.

Ms. Cecile Gough, Operations Administrator, Corrections, greeted the Commissioners and said, "As you may know, Sedgwick County was selected in 2007 by the MacArthur Foundation to participate in their Disproportionate Minority Contact, also referred to as DMC, Action Network to study and address overrepresentation of minority youth in the juvenile justice system. The work involves ongoing data collection, analysis and intervention through system improvements to help ensure fair and equal justice for all youth. We are now starting our third year of a four-year project with the DMC Action Network. And this year, they have awarded Sedgwick County \$140,000; this is about \$5,000 more than last year's award. These funds are to be used to continue our partnership with the local African American Coalition to implement new strategies of community engagement to reduce DMC at the point of arrest. Wichita State University (WSU) will continue to provide the research and data analysis, along with our department's administrative team. New initiatives will include translation and language line services, and working with the Wichita Police Department on the delivery of cultural competence curriculum for police officers. I request that you accept the

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grant award, and authorize the Chair to sign all necessary documents, and authorize the establishment of budget authority. I stand for any questions.”

MOTION

Commissioner Welshimer moved to accept the grant award and authorize the Chair to sign all necessary documents, including the grant award agreement; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Unruh seconded the motion.

Chairman Parks said, “Motion and a second. Any further discussion? Commissioner Peterjohn.”

Commissioner Peterjohn said, “Yes, Ms. Gough, I would be interested in knowing, as a young man I remember vividly reading, he is now the late US Senator Daniel Patrick Moynihan’s warnings, and he was a scholar at Harvard before he went on to be a White House aide and in the US Senate, concerning the family breakup as a major factor. Is this something that’s been looked into as part of these grants? Because I am unaware of any studies that have broken the connection between single parent families and having a higher proportion of juvenile delinquency problems, and this is a problem that’s not only in the minority community, in my opinion, but I think it covers our entire society. I’d appreciate any comments you might have on that.”

Ms. Gough said, “I think you’re correct, but the focus of this particular grant, we are focusing on system improvements and looking at the point of arrest for the youth, and what are some of the factors, some of the discretionary decisions that are made and the factors that lead to some of the processing of our youth. Let me check, Jodi. I have a staff person, are you aware of any? This is Jodi Tronsgard, one of our administrative staff. He was asking about families.”

Ms. Jodi Tronsgard, Grant Coordinator, Corrections, greeted the Commissioners and said, “I believe that the family domain, it would be part of the community engagement process in looking at that particular piece of it. But, again, the focus is on the system, but the families do play a very important part in the community engagement piece.”

Commissioner Peterjohn said, “Thank you.”

Chairman Parks said, “Commissioner Norton.”

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Commissioner Norton said, “Well as I remember, a delegation of people from Sedgwick County went to the MacArthur Foundation and we were one of very few communities in the nation that had the ability, through an urban serving university, through our Corrections Department, particularly in juvenile, that is very highly regarded around the nation, to be able to even pull off this award, and it continues to move forward, and I’m glad to see that there’s a little more money this year in tough economic times. But I think that shows that the MacArthur Foundation feels that we still have the ability to do the deep research and to apply it to the systems that need to change to make a difference in our juvenile intake and the juvenile system in particular. So I’m going to be supportive, obviously, but that’s a little bit of the history of how we got to the grant proposition with the MacArthur Foundation.”

Ms. Gough said, “You’re right.”

Chairman Parks said, “And certainly if this program can keep five of our youth, or when they become adults, out of our correctional system, that’s financially going to pay for itself on this side of it. So having said that, seeing no further discussion, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Ms. Gough said, “Thank you.”

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON OCTOBER 29, 2009.

Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, “The meeting of October 29th results in seven items for consideration today. First item;

**1. ROAD IMPROVEMENTS – PUBLIC WORKS
FUNDING – R309 IMPROVE DRAINAGE ROCK RD AT MAFB**

“Recommendation is to accept the low bid from Pearson Excavating, Inc. in the amount of \$121,544. Item 2;

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- 2. SECOND FLOOR REMODEL TO RELOCATE THE REGISTER OF DEEDS OFFICE – FACILITIES DEPARTMENT
FUNDING – ADD COURTROOM & CHAMBERS – MAIN COURTHOUSE**

“Recommendation is to accept the low bid from Bauer & Son Construction Co. in the amount of \$53,855. Item 3;

- 3. METAL EXTERIOR STORAGE SHED for JUVENILE DETENTION FACILITY – CORRECTIONS
FUNDING – CONSTRUCT EXTERNAL STORAGE BLDG – JDF**

“Recommendation is to accept the low bid from Descon, Inc. in the amount of \$27,120. Item 4;

- 4. CHANGE ORDER #1 – CONTRACT SERVICES TO CREATE/IMPLEMENT PROCESSES FOR ALTERNATIVE PROGRAMS TO REDUCE POPULATION of the SEDGWICK COUNTY ADULT DETENTION FACILITY – PUBLIC SAFETY
FUNDING – PUBLIC SAFETY CONTINGENCY**

“Recommendation is to acknowledge the change order with Justice Concepts, Inc. (JCI) in the amount of \$28,511.72. Item 5;

- 5. RADIO/TWO-WAY COMMUNICATION EQUIPMENT for INTRUST BANK ARENA – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

“Recommendation is to accept the proposal from Mobile Radio System & Equipment, Option 2, in the amount of \$86,343.81. Item 6;

- 6. AUTOMATED EXTERNAL DEFIBRILLATORS for INTRUST BANK – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

“Recommendation is to accept the low bid meeting specifications for Item 1 from eMED, Inc. in the amount of \$9,570, and accept the low bids for Item 2 from AED Authority for \$990, and for Items 3 and 4 from Physio Control, Inc. in the amount of \$18,174. And Item 7;

- 7. TRASH and SMOKING RECEPTACLES for INTRUST BANK ARENA – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

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“Recommend to accept low bid meeting specifications from Massco in the amount of \$37,344.38. Would be happy to answer any questions and I recommend approval of these items.”

Commissioner Welshimer said, “I move we approve the recommendations of the Board of Bids and Contracts.”

Commissioner Peterjohn said, “Second.”

Chairman Parks said, “Motion and a second, Commissioner Norton.”

Commissioner Norton said, “Mr. Chair, I would like to remove Item 4 from that presentation so we can deal with it separately, if we could.”

Chairman Parks said, “Do you have a motion? Let’s withdraw the former motion and the second on that.”

Commissioner Welshimer said, “I’ll withdraw my motion.”

Commissioner Peterjohn said, “I’ll withdraw my second.”

Chairman Parks said, “Okay.”

MOTION

Commissioner Norton moved to approve the recommendations of the Board of Bids and Contracts with the exception of Item 4.

Commissioner Peterjohn seconded the motion.

Chairman Parks said, “Now we have a motion and a second. Commissioner Norton.”

Commissioner Norton said, “Can we go ahead and vote on the first set and then we’ll come back?”

Chairman Parks said, “Sure, sure.”

VOTE

Commissioner Unruh

Aye

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Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Commissioner Norton said, “Are we ready for discussion on Item 4?”

Chairman Parks said, “Item 4, yes.”

Commissioner Norton said, “Okay. I’m probably not going to be supportive of this for a number of reasons. In my meetings with Justice Concepts, I’ve asked for several pieces of information that have never come to me. I’ve been pretty explicit in three different meetings that I would like some information and a white paper, not a 40 page document, but a one page document that gives me some of the learnings of what they have seen here, and I failed to get that. I asked to meet with the state court individual when he came and I did not get to do that. The second meeting that he came to, I got about 30 minutes with him and he really didn’t tell me anything that was refreshing, or new, or that excited me. So there’s several reasons there. The other thing is that a change order this far after the item happened really unnerves me a little bit because it’s a significant amount of money, it was not in the scope of work, yet we let a consultant go and run up that kind of a bill without us knowing about it or the scrutiny, so I just don’t know that I am going to be supportive of that without more documentation. I know it’s been vetted by the Bid Board, but I just am not in favor of that kind of action, so unless I hear something different today, I will probably not support that action.”

Chairman Parks said, “Well, in response to a couple of the things there, on the RFP (request for proposal), I do know that I was guilty of asking Justice Concepts for certain things that were outside the RFP, and until I met with Mr. Lamkey, he brought that to my attention. And I stopped doing that when I realized that this was outside the RFP, and so I am going to be supportive of this particular one because I do think that the work has been done, and that this is deserving. Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. Iris, when did this original contract start?”

Ms. Baker said, “The contract is dated August the 7th, it went to Bid Board and Commission approval, I believe it was back in the April of last year time frame. So while we were finalizing the contract, allowed Justice Concepts to go ahead and begin some work. But what we had targeted, officially, when things kicked off, was August 7th of 2008.”

Commissioner Unruh said, “And when did that contract terminate?”

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Ms. Baker said, "It would have terminated June of 2009."

Commissioner Unruh said, "At the end of 2009?"

Ms. Baker said, "I believe it was June the 7th or so of 2009."

Commissioner Unruh said, "Okay. What percent of that contract is completed?"

Ms. Baker said, "Bob can address that."

Mr. Robert Lamkey, Director, Public Safety, greeted the Commissioners and said, "If I may take some time to give you some background on this whole process, I think that will be helpful to you. Some time ago we received a second invoice from Justice Concepts for about \$56,000, which would have taken us up to 80 percent of the contract. As I visited with them, and we knew, in terms of where we were against the contract, that about 60 percent of that work has been done. As I sat and evaluated, essentially a spreadsheet that they provided to me, it was clear that some of the work that they were asking for remuneration for was above and beyond the contract. There were a couple of items in particular, we asked for an exploration of Labette and the Butler County honor camps, recall that the environment from when they started until when they got work had changed, that the state had made some adjustments to what they were doing, and so I think, well intended, they were asked to do some work. I provided some extra work and that the staff did an assessment of the Labette process, we provided them for their assessment and process and part of this is, there is about \$7,200 in that analysis of those facilities that will not be paid until we receive a report for that. So that's the understanding I have with Justice Concepts.

"The remainder of the costs embedded in here were: looking at legislative issues, provide extra briefings to the County Commission, appear at Commission meetings, again well intended aspects that were not part of the work that they would have done had they not been asked to work this process. And so, for me, it was kind of an after the fact recognition. My aspiration in bringing this forward, quite frankly, was to, as the Chairman said, is to reestablish our normal discipline processes that you don't do extra work without asking for a change order first. So, in order to reconcile this, I separated out the work, I asked them to separate the work out that was above and beyond and the work that is in the contract, we have paid them earlier to get them to about 63 percent of the contracts, so that's what we've actually paid against the contract. They did about 60 percent of the work and we've paid them for about 63 percent of that work. This is the work that's above and beyond the contract, and so my effort was to reconcile this and get us focused back on the work that we were contracted to do with a clear understanding with JCI that any requests that are outside the contract, they need to raise their hand, otherwise Sedgwick County is going to consider that work as part of the contract. So any work that they are doing now, until we finish the

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process of this contract, is within the contract, clearly understood that there will be no additional payment outside the contract unless we go forward with a change order in advance of that process. So that's how this is all evolved."

Mr. Lamkey continued, "Short answer, at the time that we did this assessment, they were 60 percent done with the contract. We paid them for 63 percent to this particular point and there's the remaining 37 percent that they're working on, which is about \$46,000 dollars remaining in the contract for the completion of their work, in accordance with this contract. And as you know, we have set a meeting for the morning of the 19th for Dr. Insko to come and talk about an extension because I think that's implicit in one of the questions that you had and to have some discussions about where JCI believes we need to go from this point for your consideration. That will take place in two weeks. But this is an effort to basically clean up where we are, get us back on track and move forward."

Commissioner Unruh said, "Well I appreciate that explanation and understand the evolution of this situation. But I am having a hard time understanding how a highly paid consultant doesn't understand they have to get approval for additions to a contract. I mean, it just escapes me on one hand. On the other hand, I have a hard time understanding why doing work that's to alleviate our jail population is beyond the scope of a contract that is specific that they want to alleviate the problems we face with jail overcrowding. I don't know see, it's hard for me to understand, the contract called for investigative, tell us good recommendations on how we can go forward with alleviating our jail overcrowding problems, give us cost-effective solutions and to investigate a couple of alternatives to incarceration, or changes in the way we're doing business now, is outside the scope of that contract, it's difficult for me to comprehend. In the business world, if a consultant says I'm going to go do this, and I go do it, and then they say now you owe me for it, it just is not making any sense to me."

Mr. Lamkey said, "I think the nuance is slightly different, is that the work for Labette and Butler is not work that the consultant would have done, I don't believe, unless we asked them to do that. That was not on the train track that they were down in providing us services..."

Commissioner Unruh said, "I appreciate that, Bob."

Mr. Lamkey said, "...so that part is different. And then additional meetings and work that, again, was not laid out in their contract is work that we asked them to do."

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Commissioner Unruh said, “Where did our consultant then, I mean from what the Chairman said, is that how our consultant thought she had authority to go ahead and do that because the Chairman asked her to do that?”

Chairman Parks said, “Well I wasn’t asking her as a Chairman, I was asking her as an individual...”

Mr. Lamkey said, “Right.”

Chairman Parks said, “...about those things and I didn’t realize that that was basically outside the scope of what she was doing. And so some of the data, it wasn’t great, it wasn’t a great big chunk of this, but it was cumulative and I don’t think I’m the only one that asked. And it was too, and I kept focus on that topic about reducing the jail population.”

Commissioner Unruh said, “Well, and I’m...”

Chairman Parks said, “And some of those things that you said about, certainly about not being in that scope, my questions of her were in that scope, so if there’s something else out there, I’d like to hear it.”

Commissioner Unruh said, “Well if it was in the scope of the contract, I don’t see why we...”

Chairman Parks said, “Yeah.”

Commissioner Unruh said, “...owe her for an amendment to the contract. We have a big, complicated problem, we hired a consultant to help us, I just don’t understand how helping us solve that problem now requires an addition. And I appreciate what you said; I’m just saying I disagree, and if it was going to be something substantially different from the contract, a professional consultant, I think, should have known she needed to get official approval before they went ahead with their services. Is everything in this amendment completed?”

Mr. Lamkey said, “No. What I am suggesting to you is that there are two substantive elements; one element has to do with one that we’ve talked about for a while and a feasibility study analysis of Labette and Butler facilities. That piece of work, it’s about \$ 7,200, that piece of work will not be paid for until we receive that analysis. So what I am trying to do now is set up the consent to make those payments when we receive a product that says this is my assessment of these two facilities and its value, or no value, whatever that element is. So that piece of work is there. The remainder of the dollars really involve meetings and other tasks, including the transportation costs, and those kinds of things, embedded in supporting what’s been requested.”

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Commissioner Unruh said, "Okay. So \$21,000 of it is completed?"

Mr. Lamkey said, "\$21,000 is completed and the travel cost embedded in those are completed. That's correct."

Commissioner Unruh said, "And is that travel cost from Kansas City to Wichita?"

Mr. Lamkey said, "Most of it is from Kansas City to Wichita. There was one occasion where Dr. Insko traveled from another location to be here, so she was at a location in Florida, so there's airfare and time embedded in that cost."

Commissioner Unruh said, "Okay."

Mr. Lamkey said, "I guess I would suggest to you, there's \$7,200 for the Labette and Butler analysis, \$13,800 in response to special requests that have been completed and approximately \$7,500 in cumulative transportation, lodging costs that are part of that whole process."

Commissioner Unruh said, "That \$13,000 worth of other consultant work she did, is that enumerated in any way?"

Mr. Lamkey said, "Yes."

Commissioner Unruh said, "I mean, we've got..."

Mr. Lamkey said, "Yes."

Commissioner Unruh said, "Okay."

Mr. Lamkey said, "And the hours. And I would suggest to you that, there are two ways in which the process has worked, Mary Knopick and I help her set up meetings, and scheduling and those things, and then she also works in setting up meetings and those kinds of things. So to the extent that, for instance, the Labette, the time and costs embedded in those, we have a clear understanding because we helped schedule and work those things. The other ones, and again, as we've checked their whole thing, their time accounting and process about what they have done has been very faithful in the things that we're able to look and see which is the preponderance of the work that they've completed thus far. And so I'm very confident that these are legitimate costs that are looked at very closely. Dr. Beck does this work and he's a pretty meticulous fellow about keeping track of what's occurred."

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Commissioner Unruh said, "And I agree. Dr. Beck is a professional person, so I am not questioning that at all."

Mr. Lamkey said, "Okay."

Commissioner Unruh said, "When was the Labette and Butler County trips made?"

Mr. Lamkey said, "I don't recall. I don't recall."

Commissioner Unruh said, "Was that in February?"

Commissioner Peterjohn said, "Yeah. The..."

Chairman Parks said, "Go ahead [inaudible]."

Commissioner Peterjohn said, "...trip to Labette was..."

Mr. Lamkey said, "Yeah."

Commissioner Peterjohn said, "...very shortly after I became a Commissioner. In fact, it was the first time I left Sedgwick County as a County Commissioner for an official trip."

Mr. Lamkey said, "I do have some times, as part of their documentation and notes on trips; 1-26-09, traveled to Wichita and then traveled with county officials to view the Labette facility. And then on 7-17-09, basically there's a note that, I think it was the 20th or the 21st of July, in which we went to look at the Butler facility."

Commissioner Unruh said, "So we have a February and a July trip?"

Mr. Lamkey said, "Correct."

Commissioner Unruh said, "And we do not have a report on either of one of those yet?"

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Mr. Lamkey said, “And that is a combined report. In visiting with Dr. Insko, just understand that the nature of how this happened. She was invited to accompany county folks down to Labette to review the facility for its applicability to our uses. Concurrently, or subsequent to that process, county staff began, again, discussions with her, gathered some information, prepared a staff report, provided it to Dr. Insko and JCI for their review and assessment and to challenge our assumptions and work that process. She was working that process, and then subsequent to that process, the Butler opportunity became available so it was her choice to kind of wrap those all up together because they were quite akin. I have been, and I think Commissioners know this, I’ve been asking for that process, but she’s been focusing her preponderance or intention of getting the implementation to the pretrial services and those processes. But JCI and I have a very clear understanding that no payment for this portion will occur until we receive that assessment.”

Commissioner Unruh said, “Well I think that’s very reasonable that we don’t pay for a product that we don’t have. I’m not trying to be too sarcastic, but, I mean, this happened in July, and this is November, we don’t have a report. And I don’t know if that’s germane to the argument or not, but I guess, to summarize and pass the baton here, the contract was over, it’s only 60 percent completed, we’re being billed for extra services that were not authorized, and that the Chairman says that he also thought they were within the scope of the work of the contract, to bill us additionally for time spent with the CJCC (Criminal Justice Coordinating Council) on legislative issues and Commission briefings to me seems that’s just unreasonable to think that’s outside the scope of her contract and so I cannot be supportive of this.”

Mr. Lamkey said, “Okay.”

Chairman Parks said, “Let me make a correction...”

Commissioner Unruh said, “Okay.”

Chairman Parks said, “...if you thought that I said that this was in the scope of the contract. I thought it was in the scope of reducing the jail numbers which was our objective in this study. I didn’t realize it was outside the scope of the contract until Mr. Lamkey came in and visited with me and told me what some of the problems were manifesting on that. And if you don’t have a report, I do think that there has been some action on some of those things that I asked for, of her. She met with some people and I think that those numbers are reduced, and if you look at the numbers that were previously, and I had talked with the Manager and Mr. Lamkey about this, the projected numbers that we saw back on a study three or four years ago was that we would have 2,100 people

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in the jail instead of 17 [1,700], so I think some of those are working, but it just hasn't shown up in a report form to us."

"If those numbers were erroneous, that was our own staff and our own people that made those numbers. But I do think that that probably, and I didn't know this was going to be an issue today or I would have tried to get some of those numbers for you, that that would, that \$13,000 dollars that was out there that was beyond that scope, I think, probably could be offset in the number of people we've had in jail and out-of-county housing. I believe Commissioner Norton was next."

Commissioner Norton said, "I think Commissioner Welshimer was maybe next. Oh, okay. Well, one of the issues I have is that after Labette County, it wasn't a couple of months later that we started figuring out that maybe that was outside the scope, yet 7-21, after the contract had ended, we did it again going to Butler County and had additional work done, and that couldn't, we had to have known by then it was outside the scope, because it was outside the contract dates. I don't understand that."

Mr. Lamkey said, "I guess I would suggest, from my perspective, and I don't have the document in front of me, that the point at which it really struck home with me is when I received an invoice that would take us to 80 percent completion when the conversation that we'd had was that we were about 60 percent complete with the contract. That's the point of time in which I went back and looked at it, and I think it was, actually I think it was subsequent to the July time frame period, it was sometime shortly thereafter, and I have a copy of that request back in my office but I didn't bring it with me here today, and so that was really kind of the 'aha moment' for me in looking at the processes, because they happened gradually along the period of time. It wasn't one big fell swoop type stuff; it was a trip to Labette followed by an analysis. The part I think, as I visited with Commissioners, and it was a clear recognition to me, is that the daily rate of pay, which is competitive with consultants who do this work, is \$1,200 for an eight hour day, so anything that we ask above and beyond is charged to us at the rate of \$150 an hour for each individual. That accumulates pretty rapidly, and so as you look at the amount of time and the individual pieces of it, it did not appear to be significant taken individually. When you look at it cumulatively, it adds up to \$28,000."

Commissioner Norton said, "Well, I guess one of the questions I have is, I didn't ask for it. I asked for a white paper, the state courts to meet with me and some other findings in a short bullet point document. That's what I've asked for three times, all in the scope. So who asked for all of this extra? I mean, it's not on a change order. It wasn't vetted by the total Board of County Commissioners who hired the contractor, the consultant, so now we've got these extra things that, how did we get there to ask for these out of scope things? I asked for the things I asked for, they weren't delivered; they still haven't been delivered to me. And I have the right to do that because

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that consultant works for me as someone that voted for the consultant, and I had some reservations early on and was convinced that we needed to try this.”

Commissioner Norton continued, “I did vote for it, even with huge reservations, and I have still not gotten those things. In fact, in a meeting that I made sure staff was at, I asked for those things. There was like five staff people there, just to make sure that somebody got to hear me say that’s what I wanted. Now, this was back in like April, maybe earlier than that. So now, how did we get there? And certainly, 7-21 or whatever it was, was significantly beyond the contract. Somebody had to know that that contract has already shut down. We still hadn’t got the report, although I hear that we probably won’t get a report because that’s not what ‘they’ do. Now maybe that’s anecdotal, but I’ve heard that several times in conversations that they are not report writers, they are relationship builders. And maybe that’s okay, I don’t know that I read that in the contract, but I just have a problem. I would like some answers. This is not a huge amount of money, but I would have liked to have had a little more information on it and certainly feel that I have the right to ask for the things I have asked for, which are very simple. I didn’t even want a full document. I wanted one page, five bullet points of the things, that as a County Commissioner, I could help follow-up on to make a difference on this issue and I haven’t gotten that.”

Mr. Lamkey said, “Well Commissioner, again, I can speak to the Labette portion because I believe that the initial request for that tour came from Commissioner Welshimer because she was very interested in looking at the potential for that in that process. I certainly am culpable in the sense that I provided our staff analysis to Dr. Insko for her professional review and critical, to make sure that the assumptions that, we here have our own mental models, and so I wanted an outside view of our assumptions and the way we viewed that process and the utility that we have to do, so I share that responsibility. The special request came from various Commissioners, I think, through the process, because those are parts that I didn’t track. They weren’t part of the piece of work that we were doing. Some of your questions, I think, are probably appropriate for the discussion that we have with Dr. Insko and JCI on the 19th about, because, again, I think one of the questions I heard was concerns about the timeline on the contract, and so part of that is a request for an extension, but also part of that is a discussion with you about where JCI sees our current circumstance and work that they believe that weren’t necessarily part of this contract, but that you should consider in order for us to get to where we have articulated we need to go. And I think some of your questions are really best answered in that forum.”

Commissioner Norton said, “Well, and I’ll be glad to do that, but that will be the fourth time I have asked for the same thing. I guess my question is, I’ll be glad to do that, it’s still the same questions since April. I met a month ago with Dr. Insko and I have the notes. I wrote down the things that I asked and those were the three things. And I am still waiting for them, and I have a problem that we still don’t have the Labette/Butler County report and that’s happened months ago. It’s interesting to me, we can’t get the report, but we can get all the documentation on the travel

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down to the gnat's eye of how they built up what we should pay, but can't give us a report on what they saw."

"Now, they may be detail people, but they're detailed on the accounting, financial side and not on the delivery side, and I have a problem with that. Is it a go, no go? I got to believe that whoever went down there, on the ride back probably made the decision whether that was good or bad. We're pretty smart folks and we had two pretty smart Commissioners that went down there and looked at it. I bet you in the travel time going down there, they came to the conclusion as to whether that was going to work or not. Yet, we waited this long to get any kind of a report. And the report could just say yes or no to me, and that would be enough, but we haven't even got that. That's all I have, Mr. Chair."

Chairman Parks said, "I do want to, for the record, say that we knew about Labette, we knew about Butler, we discussed those in staff meetings before those trips were facilitated. I did not go to Labette. I did go to Butler and there were no discussions pertaining to that on the way back. There were other things, and we were concerned about the heat, especially with Butler, but keeping cool on that one. But I did want to make that for the record. Commissioner Welshimer."

Commissioner Welshimer said, "What I saw when we brought JCI in here was something different than we've had in the past. What we have now is reports that sit on shelves and gather dust. Getting them implemented has always been a problem. One of the big problems we've had is communication with all the different elected officials that use the jail. We needed someone to be a liaison, which is what JCI said they do. Before they came here, in my conversation with them, they were explicit that they wanted to work for the Commissioners only, so that we had the cooperation of all the Commissioners, and the reason for that is that anything other than Commissioners in dealing with JCI would be a problem because you can't reduce the jail just by writing a report. You've got to make some serious changes and that's treading on other peoples' turf, that's threatening management, and the policies that they have put in place, and it causes an upheaval. And so the success of their work depended on the Commissioners' cooperation and working with them.

"They came in here knowing that they had a certain period of time, that the contract was in the process of being drawn up, so they got to work right away acquainting themselves with the different departments, and managers, and other elected officials, and waited a considerable amount of time for the contract to be drawn up. Once they saw the contract, they realized that it put them in some ways outside of the County Commissioners and required things of them that would be required of the others that have done the reports that have ended up on the shelves. Trying to correct that, they asked for a meeting. I set up a meeting and somehow the meeting got set up with staff as well, and they reminded me they wanted to work just with the Commissioners so that we have our own, we're taking the responsibility along with them for what's happening to our management and our staff."

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Commissioner Welshimer continued, “In changing that meeting, so that it was just the Commissioners and JCI, we had three County Commissioners who refused to meet. They refused to meet without staff. This threw the whole thing into the situation that we’re in now. Also, JCI hasn’t been exactly welcomed into the Commissioners that would not meet into their confidence and so on. Then as JCI got started, they ran into problems, since the Commissioners were not taking the responsibility and letting staff know that cooperation was vital, different levels of staff just took it upon themselves to withhold records, not cooperate, be slow in doing things, everything had to go through the CJCC and it just all got to be an unorganized situation, and we have never been able to correct that. So that’s the situation they have been working under which has cost them time and money, and they have tried to deal with it anyway. Maybe they should have just told us, you know, if you are not going to do this in the way that we do it, we’ll not be able to help you. We sit here and we ask about reports, reports, reports, reports, and we’ve got reports. We’ve got reports from WSU and what was that other last...”

Mr. Lamkey said, “Institute of Law and Public Policy.”

Commissioner Welshimer “Yes. Yes. How can you go on doing things the same way, doing the same thing, never changing anything without getting the same results? Well, as far as I can tell, JCI is getting some results and they are making some changes. And I think they are good and I have certainly learned a lot about this. I think we found out where our problems are. I think we have opened up lines of communication with other elected officials and we would never be there had it not been for them. I think that their work for us has been quite valuable and we have withheld payment to them. And so the only thing we are going to pay them now, until they give us the report, is to make up for the hours that they have put in, such as Labette. Now, why would we go to Labette? We could have had Labette, 200 beds, all the computers, all the furnishings, all the uniforms, everything down there, for a dollar a year. And why would we do that when part of us want to build an expensive \$50 to 70 million addition to the jail? So was that a useless trip? I don’t know.

“One of the problems with that trip was that Justice Concepts was told when they came in here that we had a good record system where they could find populations that they could move into other types of detention, and that didn’t exist, so now they’re having to stop and they’re having to build that system. Going down to Labette, we had two problems. We had a problem with the population, being able to sort out that population of who we could put down there that we wouldn’t have to run back and forth every week to get. And the other problem we had is that the Sheriff didn’t want it. He wanted something nearby, something close by, and he just would not want it. Well, he’s the elected official over that, so we got nowhere with that, so that ended that.”

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“We also went out and looked at El Dorado and the Sheriff wasn’t real crazy about that I don’t think, and that would have been, I think a dollar a year or something similar to that. Not an awful lot of money for the beds out there. So we had the travel problem. So now we’re looking at finding a building that’s isolated that the city will not have an objection to, and create some more room so that we can bring some of these people back into town and provide the space for the work release. We can’t seem to agree on anything. And the whole problem has been that we didn’t, I don’t think that we all were together in wanting to correct this problem. The problem is that the jail budget is, jail and corrections and the whole nine yards there, is the largest budget we’ve got, and it’s the fastest growing, and it’s just going to get worse. So it made sense to me to work to reduce that problem and use every resource we could possibly find to do it, and not to do things in the same way we had done them before. And we’ve had nothing but whines and complaints and refusals and, honestly, you know, if you want to vote down paying them for the extra time they have put in, all I can say is, it’s our own fault. And it’s our fault because we, as a Commission, refuse to take the responsibility for the process. And as a result, it’s just gotten out of control, and JCI is doing the best they can under the circumstances. And I myself am certainly going to vote to pay them for that and I am grateful for the opportunity to do it.”

Chairman Parks said, “Commissioner Peterjohn.”

Commissioner Peterjohn said, “Thank you, Mr. Chairman. As the newest Commissioner, I came into this in the middle, and as I said earlier, my trip down to Labette was very interesting, in terms of the discussion was rather difficult because we were in one of the Sheriff’s vans that they normally use for transporting prisoners all over the state, and that was an interesting experience driving down and back and the noise from the road, and the vehicle, made it a bit of a challenge. I think this discussion has been very helpful in clarifying the concerns, from at least two of the Commissioners, in terms of the spending that’s before us as part of this Bid Board item. But I want to broaden this a little bit and make a statement that, in my opinion, my experience has been the gears of justice grind very slowly and sometimes the gears slip. And we kind of came into that after this contract was agreed to, and we haven’t mentioned the fact that part of the reasons we were down in Labette, and then Commissioner Parks and some other county employees went to Butler county, was the fact that in the middle of this agreement, the state went through a major financial crisis and cut their spending for corrections and reduced facilities, including both Toronto and Labette, and had a number of changes that I think led to Commissioner Parks’ request for some things that go beyond the original scope of the agreement. I frankly thought that the Butler facility probably had more potential than Labette strictly because of the geographic differences, and I very much agree with the comments that we want to stay with the, the Sheriff is elected on his own and he has the responsibility, but what we need to keep in mind is, just a couple of weeks ago this Commission approved \$2 million in supplemental spending.”

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Commissioner Peterjohn continued, “So while \$28,511.72 is not an insignificant sum, in terms of our total picture, by my rough calculations, if I use the net direct cost in the jail, that’s about having, the cost of this is about one-and-a-half persons in the jail per year. So when we got these changes coming from the state, and it wasn’t clear until they finished their budget in May, what sort of opportunities might or might not exist, this put us in a position where we needed to make some changes. And I very much appreciate the dialog that we have had in laying out some of these differences because I have been monitoring jail population day-by-day and one of the things that Justice Concepts emphasized to me early on was the effort to try and put us in a position to expand pretrial services, where our costs per day, per person who is going through that, is under \$15 a day in net direct cost, as opposed to roughly \$50 a day in the jail, and that doesn’t include capital costs. If we include capital costs, there would be some increases in both those figures.

“But I bring this up at this point in time because there was, I believe, an incorrect statement, unless things have changed yesterday, by the Chairman when he said 1,700 people in the jail. When I checked the numbers yesterday, we were actually under 1,700 people. We had gone up as high as 1,750. I think a reason for this is tied to the fact that August 24th expanded pretrial services went into place, this Commission voted to add those people. I viewed the efforts of Justice Concepts as basically providing a lubricant to help the institutional gears that exist, in terms of this, move forward. And we’ve had over 100 people arrested per day, according to the data the Sheriff’s provided me with, at a time when our population in the jail has been dropping, albeit not as far as I’d like to see it. I’d like to get it down well below the 1,600 level, but certainly it’s kept us from the 2,100 level that was mentioned as a possibility and the very worrisome 1,750.

“Now, one of the problems I have if we decide to vote this down today will be in the process of winding down this agreement, and Justice Concepts has established a certain level of credibility, I believe, with all the players in the criminal justice system, and we’ve had a number of things we had to do to help implement it. We are in the process of upgrading the software systems, and that’s been a challenging project, and I still haven’t been able to find out, for instance, of the number of people in the jail. I can get information about misdemeanors, but many of the bench warrants, I can’t tell if these are very minor offenses or not. And I get continuing reports on people being arrested for relatively minor offenses and ending up in the jail, and in part, because the minor offense by itself just triggers the fact that they identified a bench warrant. Well, if we can put people, what I kind of view as the knuckleheads in our society, who are more of a problem for themselves, their immediate families than the community at large, and we can run them through like pretrial services at less than \$15 a day, as opposed to putting them into the jail where we’re looking at a marginal cost of over three times that amount, I think what Justice Concepts is providing that, is it would be very helpful.”

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“I also believe that if we vote this down, I think there’s a good chance we’d end up coming back and say, hey we need some other consultant we’re going to have to bring in if we can’t work it and address it. And I think that may in the long run, this could leave us, I’m not saying it definitely would, but I think there’s a reasonable possibility this could be a penny wise, pound foolish decision. So I believe that Justice Concepts has served as an honest broker among the various institutional bodies that are involved and the jail population, and we’re in a serious situation. The economy is not doing well. I think there’s increased demand in the form of increased arrests, and so I am reluctantly going to be supporting this motion. I want the accountability to continue to be there. My discussions with both Ms. Insko and Mr. Beck have been useful and helpful, and I share Commissioner Norton’s desires to get more information in writing, but I don’t think that this would be the right time to take the action that Commissioner Norton suggested.”

Chairman Parks said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. Like Commissioner Peterjohn, I have appreciated the discussion and just wanted to make a couple of comments. Although I respect Commissioner Welshimer’s perspective on a lot of these issues, I would say respectfully I disagree with most of what you said, especially about the fact that we have reports on the shelf and we haven’t been doing anything. Since we had a consultant, the Institute for Law and Public Policy here a few years ago, and the Criminal Justice Coordinating Council was formed, we have made significant advancements in how to manage our offending population. And it has direct result on our folks who are directly in the detention facility.

“We have instituted day reporting, expanded work release, we’ve instituted the Sedgwick County Offender Assessment Program (SCOAP), we have over 150 officers trained in crisis intervention training, we have initiated a Drug Court, we’ve recently, with the City of Wichita, they have started a Mental Health Court, those are all significant advances that happened before, or without input, from Justice Concepts, and those are direct innovations that come from our last consultant we used, and through the Criminal Justice Coordinating Council, those have been initiated. And that council that we refer to frequently, I would want to remind folks that that includes Commissioners, City Council people, representatives from the 18th Judicial District, representatives from the city court, the Wichita Police Department, the Sheriff’s Department, a membership from the Sedgwick County Association of Cities, our staff who are directly involved in management population. It is the right stakeholders at the table and they have taken a very steady and even process in making a lot of progress in managing the population. Even though from last April, when we first were introduced to Justice Concepts, our average daily population was into the very low 1,600s.”

Commissioner Unruh continued, “And as Commissioner Peterjohn said, it did rise recently up to 1,740, 1,745. And so if we’re just taking the fact that it has reduced this last week by 30 or 40

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individuals, I think we also have to consider the fact that when we were first introduced to Justice Concepts, we had a low 1,600 number, so these are normal fluctuations and we can't judge everyone by just a short-term evaluation. But I want to make the point, overall, that the Criminal Justice Coordinating Council has been very valuable, and productive, and beneficial to this problem and to the citizens of Sedgwick County as we manage the population. Because of my earlier conversation, I'm still thinking that what Justice Concepts did for us, that they're wanting a change order for, is still within the scope of the contract, in my estimation, and I appreciate your explanation, Mr. Lamkey, but I won't be supporting it. That's all I have."

Chairman Parks said, "I think it is indisputable that pretrial review was taken out of hibernation by Justice Concepts. I think that staff will agree with that. Mr. Lamkey is shaking his head affirmative."

Mr. Lamkey said, "I think that Mr. Peterjohn made the right thing..."

Chairman Parks said, "This is one of..."

Mr. Lamkey said, "...they oiled the wheels."

Chairman Parks said, "...the things that, of this \$13,000, I wanted to say a little bit about what I had asked and the data I'd provided to them. One of the things that I saw evolving during this process was the CIT, the Crisis Intervention Team, where the police officers are trained to go out and be able to identify mentally ill people that shouldn't be in our jail, and this was one of the things that I did pass on to Justice Concepts before I realized that that may have been outside the scope of what they were doing. I also passed along; I think the first thing that I passed along to Dr. Insko was some of the data that she hadn't been receiving and that she now is, but off of some of the bookend sheets, and one of those was a seatbelt violation where there was a failure to appear on a seatbelt violation out of Municipal Court, and I don't want to get into naming those because I don't want to ruin, or ruffle, what Justice Concepts has done with that court because I think it's been significant, but there was a bench warrant out for a \$10 dollar state-mandated, it says \$10 is all you can charge on a seatbelt, and you're putting them in our \$60 a day jail. Now, if they're in there eight and a quarter hours, you have three of those, there's that \$60 right there. So that was the kind of things that she was looking at, she was able to address those with the Municipal Court people and I think that's where our numbers are down from the projected 2,100 that we'd be at now. Commissioner Norton."

Commissioner Norton said, "Well, I'm not going to belabor it. Just the two things for me is that if you think I've asked for reports, you're wrong. I asked for information that I could sink my teeth in as I was getting, if you're not getting any reports and any information, asking for information is

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good. And I guess I could have got it verbally, but I asked for a one page, white paper that gave me the five things, ten things, that I needed to sink my teeth in, learn more about, help the process, so don't think I didn't want to help the process. Secondly, and the Chairman will remember this, on two different occasions, I said that I would be willing to help facilitate more, get more involved, let me know how I can help in the process, and I think that hopefully the Chairman remembers that I came to him openly and said I'll be glad to help, that somebody else is kind of moving the process, but that I want to be involved, it is important, not only financially but morally to our community. And if I can help, because I think one of my strengths, a lot of times, is to bring people together and facilitate. I worked on that with healthcare and a lot of other things.

“It's not that I want to throw grenades and be anti anything, it's I want to be involved and get more information from...you're right, Commissioner Welshimer, the Commissioners did hire them, and when I asked to get that information, I shouldn't have to go to four other Commissioners, if we hired them, to ask for that information. That's what I did. I wanted them to tell me what I needed to know. And I have met with them four times; only the first time did I have staff, the other times I have asked for this information one-on-one, closed door with Dr. Insko, and I still don't have that information. Now, that's a Commissioner asking the consultant to give him information and I still don't have it. That's not staff or anybody else. Nobody else was involved, just me. And I have a little heartburn about that. If we're saying the Commissioners are in charge of the consultant, then I have every right to ask for those few things.”

Chairman Parks said, “I certainly remember the offer of going in and talking with them, however, at that point, Mr. Lamkey had already talked to me about being outside the scope of the issue, so that was something that I think might come up on the 19th and I hope it does. Just wanted to say that I'm all for mediation, I think it's great. I think we've had some successes in that, just in fact recently. And any time you can sit down and work out something, it's better. And I think that if I thought that that was within that scope of that RFP, I would have asked you to do that, Commissioner Norton. Commissioner Welshimer.”

Commissioner Welshimer said, “Well the Commissioners pay for this entire system. We pay for the jail, and we pay for the Sheriff, and the courts, and the corrections. Seems to me then, since we don't have any other interest in it but paying for it, that it's up to us to create this communication and bring about this change, and it's up to us to show some leadership, collectively as a Commission. And I don't think, until we do that, we're going to get the product that we

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unanimously expect. And I would just ask that we back up and have a meeting with JCI, the five of us, and they're coming in here, I think next week, isn't it, Manager?"

Mr. Lamkey said, "The 19th."

Mr. Buchanan said, "Nineteenth."

Commissioner Welshimer said, "Two weeks?"

Mr. Buchanan said, "Nineteenth."

Mr. Lamkey said, "The 19th."

Commissioner Welshimer said, "Nineteenth?"

Mr. Buchanan said, "Thursday the 19th."

Commissioner Welshimer "They're going to give everybody a report, but that report should really come to us first. And we're putting the people that are, well, would be threatened by policy change and so on, we are putting those people in communication with JCI, and JCI is just struggling in this situation. We need to take the responsibility; we need to take the leadership, and that's all five of us together. We need to determine whether we want to do something about the jail population or not, and that's just a decision we've got to come to. And I just ask that we do that, because we can't fail at this. The county and the public cannot afford to go on with the increases that we're having, and we're not having increases because more people are being arrested. We're having increases because they're staying in there longer. We've got bottlenecks; we've got miscommunications going on. No one who puts someone in the jail, in the course of their duties, has the responsibility to pay for it, so we're the ones that have that; we're the ones that must get a handle on this. And we must treat our consultant fairly and pay them for the work they've done and move on. Thank you."

Chairman Parks said, "Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I just wanted to add, I mean, earlier this year we approved a budget of almost \$400 million and it was not the Commissioners' money, it was some of our money, but certainly far from all of it, and it was the taxpayers' money for this community, so we have the difficult challenge of effectively spending a portion of the money that is needed for the appropriate detention facilities to keep this community as safe as possible and to try and do it at a reasonable price. And I think the action today that's been recommended in this Bid Board item is a step in that direction, so I'm going to be supportive, Mr. Chairman."

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Chairman Parks said, “And to kind of finalize this up, I think we’ve had a good dialogue here, we need to continue this into the meeting of November 19th, come out of that with great leadership. Some of this, some of these things that we talk about here today can’t be talked about because we can’t have the meetings like we used to, up and down the hall as it used to be called. Those have stopped. So everything that you are hearing here relates back to communication, and I think some of that has been stifled by the serial, or series meetings, that the state law have imposed upon us. I am not saying that that’s certainly not the total reason that this is like it is, but it certainly didn’t help. I think we need to press on, move forward, and November 19th will be an important date for us to have some emerging leadership. Having said that, we do have a motion and second, call the vote.”

Ms. Katie Asbury, Deputy County Clerk, greeted the Commissioners and said, “Mr. Chairman, we do not have a motion and second for this item.”

MOTION

Commissioner Welshimer moved to approve the recommendation of the Board of Bids and Contracts for Item 4.

Commissioner Peterjohn seconded the motion.

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

VOTE

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

Mr. Lamkey said, “Thank you.”

Ms. Baker said, “Thank you.”

Chairman Parks said, “Mr. Manager, do we need a 10 minute recess. We’ve been at this for a couple hours now and I think we all could use a break.”

Mr. Buchanan said, “Let’s make it 15.”

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Chairman Parks said, "Fifteen minute recess."

Mr. Buchanan said, "Thank you."

The Board of County Commissioners recessed at 10:57 a.m. and returned at 11:12 a.m.

Chairman Parks said, "I bring this meeting back to order out of recess. Next item."

- H. A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES A, 2009, [GENERAL OBLIGATION BONDS][TAXABLE GENERAL OBLIGATION BONDS (BUILD AMERICA BONDS – DIRECT PAYMENT TO ISSUER)], SERIES B, 2009 AND GENERAL OBLIGATION REFUNDING BONDS, SERIES C, 2009, OF SEDGWICK COUNTY, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

VISUAL PRESENTATION

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "This morning, we have taken bids on two series of bonds which you authorized a couple of weeks ago. The first series of bonds is for what we refer to as new money to pay for projects that the county has under way in the old courthouse complex and for various road projects. The second series of bonds is a refunding of bonds that we originally issued in 1998 and 1999 to pay in part for the expansion of the jail at that time and for some special assessment projects."

"As we always do when we sell bonds, we have gone to the credit rating agencies and gotten bond ratings on the county's proposed new debt, as well as on our outstanding debt and I would like to have Dave MacGillivray, the county's financial advisor, come and speak to you about what we heard from the rating agencies and what the marketplace looks like to us today."

Mr. David MacGillivray, Chairman, Springstead, Inc., greeted the Commissioners and said, "In these so turbulent financial markets, the importance of high credit quality is very accentuated, and the county has excellent credit quality and is evidenced by these ratings. If you look at the three major rating agencies; Fitch, Moody's and Standard & Poor's (S&P), the highest possible rating is AAA, there's a very limited number, probably these days a little less than 200 nationally out of

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10,000 rated communities, so having a AAA is an excellent reflection of your decision making and some of the information the professional staff provides you. As well as given the financial markets, having exceptional credit quality really drives down your interest rates, which saves you a lot of interest costs, and hence, reductions in property tax levies, et cetera. If you look at the rating agencies, what they focus on these days are predominantly two items; one, the budget, structural budget balance and the level of your fund balance and how that's going to over time and secondly, your local economy. Just a few comments from each of the ratings, a lot of them mirror each other. Fitch talks about the county's strong credit fundamentals, conservative management practices, solid reserve levels, low direct debt ratios, and by direct, they mean the county's own debt.

“When they are doing a credit rating, they look at not only your debt and the burden it places on your property tax base, but also the cities and school districts that are also underline and they issue debt, and that's a part of the burden on this constituent base. Financial performance is benefit from strong management systems, extensive long-term financial and capital planning efforts. Moody's, they're at Aa1, which is one rating notch below the AAA and the highest end of the AA category. Substantial tax base, we did talk about what's going on in the aircraft manufacturing, but the county has done a good job of stressing diversification of job base, employment, et cetera. You look at the Moody's, the third point above average debt burden characterized by significant underlying borrowing, and my comments earlier about your direct debt underlying is underlying entities, cities, school districts, et cetera. S&P, once again, reiterating what the other two said. I would indicate the last line, S&P has a distinct assessment of the financial management and they have four categories. The highest category is strong, and the county has a strong Financial Management Assessment, called FMA, it is not just the plans, it's not just the budgeting, but it's also decisions of the governing body, in terms of how they approach budget decisions, capital outlay, et cetera. So, here again, they have four rating levels, the highest is strong and that's the county's. Do you have any questions on the ratings?”

Mr. MacGillivray said, “The bond market, and as you can see, it kind of goes up and down these days. It's been fairly volatile, particularly since October of last year, and you saw what was fundamentally that high spike on the right hand side is basically the collapse of the financial markets, including the tax exempt market. And you have seen it radically go down, and here again, about three months ago, you have a real trough, or here again on the far right hand side, the BBI (Bond Buyer Index) hitting a forty year low. It has bounced up a little bit; there's been better economic news, and that's where you see the line going up a bit. You see on the right hand margin, the BBI equals 4.39. The BBI is the Bond Buyer's Index; it's sort of the Dow Jones of municipal bonds. 4.39 is an exceptionally low level, I mean, it's been up in the eights, et cetera. So while the tax exempt market has recovered from the upheaval of December and January, it still is at a very low and attractive level and I think that has helped today's sales. Any questions?”

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Chairman Parks said, "Yeah, just a quick question. When you say better economic news, is that based upon just the stock market recovery?"

Mr. MacGillivray said, "Right. Yes."

Chairman Parks said, "What other indicators are you using for that statement?"

Mr. MacGillivray said, "Yes. I don't want to go into all the economic news, but fundamentally, yes, when there's a blurb that says that something's good, things start to pop, and so there is a lot of volatility because there's good news one week and bad news the other, so it kind of operates in that margin. But the answer to the question is yes."

Chairman Parks said, "And there is one other question from Commissioner Peterjohn."

Commissioner Peterjohn said, "Yes, from looking at this chart, it looks like we're about 40 basis points off the low in the recent downturn, is that correct?"

Mr. MacGillivray said, "Yeah, it was slightly below...yes."

Commissioner Peterjohn said, "Okay."

Mr. MacGillivray said, "The absolute low was slightly below 40."

Commissioner Peterjohn said, "The BBI, would that be for just issues that have the same credit rating we have or for the entire market with variable..."

Mr. MacGillivray said, "Right."

Commissioner Peterjohn said, "...because there's a wide range out there of where governmental bodies stand?"

Mr. MacGillivray said, "Sure. Similar to the Dow Jones, it's a basket of rated issues. Predominantly 20 issues rated A, which have a 20 year maturity. So it's a generic, it is not symptomatic of the county's credit rating or this financing. It's a generic group that they change, you know, just like the Dow Jones piece. It's a finite sample of issuers of that profile."

Commissioner Peterjohn said, "Okay. So, I'm curious, in that market, in that basket, how many of them would be near the top, which is where we'd be standing?"

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Mr. MacGillivray said, "Near the top, relatively..."

Commissioner Peterjohn said, "In terms of our credit rating. You have the Aa1 and two AAAs."

Mr. MacGillivray said, "They're A rated. They're A rated."

Commissioner Peterjohn said, "It's just A rated for that overall..."

Mr. MacGillivray said, "Right."

Commissioner Peterjohn said, "...so it doesn't include any of the higher qualities?"

Mr. MacGillivray said, "Correct."

Commissioner Peterjohn said, "So my presumption would be, our offer should come in significantly lower because we've got a lower risk profile."

Mr. MacGillivray said, "Correct."

Commissioner Peterjohn said, "Okay. Thank you Mr. Chairman."

Chairman Parks said, "Thank you. And, Mr. Chronis, this will be sent to us electronically also?"

Mr. Chronis said, "Sure."

Chairman Parks said, "Commissioner Norton."

Commissioner Norton said, "Just a comment on the ratings. Moody was under attack a little bit for their ratings system and how they determined it recently, is that true?"

Mr. Chronis said, "All of the rating agencies have taken some heat, yes. But that's primarily because of their practices with regard to the rating of structured finance deals that were involved in the crash about a year ago..."

Commissioner Norton said, "Right."

Mr. Chronis said, "...they have taken some criticism from public entities as well and from some of the investors in public debt, but for different reasoning. The fact of the matter is that nearly the

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worst available public credit is as good as you can find in the private sector, in terms of market risk. And yet the scale that is available to municipal issuers, that is applied to municipal debt issuers, is a much tougher scale. That is, there is a far greater spread of issuers from AAA down to single A and even into the B Series, but virtually all of those issuers, if they were evaluated on the same criteria as corporate interests are evaluated, would be at or very close to AAA credits by a private sector ratings scale. So the rating agencies have taken some heat because of that differential scale, as well.”

Commissioner Norton said, “Well I guess the article I saw was more geared towards Moody’s and I just wondered how it affected us and whether that was more of a corporate financial or a public financial problem. That’s all I had. Thanks.”

Mr. Chronis said, “We have sold these bonds, or offered these bonds, in two series, as I have said before, Series A is what we refer to as a new money issue. It is approximately \$10 million and it pays for a portion of the costs of improvements that are included in the county’s adopted Capital Improvement Program (CIP), specifically these bonds will pay for road improvements on Meridian South and on Ridge Road North. Additionally, that’s about \$4 million of the total \$10 million issue, and about \$6 million pays for courthouse improvements to this building, the historic courthouse and the African American Museum. These bonds were offered to the marketplace as what we refer to as Build America Bonds. That is, under the Stimulus Act that was approved earlier this year, the federal government is allowing municipal issuers to offer taxable bonds to the marketplace and the federal government will subsidize the taxable interest rates that those issuers pay on those bonds by reimbursing 35 percent of the actual interest cost to the issuer. We offered these bonds to the marketplace in a fashion where they could offer us either tax exempt bids, that is traditional tax exempt municipal financing, or taxable bonds. And we did that so we could then evaluate which of those offers was going to give county taxpayers the lowest net interest cost.”

“What we found, and what I told you, I think yesterday, in your staff meeting, was that the spread between taxable and tax exempt interest rates has narrowed over the past week or two, and it has narrowed so much that it was clear to everybody in the marketplace that the 35 percent subsidy provided by the federal government was going to more than offset tax exempt interest rates. As a result, we received no tax exempt bids on these bonds. We received only taxable interest rate bids. The bids that we received, or the winning bid, offered us a premium, which means that the purchaser offered us more than the \$10 million that we said that we were willing to sell, and in return for that, he asked for us to pay a higher than market interest rate on certain of the maturities of the bonds. When the seller does that, it offers us an opportunity to resize the issue, since he is willing to overpay, if you will, to pay more than the par value of the bonds; it allows us to sell less than we originally planned on selling and use that premium that he is offering to cover the difference. And so we have been able to downsize this bond issue from what had originally been offered as \$10,020,000 to \$9,965,000, and you see that on this sources and uses table. In effect, that

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means that the county will be issuing for this series of bonds approximately \$75,000 less debt than we had originally planned on issuing. As I said, there were no bids submitted on the tax exempt offering.

“For the taxable, the BAB bonds, the Build America Bonds, you see here the results that we received from three bidders; Robert W. Baird and Company is the low bidder, that is they are offering the lowest true interest cost. Their taxable rate on those bonds, the blended yield on those bonds, is 4.616 percent. When we factor in the 35 percent rebate that we will receive from the federal government over the life of the bonds, our net interest costs on these bonds will be 3.0482 percent. As you can see, that is certainly the lowest of the three bids that we received. It was a fairly narrow spread between the three bidders, which suggests the competitiveness of the marketplace. And to put this in perspective, I believe had we sold traditional tax exempt bonds, based on sales that are occurring today, the interest rate would have been something on the order of 3.55 percent. So the county has saved roughly 55 basis points on these bonds by selling them as taxable bonds under the Build America Bonds program. That 55 basis points equates to about \$450,000 of interest savings to the taxpayers of Sedgwick County over the life of these bonds. The refunding bonds, Series B, as I said, was offered as \$18.8 million and all of that will go into the account to pay off the old bonds, other than a small portion that will pay issuance costs on the deal. We offered \$18.8 million, again, we had a bidder’s premium proposed to us, which allowed us to downsize the amount of bonds that we’re selling here. And so, we are still running those numbers to refine exactly how much lower the bond issue will be.”

Mr. Chronis continued, “There’s a negotiation that goes on between us and the bidder across the spectrum of bonds, all of the maturities of the bonds, to figure out which maturities are going to be downsized precisely, but we will end up lowering the size of this bond issue by something on the order of a million dollars, that is the amount of the premium that was offered on these bonds. The estimated present value savings of this refunding, as compared to refunded debt service, that is the debt service we would have paid on the bonds had we not done the refunding, the estimated savings is \$1.7 million over the remaining seven year life of those bonds. That is eight percent of that refunded debt service. That is a fairly substantial savings that we have achieved by doing this refunding. The county received considerably more bids for this refunding series than we did on the new money series.

“You can see all of the bids listed here, and based on the true interest cost, the low bid for these bonds is Piper Jaffray, and their true interest cost is 2.2616 percent. You can see, again, the very narrow spread of bidders. We had to go out to the fourth decimal place to find a winning bidder. Number two was .2618; number three was 2.2673 and so on, a total of four bidders at 2.26 and a

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fraction. So a very tight spread, a very successful sale and we would recommend that you award the sale of these bonds in the fashion that we have described to you. There is a bond resolution that makes that happen, and that bond resolution has a number of moving parts, a number of blanks, that have to be filled in once we have concluded the resizing of the issues. You have a draft of that resolution that has been included in your agenda packet. I'd like Joe Norton, the county's bond counsel from the firm of Gilmore & Bell, to come up and wrap this up and talk to you about the details of that bond resolution, and either he or Dave would be happy to answer any technical questions that you have on this issue."

Chairman Parks said, "Are there any questions of Mr. Norton at this time? Seeing none, I guess you're done, Joe."

Mr. Joe L. Norton, Gilmore & Bell, greeted the Commissioners and said, "What I would suggest that you do, as Chris indicated, the resolution you have a draft of, we'll have to modify the principal amounts contained therein in the maturity schedule along the lines that Chris indicated. So I would suggest that you award the bids of the A bonds to Robert Baird, the B to Piper Jaffray and to adopt the resolution substantially the form present with such changes that may be approved by the County Counselor and bond counsel, because we'll have to fill in a couple of blanks."

MOTION

Commissioner Norton moved to award the sale of the bonds to the best bidder and adopt the Resolution.

Commissioner Unruh seconded the motion.

Chairman Parks said, "Any further questions of Mr. Norton? We will certainly fill in those blanks from those agencies then. I did want to say that back after diligent study I didn't support all the things that are in this bond issue, from top to bottom, however, I'm certainly not going to throw any kind of negativity in the works. I do believe this is a good way of funding this; however, there are some of those things that are in there, particularly the moving of the Register of Deeds Office and the courtrooms, that I did not support in the first place, but I do plan on supporting now. Commissioner Unruh."

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Commissioner Unruh said, “Thank you, Mr. Chair. Well I just wanted to express appreciation for the expertise, professional help that we received from our consultants and also the professional help that we have in-house in making this a very successful bond sale. I don’t think all governments have the luxury of having such high level of professionalism and expertise that we have available to us. It’s been very beneficial and I’m appreciative. Thank you.”

Chairman Parks said, “Commissioner Peterjohn.”

Commissioner Peterjohn said, “Well, I wanted to second your comments, Mr. Chairman, because I have some concerns, in terms of how we’ve handled the movement of the Register of Deeds too, and I want to make it work out. I also want to state that I was looking at election returns last night and noticed that many parts of the country people get to vote on those issues. The bond issue is nothing more than a mortgage. Now, we’re refinancing today and we’re going to save money and I’m going to be supportive of that. But there’s a provision in the Kansas Constitution that says all political powers inherent in the people, it’s in the Kansas Bill of Rights, and I wish that was brought to life more in today’s environment than what we see. Thank you, Mr. Chairman.”

Chairman Parks said, “Thank you. Have a motion and second. Seeing no further discussion, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

Mr. Chronis said, “Thank you.”

CONSENT AGENDA

J. CONSENT AGENDA.

- 1. Schedule post annexation public hearing for January 6, 2010 (City of Haysville). District 2.**

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- 2. Retail Dealer's Cereal Malt Beverage License Renewal for Kwik Shop Inc. # 706 located at 3601 E. 47th Street South, Wichita, KS 67210.**
- 3. Renewal Rate Agreements for the Group Medical Insurance Program with Preferred Plus of Kansas, Preferred Health Systems Insurance Company, a Health Maintenance Organization (HMO).**
- 4. Renewal Agreement Attachment A and C for the Administrative Services contract for Sedgwick County COBRA/Retirement Health Program with Harrington Health formerly Fiserv Health of Kansas.**
- 5. A resolution to authorize destruction of Human Resources records 1989-2005 (DISP 2009-92).**
- 6. A resolution to authorize destruction of Appraiser Office appraisal process records 1984-2003 (DISP 2009-82).**
- 7. A resolution to authorize destruction of Finance Office payroll reports, process records, and timesheets 1980-2005 (DISP 2009-93).**
- 8. One (1) Temporary Construction Easement for Sedgwick County Project 805-M; Debris removal from creek located south of 29th Street North, a half a mile east of Maize Road. District 3.**
- 9. Order to correct tax roll for change of assessment on October 21, 2009.**
- 10. General Bill Check Register of October 21, 2009 – October 27, 2009.**

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.

Commissioner Unruh seconded the motion.

Commissioner Norton said, "I do have some discussion if we could."

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Chairman Parks said, "Motion and a second, Commissioner Norton."

Commissioner Norton said, "I just want to call attention to Items 5, 6 and 7. Over the years, any time we destroy any kind of documents that have been held according to our policy, I just like to renumerate to the public that we do have a policy, it's been in effect, we follow it diligently, and there are times when there are documents that are way out of the realm of needing to be kept and that we do destroy them, and that comes up on just the Consent as a resolution, but we usually try to call attention to it to let people know what we're doing. That's all I have, Mr. Chair."

Chairman Parks said, "Okay. And I think that the item with the insurance has been briefed with our employees out there, so they know what's going on with that, so that's one of those things that we had some dissemination amongst our employees with. Commissioner Peterjohn."

Commissioner Peterjohn said, "Thank you, Mr. Chairman. I'd like to switch to Item 8 on the Consent Agenda and ask Mr. Spears a question. Since the easement for removing debris from Dry Creek, it looks like, between 21st and 29th Street North, I was curious, how long a distance we received the easement, in terms of going on to that portion of the property where Dry Creek just before it runs into the Cowskin?"

Mr. David Spears, Director, Public Works, greeted the Commissioners and said, "This, Item 8, is not related to Dry Creek, but let me understand, is your question about Dry Creek or is your question about Item 8?"

Commissioner Peterjohn said, "I was presuming just from the location listed there that it was..."

Mr. Spears said, "No, and that's a good point, we caught this yesterday. It's not near 119th, it's actually just south of 29th Street North and it's a half a mile east of Maize Road. This is in the Pracht wetlands and there are some trees there that Mr. Pracht has asked us to remove. Those trees are on our right-of-way and we have agreed to remove them. But what this is, is a temporary construction easement for just to temporarily use some more of his ground to put the trees on and burn them and then this easement will expire when we're done with the work."

Commissioner Peterjohn said, "Okay."

Mr. Spears said, "It's as simple as that."

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Commissioner Peterjohn said, “We had talked about it between Maize and Tyler Road, and when I saw this, I was thinking, wait a second, has it moved on me, and I would like the record to accurately reflect where we’ve got the easement.”

Mr. Spears said, “It’s just incorrect on there, and that’s a mistake that we made, but the legal description is correct, just this on the Agenda, the 119th is not correct. It’s just south of 29th Street North a half a mile east of Maize Road.”

Commissioner Peterjohn said, “Thank you.”

Mr. Spears said, “You’re welcome.”

Chairman Parks said, “Mr. Euson, does that skew the motion then to approve the Agenda?”

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “No, sir. It does not.”

Chairman Parks said, “Okay. Seeing no further discussion, call the vote.”

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

K. OTHER

Chairman Parks said, “Are there any ‘other’ items to be brought forward by the County Commissioners? Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chairman. I just want to take an opportunity to say that yesterday we had a very good discussion about ethics and I appreciate the opportunity that we had to have a discussion. I think it’s good do that in an open forum, however, I think there’s probably one aspect of that, that we didn’t highlight or bring out in that discussion, and that is that we have listed among our various departments, in our hallways and through our departments a

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County Values that was established by the employees as a guide for how we behave as county employees. I do not remember the exact time that that was done, but it's very visible and I think abided by, by all of our employees, throughout the organization, and it is a significant part of evaluation when employee reviews are done. I just wanted to take a moment just to enumerate those principles that guide employee activities and the way they conduct themselves.

“One of them is accountability, which means accepting responsibility for job performance, actions, behaviors and the resources entrusted to the employees. Another is commitment, which is individual and collective dedication of employees to their jobs and the organization in providing quality services to meet the client, customer needs. The others I will just highlight the principle, which is equal opportunity, honesty, open communication, professionalism and respect. And I just wanted to bring that out, that as we talked about other counties and other communities having codes of ethics that Sedgwick County has this County Value document for everyone to be aware of and it's applied to us. And I just want to say that I, along with my other Commissioners, I think operate under a principle where we have a presumption of goodwill. I think our employees come here to deliver quality services. I think our citizens expect that. And I appreciate the way this has been organized and the influence it's had on the conduct of Sedgwick County government. That's all I have.”

Chairman Parks said, “Okay. I would like to respond a little bit to that. When we had talked about this some year ago or so and nothing moved off of dead center with the ethics issue, I thought we needed to upgrade our ethics, from the County Commission standpoint. I really believe that leadership comes from the top. Our popularity amongst nationwide, about any poll you see has politicians down with the used car salesmen. And I said this in the meeting yesterday, if we could get up there with the law enforcement and the fire departments up towards the top, that would be very pleasing. And how do we do that? We lead by example, and we lead by good ethics, and we lead by being open. And one of the things that I tried to bring into the meeting yesterday was a gratuity list that when somebody gives us a gratuity we put it on our website. Let's be open and transparent with it. If that gratuity goes, if it's a piece of clothing and it goes to Goodwill, that disposition's in there. If it's a ticket to an event somewhere, or a table to, a ticket to some event that we received compensation or a meal for, and that goes to Big Brothers and Big Sisters or other entities, it shows it on there. So I think that we're still a little behind the ball and I think we need to, not only look at the other counties in the state, but let's be a leader on this one. Let's put it out there and be a leader for the state and then they can copy our model. Commissioner Peterjohn.”

Commissioner Peterjohn said, “I appreciate the ongoing dialogue on the ethics issue but I'm going to change the subject because the Viola Fire Department, which is a volunteer fire department and

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volunteers play an important role in helping keep our community safe, in conjunction with the county fire district, is having a fundraiser Saturday from 11 a.m. to 2 p.m. at the Viola gym. It's November 14th at 100 North Grice Street. And they're going to be Grillin' for Gear, they're going to have a bake sale, and moonwalk for the kids, and raffle and door prizes. I think a good time will be had by all and I wanted to mention that for this morning's meeting. Thank you, Mr. Chairman."

Chairman Parks said, "And I know we had a proclamation earlier and I said to thank the veterans. Remember, we're not going to be here next week because we're going to be celebrating the Veterans Day and remember that that's a lot of veterans gave their lives so we could have this open meeting here today. The reception starts at 8:30 at Valley Center. There's a day long of events up there and it runs through 4:00 with the USO (United Service Organization) show. Please inquiry of me or the City of Valley Center to get more information on that. Any other items to be brought before this Board? Seeing none, we're adjourned."

L. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:42 a.m.

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

KELLY PARKS, Chairman
Fourth District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KARL PETERJOHN, Commissioner
Third District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

December 9, 2009