

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

### **REGULAR MEETING**

**September 2, 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, September 2, 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; Mr. Pete Giroux, Principal Analyst, Budget; Ms. Claudia Blackburn, Director, Health Department; Mr. Tom Pletcher, Clinical Director, COMCARE; Mr. Chad VonAhnen, Director, CDDO; Ms. Iris Baker, Director, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Angela Lovelace, Deputy County Clerk.

### **GUESTS**

Ms. Liz McGinness, Chair, Suicide Prevention Task Force  
Mr. Josh S., private citizen  
Mr. Randy Oliver, City Administrator, City of Cheney, Kansas  
Mr. Hale Ritchie, Chief Restructuring Officer, Rainbows United

### **INVOCATION**

Led by Pastor Rodger Thompson, Northwest Christian Church, Wichita

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES**

Regular Meeting August 12, 2009  
Commissioner Unruh was absent

**Chairman Parks** said, "And we will take these separately. Is there a will of the Board?"

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**MOTION**

Commissioner Peterjohn moved to accept the minutes as read for the Regular Meeting of August 12, 2009.

Chairman Parks seconded the motion.

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

**VOTE**

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

**CONSIDERATION OF MINUTES**

Regular Meeting August 19, 2009  
All Commissioners were present

**MOTION**

Commissioner Peterjohn moved to accept the minutes as read for the Regular Meeting of August 19, 2009.

Chairman Parks 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, "Next item."

**PROCLAMATIONS**

**Regular Meeting, September 2, 2009**

**A. PROCLAMATION DECLARING SEPTEMBER 6 – 12, 2009 AS SUICIDE PREVENTION WEEK.**

**Ms. Kristi Zukovich**, Director, Communications, greeted the Commissioners and said, “I’ll read this for the record:

**PROCLAMATION**

**WHEREAS;** Suicide Prevention Week is a national event to raise awareness about suicide and suicidal behaviors and to celebrate the efforts of all who are working to prevent suicide; and

**WHEREAS;** in Kansas, suicide is the eleventh leading cause of all deaths, with an average of seven suicides per week. Of those suicides, one out of every five is from Sedgwick County; and

**WHEREAS;** mental health diagnoses are generally associated with a higher rate of suicide. Nationally, research shows approximately 90 percent of completed suicides had one or more mental disorders, such as depression, schizophrenia or alcohol and/or drug dependency; and

**WHEREAS;** the Sedgwick County Suicide Prevention Coalition continues to provide awareness and education to residents of our community through the annual ‘Link for Life’ Run/Walk, the Suicide Prevention Bookmark Distribution initiative and sponsoring national experts on suicide assessment and prevention in Sedgwick County.

**NOW, THEREFORE, BE IT RESOLVED,** that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim September 6 – 12, 2009 as

**‘Suicide Prevention Week’**

in Sedgwick County and calls upon all Sedgwick County citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of suicide in our community.

“And it’s dated September 2, 2009, and signed by the Chairman, Kelly Parks.”

**Chairman Parks** said, “And I believe we have Ms. McGinness here to follow up on that a little bit.”

**Ms. Zukovich** said, “We do.”

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### MOTION

Commissioner Norton moved to adopt the proclamation.

Chairman Parks seconded the motion.

**Ms. Liz McGinness**, Chair, Suicide Prevention Task Force, greeted the Commissioners and said, “Thank you so much for the opportunity to come and talk about this important initiative that we have in Sedgwick County, and I’d also like to thank you for your generous support for the past nine years on helping us do prevention and awareness efforts to prevent suicide. This year we have several exciting events coming up and I’m going to try to remember every one of them. September 6 through 12, of course, is ‘National Suicide Prevention Week.’ September 11 is ‘National Suicide Prevention Day’ and we will be out again this year at 20 QuikTrips handing out over 25,000 bookmarks that allow us to prevent suicide and give people information, as well as a hotline for them to reach. Those bookmarks will also be distributed in our Wichita public schools and outlying schools as well. They will be at senior centers; they will go out with the Meals On Wheels program and also other community agencies. So it’s a really important awareness time for us and it’s a wonderful event. We often get comments from people as we have handed out those QuikTrip bookmarks and the way that we are touching people, I think, is very, very significant, and the things that we hear from people when they receive these are very powerful.

“We also have, from the proceeds from the ‘Link for Life’ race that we hold annually in April, the funds that we’ve used from that, we are now going to be able to bring in one of the top five suicide experts in the country. His name is Dr. Phillip Resnick and he has done incredible work around suicidology and prevention. He’s going to be talking to over 750 registrants, so far. We’re now having parking concerns because so many people are excited about this event, but he is going to be talking about suicide assessment, school violence and suicide-homicide and suicide violence. Again, very important way to give professionals in our community more tools so that they can also help to prevent suicide. I’m looking very forward to that event. We also have, of course, our upcoming annual race will be in April and thank you to those of you, Commissioners, who come out and attend that. It’s always a fun time and so far the weather has been very helpful to us each April and we look forward to you guys coming out again this year. I think that may be the extent of the things that I have to share with you, but just want you to know, again, we’re working very hard to help the community understand the risks of depression and suicide and how each person in our community could be one link to save a life, so thank you again very much.”

**Chairman Parks** said, “Had a couple comments here. The Dr. Resnick’s meeting, will that...”

**Ms. McGinness** said, “Yes.”

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**Chairman Parks** said, "...be a, just law enforcement only, or just professionals only, or is that going to be an open to the public meeting?"

**Ms. McGinness** said, "That is actually geared for professionals in the community at this point in time. Dr. Resnick will be doing other presentations as well, and I'm not sure, off the top of my head, if the public are invited to that. I would ask Bev Baalman to help me with that question. Okay. Alright."

**Chairman Parks** said, "And what date is that?"

**Ms. McGinness** said, "That is September 9, and it's going to be held at the WSU (Wichita State University) Metroplex."

**Chairman Parks** said, "It's coming up relatively quickly here."

**Ms. McGinness** said, "[inaudible] yeah."

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

**Commissioner Unruh** said, "Thank you, Mr. Chair. Liz, I just wanted to take the opportunity to thank you, as the proclamation said, to thank all those who are working to help prevent suicide and I know that you have been steady and faithful at this task since I've been a Commissioner and that Suicide Prevention Task Force is working very hard, so we just want to especially point out that group for their efforts and appreciate the fact that you continue to remind us that we need to be sensitive to this issue, and if we are, and if we are willing to react in the appropriate manner, that we can be helpful in preventing suicides. Thank you for your efforts."

**Ms. McGinness** said, "Thank you. Thank you very much."

**Commissioner Unruh** said, "That's all I had, Mr. Chair."

**Ms. McGinness** said, "Any other comments?"

**Chairman Parks** said, "Commissioner Norton."

**Commissioner Norton** said, "Well, every year for nine years, I've asked two questions. First of all, how many suicides in our community the last year?"

**Ms. McGinness** said, "Sure. We had 59 suicide deaths last year."

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**Commissioner Norton** said, “And was that up or down, and what about attempted suicides, because we talk about...”

**Ms. McGinness** said, “Right.”

**Commissioner Norton** said, “...the folks that actually kill themselves, but there is a large number that try and don’t succeed.”

**Ms. McGinness** said, “Right, right. The 59 number is a slight downward trend, which we are excited about. As far as attempts, it’s very hard to actually track those in a consistent way. We do know that for each attempt, that’s a very serious piece as well, and we want to make sure that we come in and do efforts around that. The statistics on attempts are actually kind of alarming. The statistics suggest that someone who makes a serious attempt has a 30 percent chance of completing that during their lifetime, so it’s a very important red marker that we want to attend to. And we are trying as best we can through our Methodology Committee to come up with ways to track those types of thing. It’s certainly on our radar and trying to do a better job with that, and we do the same thing in our Wichita schools. We have a very straightforward suicide prevention protocol that we use in the schools. Whenever someone has made a comment, or a drawing, or some kind of a concern around suicide, we follow up with the parent very specifically and share with them the concerns. So that is one way that we deal with attempts, at least in the schools.”

**Commissioner Norton** said, “Well, I think it’s good news that the numbers are down a little bit, particularly a lot of times when the economy dips and people are out of work or have financial difficulties, the rate goes up, so that’s good news that maybe we’ve made some inroads this year. The other question I always try to ask is what population, every year it seems like it changes, sometimes it’s youth and children, sometimes it’s elderly, I think last year we found it was kind of some middle age folks kind of increased a little bit, what does that demographic look like?”

**Ms. McGinness** said, “Historically, it has been youth and the elderly that are the highest risk populations. We have seen, at least locally, and some national statistics support this too, that that middle age phenomenon is happening and we do attribute that likely to job stress, loss of jobs, loss of income and that piece, so we have ratcheted up some efforts in our community to make sure that we’re hitting that population very strongly as well. It’s a concern across the country.”

**Commissioner Norton** said, “Well certainly as we talk about suicide, it does strengthen the movement towards more mental health services and understanding that mental health is as important as physical health. You know, we study it and try to analyze that, but suicide, I guess, would be the final tough mental health problem you would have to deal with.”

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**Ms. McGinness** said, "Yeah."

**Commissioner Norton** said, "The more we can shed light on it, the more it will help the community understand that mental health is very important."

**Ms. McGinness** said, "Thank you. Yes, the stigma around mental health issues is what really kills people and that's one of the things that we tirelessly fight through this particular coalition, because it is stigma that prevents people from getting the appropriate help that they need."

**Commissioner Norton** said, "And it's interesting, we can talk about diabetes and heart disease and health issues and mental health issues, whether it be depression or any of that, we tend to hide that for some reason."

**Ms. McGinness** said, "Yeah. That's exactly right and that's why that message needs to get out, because we do, we are very okay with talking about diabetes, and I often compare that with depression because they are both medical conditions that have a biological basis and can be treated. Thank you very much."

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

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

**Commissioner Welshimer** said, "I just think about the families that have to recover from something like that and so that broadens that injury..."

**Ms. McGinness** said, "Yes."

**Commissioner Welshimer** said, "...so the more we can prevent, the better."

**Ms. McGinness** said, "Yes. Thank you. And that's so true, when a suicide occurs; it's not just even the immediate..."

**Commissioner Welshimer** said, "No."

**Ms. McGinness** said, "...family that is affected by that. The repercussions and the ripple that goes out, in fact, almost everybody that you know can tell you someone in their lifetime who has completed a suicide death. Thank you very much."

**Chairman Parks** said, "Thank you. We have to call the vote now. We have a motion and a second to accept the proclamation."

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**VOTE**

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

**Chairman Parks** said, “Next item.”

**B. PROCLAMATION DECLARING SEPTEMBER 2009 AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH.**

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

**PROCLAMATION**

**WHEREAS;** this year’s theme, “Join the Voices for Recovery: Together We Learn, Together We Heal,” emphasizes the need to use all available resources in our communities and on the internet to educate people about individuals with substance use disorders and provide support to those close to them; and

**WHEREAS;** treatment and recovery improve the community’s welfare and provide a renewed outlook on life for those who struggle with substance use disorders; and

**WHEREAS;** in 2008, 3,600 adults and 539 adolescents were admitted into alcohol and drug treatment in Sedgwick County; and

**WHEREAS;** research shows that substance use disorders are medical conditions that can be effectively treated. Yet studies have consistently found that successful recovery for many suffering from substance use disorders is impeded by the general public’s misconceptions about the disease and treatment; and

**WHEREAS;** healthcare providers, employers, local policy makers and this community need to continue to expand their knowledge about how substance use disorders can resonate throughout our

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community and how education is essential to overcoming these misconceptions and achieving long-term recovery.

**NOW, THEREFORE, BE IT RESOLVED**, that Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim the month of September 2009 as:

### **‘National Alcohol and Drug Addiction Recovery Month’**

and call upon the residents of our community to ‘Join the Voices for Recovery; Together We Learn, Together We Heal.’

“And it’s dated September 2, 2009, and signed by our Chairman, Kelly Parks.”

### **MOTION**

Chairman Parks moved to adopt the proclamation.

Commissioner Unruh seconded the motion.

**Chairman Parks** said, “We do have...”

**Ms. Zukovich** said, “Commissioners, we do have Tom Pletcher here from COMCARE to receive the proclamation.”

**Mr. Tom Pletcher**, Clinical Director, COMCARE, greeted the Commissioners and said, “On behalf of the many treatment programs in Sedgwick County, I do want to take this opportunity to thank you both for this proclamation and for your support for alcohol and drug addiction recovery. We recognize that substance abuse problems touch everyone; employers, schools and training programs, families, in addition to the demands placed on our law enforcement and judicial systems. Addiction is a preventable and treatable disease.”

“We would like the public to understand both the nature of addiction and how recovery is, in fact, possible, as only then will individuals feel free to seek treatment. Stigma is an awesome barrier for people who are facing this issue, and in fact, keeps them from seeking the treatment that would be beneficial to them. We know that with treatment, many people can regain control of their lives and function as contributing members of the community. On behalf of those individuals and families who are suffering from the disease of addiction, the professionals providing treatment and all of the lives in our community that are impacted by it, I do want to thank you again for your recognition of ‘National Alcohol and Drug Addiction Recovery Month.’ For a bit more personal perspective on

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this, I would like to introduce Josh who would like to spend just a moment or two to tell you a little bit about his story.”

**Mr. Josh S.**, private citizen, greeted the Commissioners and said, “I’m a recovering alcoholic and addict. I started drinking when I was about 12 years old. I was diagnosed bipolar when I was eight, drank when I was 12 and just kind of continually got worse and worse as time went on. I received my first DUI (Driving Under the Influence) when I was 18, my second DUI when I was 20, my third DUI when I was 23. I still didn’t learn. I just kept drinking and drinking and drinking and I had a brief period of drug use between 18 and 20 years old. When I was 27 years old, I received another alcohol-related charge and I walked in the courtroom and I told Judge Knowles in Stevens County, Kansas, ‘Send me to prison, I’m tired of this. I can’t do it.’ I’ve tried the Marine Corps, that didn’t straighten me out. I tried everything I could; 19 treatments, nothing. So I told him to send me to prison. He sent me to prison in Lansing, Kansas, thinking I was going to go to a minimum [security] camp and I went to max [maximum security] camp because of me being bipolar. I got in there and got on medication again and got sober in prison.

“When I got out of prison, I had no place to go. I could have went home to my parents, as I grew up in a good family, but I chose Sedgwick County. I come to Sedgwick County and the first place they got me was COMCARE, as soon as I got out. And I got on my medication and got right. Got me a job; I got out on a Friday; I got my job on Monday. I was a new person this time, went to a halfway house, didn’t sit around, I started going to meetings, really busting my butt to get after this. I stayed sober for about six months and then I started drinking again and I received my fourth DUI. On the fourth DUI, I went to court here and they gave me work release. I went to work release, got out of my work release stuff and then that gave me the Senate Bill 67, which is a parole issued, you had to go to treatment for a year, so I went back to COMCARE and I was going to treatment twice a week to begin with. If it wasn’t for the COMCARE here, for two reasons, to get my mental part back and get my drinking and stuff under control, it was out of control, but I was ready to quit. When I came here, you all gave me an opportunity that nobody else has gave. I can’t thank you all enough for the COMCARE stuff you have here in Sedgwick County. That’s pretty much in a nutshell. I mean, that’s the facts I can tell you.”

**Chairman Parks** said, “First thing I’ll say is hi, Josh.”

**Mr. S.** said, “Hello.”

**Chairman Parks** said, “And you know those support groups and those meetings that you go to are very important. You are probably going to be going to those the rest of your life...”

**Mr. S.** said, “Yes, sir.”

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**Chairman Parks** said, "...as we well know. Certainly keep in contact with your sponsor and keep going to those meetings and keep spreading the word that there is help out there. Commissioner Norton."

**Commissioner Norton** said, "Well Josh, we're with you. You know, all of us have those demons that we have to fight in some ways and yours were pretty tough, but congratulations for hanging with it and using the services that we have to help you restore your life. You look pretty healthy and happy to me and that's really good news. It tells the story about how hard our staff and our community works to make everybody a productive citizen that can pursue happiness."

**Mr. S.** said, "Yes, sir."

**Commissioner Norton** said, "So thank you for coming and telling us that story today."

**Mr. S.** said, "Thank you."

**Commissioner Welshimer** said, "Thank you."

**Chairman Parks** said, "Commissioner Peterjohn."

**Commissioner Peterjohn** said, "I would just like to add, Josh, I've been told, it's never been a problem for me, but for many folks to speak in public is one of the most challenging things that anyone has to do. And to get up and talk at a public meeting like this, in a public way, I am delighted that you had that strength and courage today and I hope you continue that in the days, weeks and years to come. Thank you."

**Mr. S.** said, "Thank you."

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

**VOTE**

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

**C. PROCLAMATION CELEBRATING CHENEY'S 125<sup>TH</sup> YEAR ANNIVERSARY.**

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**Chairman Parks** said, “We’re going to do things a little bit differently here. We’re going to allow the Commissioner whose district Cheney is in to read this proclamation this morning and I think that’s very appropriate.”

**Commissioner Peterjohn** said, “Thank you, Mr. Chairman. I have a proclamation:

**PROCLAMATION**

**WHEREAS;** the City of Cheney is celebrating their 125<sup>th</sup> anniversary as a city this year and held a grand celebration the last weekend in August; and

**WHEREAS;** the City of Cheney began its origins and development in 1884 and was named after Benjamin Price Cheney, a railroad official; and

**WHEREAS;** the City of Cheney is a growing and vibrant town located 20 miles west of Wichita near U.S. Highway 54 and is home to over 2,200 Sedgwick County residents; and

**WHEREAS;** the City of Cheney is both agricultural and suburban and features an active community with people of all ages and maintains a comfortable small-town atmosphere; and

**WHEREAS;** the City of Cheney continues to thrive with enrichment opportunities, maintains a quiet, relaxed pace for families, promotes business and residential growth, and is host to the Sedgwick County Fair every year.

**NOW, THEREFORE, BE IT RESOLVED,** that I, Kelly Parks, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim 2009 as the

**125<sup>th</sup> Anniversary of the City of Cheney**

and encourage all citizens to visit this historic city in our county and celebrate all that Cheney has to offer.

“I’ve read the proclamation and would like to make a motion if I can do it from here.”

**Chairman Parks** said, “You may.”

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**Commissioner Peterjohn** said, “Okay.”

**MOTION**

Commissioner Peterjohn moved to adopt the proclamation.

Chairman Parks seconded the motion.

**Chairman Parks** said, “And Randy Oliver, the City Administrator, if you’d like to say a few words, Randy.”

**Mr. Randy Oliver**, City Administrator, City of Cheney, Kansas, greeted the Commissioners and said, “On behalf of the City of Cheney, thank you for the proclamation. I will distribute this to the council meeting on September 10 and it will be read aloud there. Thank you.”

**Chairman Parks** said, “Thank you. We’re going to have a few moments here to allow Commissioner Peterjohn to get back so he can in fact vote for his own motion that he made. We waited on you.”

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

**Chairman Parks** said, “Call the vote.”

**VOTE**

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

**NEW BUSINESS**

**D. AMEND THE 2009 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCREASE FUNDING FOR EMS POST 3.**

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### VISUAL PRESENTATION

**Mr. Pete Giroux**, Principal Analyst, Budget, greeted the Commissioners and said, “This morning I have one CIP (Capital Improvement Program) amendment for your consideration. Facility Project Services (FPS) has requested an amendment to increase the project budget for the replacement of EMS (Emergency Medical Services) Post #3. This project was originally approved as part of the 2008 CIP and replaces a facility that’s been leased by Wesley Hospital near 21st and Woodlawn. EMS has used part of that facility at no cost for the last 20 years since they were moved off the Wesley campus as renovations occurred. As part of this project, land for the new facility was acquired in July of 2008 on the northeast corner of Central and Chautauqua, and that’s well located relative to EMS demand. If you know where that location is, it’s just west of Wesley Hospital.

“The project bid in March of this year and the bidding was quite competitive with nine contractors submitting bids. Unfortunately, all nine bids exceeded both the architect’s estimate and the remaining project budget. As a first step, staff met with the low bidder and attempted to apply value engineering to the project to see if they could get within the project budget. They were unsuccessful at doing so, without changing the scope of the project, so that meant the project would need to be rebid. Analysis by staff and our architect following the bid found the following factors were major contributors to the difference between the estimates and the bids. First, there were added requirements on the site, which are not unusual, needed to obtain the building permit; they included a fire hydrant and revisions due to an undiscovered easement. Together, they totaled about \$42,000. More significant were omissions from the architect estimate that included overhead and profit for the contractor and subcontractors. They typically run in the neighborhood of about 10 percent.”

**Mr. Giroux** continued, “And finally, the project as bid included a pre-engineered structure on the site for Wesley ambulances. The cost of this, which originally planned to be reimbursed over time by Wesley, in consideration for that 20 years of support at the old location. The design has now been revised at no additional cost to the county and the value engineering changes have been incorporated. Other changes included separating the bid for the structure for the Wesley ambulances by making it a bid option, and that means it will be funded solely by Wesley. And we have also restored our normal five percent contingency within the project. The requested increase to allow the project to go back out for bid is \$177,412; that makes the revised project total \$1,058,654 and we propose to fund that increase from two recently completed projects. The first is the 2005 roof replacement project and the second is the renovation of the sprinkler system in the Adult Detention Facility and we will return any residual equity back to the general fund after we have done that. Staff and the CIP Committee have reviewed this request in some detail and recommend your approval. Do you have any questions?”

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**Chairman Parks** said, "I am going to be supportive of this essential service, but it was not without much staff discussion on one-on-one meeting. I just had one other question of you. Back to the, you say that anything that's left over is going to go back to the general, not to the CIP?"

**Mr. Giroux** said, "And that's our normal practice, it's returned to the source fund. If it was, say from the Fire District, which of course is a separate tax entity, then it goes back into the fire fund. But normally, this project was funded out of the general fund and we put that residual equity back when the project is complete."

**Chairman Parks** said, "Okay."

### MOTION

Chairman Parks moved to approve the amendment to the CIP.

Commissioner Welshimer seconded the motion.

**Chairman Parks** said, "We have a motion and second. Commissioner Peterjohn. Discussion."

**Commissioner Peterjohn** said, "Thank you, Mr. Chairman. Mr. Giroux, could you give us an idea, in terms of what the dollar differential between what had been originally outlined and the amount that has currently been bid with the changes? I understand that, like the Chairman said, there have been a lot of staff discussions, but I understand part of the cost increase is due to some unexpected requirements involving an easement."

**Mr. Giroux** said, "The surveyors did their normal due diligence and this easement was undiscovered, it may not have been properly recorded. That amounted about \$24,000 and the other requirement that, as we went through the permitting process, was that the fire hydrant and that was about \$18,000."

**Commissioner Peterjohn** said, "Thank you."

**Chairman Parks** said, "Those are critical, essential things..."

**Mr. Giroux** said, "You bet."

**Chairman Parks** said, "...to take care of. Commissioner Welshimer."

**Commissioner Welshimer** said, "You've been trying to solve this problem for a long time, seems to me we first started talking about this almost a year ago, is that right?"

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**Mr. Giroux** said, "I'm getting lots of head nods, I'd agree with that."

**Commissioner Welshimer** said, "Okay. Well, I think it's an excellent location and I'm going to be very supportive."

**Mr. Giroux** said, "It did take a little bit of time to find that location..."

**Commissioner Welshimer** said, "Yes, it did."

**Mr. Giroux** said, "...and again, it's well located, at least that's what EMS tells me, relative to their demand amounts."

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

**Commissioner Unruh** said, "Thank you. I just want to make the comment that I'll be supportive of this item. It appears that we've retraced our steps and done all that we can to make sure that we are getting value for the cost of this new capital improvement and we've all decided some time ago that the move is necessary, this is the right location. So I'm going to be supportive knowing that we have thoroughly investigated the possibilities of saving money and this is what it's going to cost us and we need to go forward."

**Mr. Giroux** said, "I think our expert staff would all wholeheartedly agree with that."

**Commissioner Unruh** said, "Thank you."

**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, "Thank you."

**E. DEPARTMENT OF HEALTH.**

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**1. CONTRACTUAL AGREEMENT TO SUPPORT PROVISION OF TUBERCULOSIS (TB) SERVICES TO THE INDIGENT POPULATION.**

**Ms. Claudia Blackburn**, Director, Health Department, greeted the Commissioners and said, “The Agenda item before you is an agreement with the Kansas Department of Health and Environment (KDHE) for \$14,000 to support the TB (tuberculosis) control program. As you know, TB is a disease that is spread through the air from person to person, and it normally affects the lungs, but it can affect other parts of the body as well. Our program is responsible for diagnosing and treating tuberculosis and taking care of people that have active, infectious disease and also people who are infected but not infectious; that means they can’t communicate it now to other people but they run the risk of, at some point in their life, becoming infectious. For certain people that are infected, they take drugs for six to 12 months to take care of that infection so they don’t become infectious later in life. We currently have four active cases and that is compared to 16 for all of 2008, so that’s good news and we have a hundred people who are on preventive therapy, those are the people that are infected. This grant is used to contract with the KU (University of Kansas) School of Medicine for medical x-ray services for people who don’t have health insurance, don’t have a way of paying for the services themselves. And this grant also includes some funding for operating supplies. There is no match required and the grant runs from July 1 of 2009 through June 30 of 2010. We have had this grant for many years; it is a thousand dollars less this year than it was last year, but it’s still very helpful to us. I recommend that you approve this agreement and authorize the Chair to sign and I’d be happy to answer any questions.”

**Chairman Parks** said, “There are a couple questions. Let’s go ahead and do the motion and second first. Do we have a motion and a second on this item?”

**MOTION**

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

Commissioner Peterjohn seconded the motion.

**Chairman Parks** said, “Have a motion and second. We have further discussion. As you know, in the past I get contacted. The website must be doing a wonderful job out there of getting the Agenda out and to the people and there’s more and more people reading their emails on these things. The term ‘population,’ one of the new people that contacted me about this, back to ‘citizenry’ instead of ‘population,’ and I guess his concern was he would like to ask if the County Health Department could track the number of citizens versus illegal immigrants or non-citizens that we do treat. If they’re living here, you know we need to treat them. We don’t want that disease spread throughout.

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But that was just a question, or maybe it's a comment, that if we could track that to see, at the end of the program, how many were citizens versus just a population."

**Ms. Blackburn** said, "We don't do that currently. We don't actually distinguish. We just, you know, if somebody is infected, we treat them, because it's a risk to everybody."

**Chairman Parks** said, "Sure. Okay. And Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Thank you, Mr. Chairman. The questions I have, I would like to begin with, the backup documents indicate that this will be the first of two grants requests that will come before the Commission, can you give us a ballpark idea of when the second one will come in and if it's also smaller than what we had received from the state last year, if it's a continuation grant?"

**Ms. Blackburn** said, "The other one is for \$70,000 and I don't know yet. I'm not sure if that has come around this year or not. If not, it should be coming soon..."

**Commissioner Peterjohn** said, "Okay."

**Ms. Blackburn** said, "...and I can find out the exact dates for you."

**Commissioner Peterjohn** said, "The reason I am particularly interested is, obviously, tuberculosis is one of the chronic diseases that we've got to fight in our community and with so much news attention tied in with the H1N1, and please note everyone out there that I am saying H1N1, we're definitely not calling it 'swine flu' and I hope people will call it by its correct name. But people who have chronic health problems are more susceptible to, whether it's the regular flu or this new flu, I believe, and I was interested in any insights you could share with that because I saw some news reports today that as large a percentage as one percent of the students up at KU, over 300 students, may have come down now with H1N1. I was interested, in terms of how that would interact with chronic disease conditions like tuberculosis?"

**Ms. Blackburn** said, "Well, somebody that has active tuberculosis is compromised and would probably be more susceptible to any kind of virus or bacteria that comes around, so that is why it's really important for us to make sure that people that are infected and actively communicating the disease are treated and that we are monitoring their treatment for a good year. Because once they start treatment, we want to make sure that they finish. If they stop treatment midway, they run the risk of developing a resistant strain of tuberculosis that can then be communicated. If you're asking about whether or not people with TB are more susceptible to H1N1, probably so. They're more

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susceptible to a lot of things, including HIV (human immunodeficiency virus); and people that have HIV are more susceptible to TB.”

**Commissioner Peterjohn** said, “Well, I was interested because, obviously, from a public health point of view, we are going to have a challenge with the flu season this year, with cases already starting at the end of August before we get into the normal cooler, really cooler weather. I was particularly interested, in terms of how this might have impacts on, not only the tuberculosis folks, but all the folks with chronic health problems in our community?”

**Ms. Blackburn** said, “Yeah. We are concerned about people that have underlying medical conditions, such as diabetes, or asthma, or any kind of lung disease, heart disease who get infected with H1N1, the novel 2009 H1N1 virus, which is circulating in the community right now and we want those people, if they become ill, to contact their physician, especially if they’re under the age of 65 and even over the age of 65. Those people are at greater risk of complications and should be in contact with their physicians to see if they need treatment.”

**Commissioner Peterjohn** said, “Thank you, Mr. Chairman.”

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

**Commissioner Welshimer** said, “Claudia, I am interested in what is the treatment for tuberculosis, is it antibiotics?”

**Ms. Blackburn** said, “Yes.”

**Commissioner Welshimer** said, “You watch them over a year’s time...”

**Ms. Blackburn** said, “Yes, people that have the infection that are not communicating the disease take medications every day for six to nine months. Then people that actually have active disease take other medications for up to a year.”

**Commissioner Welshimer** said, “Is this a special type of antibiotic or is it an antibiotic you would take for other things?”

**Ms. Blackburn** said, “I don’t have the list in my head, but they’re different. They’re different antibiotics.”

**Commissioner Welshimer** said, “Okay.”

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**Ms. Blackburn** said, "They're not what you normally take for other things."

**Commissioner Welshimer** said, "Well, if you take them for a period of year, I would think they'd be something out of the normal range of antibiotics that we take for infection and that sort of thing."

**Ms. Blackburn** said, "Yes. The main thing though is to make sure that they're actually taken every day and whatever the regiment is, that it's followed very closely."

**Commissioner Welshimer** said, "Okay. Thank you."

**Ms. Blackburn** said, "You're welcome."

**Chairman Parks** said, "Any further comment or questions? Seeing none, call the vote."

**VOTE**

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

**2. GRANT APPLICATION TO THE SUNFLOWER FOUNDATION FOR CREATING A CULTURE OF QUALITY IMPROVEMENT (QI).**

**Ms. Blackburn** said, "Commissioners, as we move towards voluntary accreditation of the local public health departments, an emphasis has been placed on using a QI (quality improvement) process to improve our performance of the essential public health standards. The requested funding is for \$15,853 for a 14 month period beginning September 18 of 2009 and ending in December of 2010, and if we receive this funding it will be used to train our program managers on the quality improvement process and provide technical assistance and then we'll be training the staff as well in developing a quality counsel that will then monitor, help us identify, other issues that we can focus on for quality improvement and institutionalize the process within the health department. There is a 10 percent match required and it has been identified in our current budget, so we're not requesting

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additional funding for this. The match funds will be used primarily for training, supplies and materials. I recommend that you approve this grant application and authorize the Chair to sign and I'd be happy to answer any questions. I also have Sonja Armbruster here, who actually wrote the grant, so she has details."

### MOTION

Chairman Parks moved to approve the grant application and authorize the Chair to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as the application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Welshimer seconded the motion.

**Chairman Parks** said, "Have a motion and second, any further questions or do we need to hear more from Ms. Armbruster?"

**Ms. Blackburn** said, "I think we're good, thanks."

**Chairman Parks** said, "Commissioner Peterjohn."

**Commissioner Peterjohn** said, "If I could ask a question. Is there an ISO (International Organization for Standardization) standard for the quality improvement plan that we're working under? I know that there are some of these standards that are set up nationally, in fact I've worked in industry where that was part of a national trend."

**Ms. Blackburn** said, "I'm not familiar with one, but Sonja? Not that I know of, but if you have information that you think would be helpful for us as we move through this process, we'd certainly appreciate it."

**Commissioner Peterjohn** said, "Okay. Thank you."

**Chairman Parks** said, "Seeing no further comments or questions, call the vote."

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye

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Chairman Parks

Aye

**Chairman Parks** said, "Thank you. Next item."

**F. DIVISION OF HUMAN SERVICES.**

**1. AGREEMENT WITH SOUTH CENTRAL MENTAL HEALTH COUNSELING CENTER FOR COMCARE TO PROVIDE INPATIENT AND PREADMISSION SCREENS.**

**Mr. Pletcher**, said, "The contract before you is an expansion of our current contract with South Central Mental Health Counseling Center, the community mental health center covering Butler County. This allows us to conduct after-hours inpatient preadmission screens to Butler County residents when they are in Sedgwick County, and such a screen is needed to determine the appropriate level of treatment for that person. COMCARE currently does all of these screens for Sedgwick County residents and this agreement formalizes the process by which Butler County residents might be screened, when they are present here in our county."

**Mr. Pletcher** continued, "Past history would suggest that this will involve five or six screens each month, as such, that we would be able to cover this demand with current staff members. We do receive payment for the time spent in completing these screens and as well as a monthly administrative fee to cover additional tasks that are required, such as phone calls to South Central, filing of paperwork and any billing that needs to occur. We believe that these fees collected will fully cover these administrative tasks involved. We would recommend that you approve the agreement, authorize the Chairman to sign and authorize the necessary change in budget authority. I would be happy to answer any questions that you might have."

**Chairman Parks** said, "What's the will of the Board?"

**MOTION**

Commissioner Welshimer moved to approve the agreement, authorize the Chairman to sign, and authorize the necessary change in budget authority

Commissioner Unruh seconded the motion.

**Chairman Parks** said, "Motion and a second, Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes, just a statement for the record, I'm always very concerned about Sedgwick County tax funds being spent outside Sedgwick County, so I

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appreciate your assurance that this is going to be fully paid for and county tax funds will not be spent, basically providing services for residents outside of Sedgwick County.”

**Mr. Pletcher** said, “That’s correct, yes.”

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

**Chairman Parks** said, “Thank you. Seeing no further action, call the vote.”

**VOTE**

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

**Chairman Parks** said, “Thank you. Next item.”

**2. AGREEMENT WITH UNITED METHODIST YOUTHVILLE TO PROVIDE COMMUNITY PSYCHIATRIC SUPPORT AND TREATMENT AND INDIVIDUAL PSYCHOSOCIAL REHABILITATION SERVICES.**

**Mr. Pletcher** said, “Commissioners, this agreement is essentially similar to other agreements that COMCARE has with community partners to deliver certain community based services. United Methodist Youthville (UMY) has developed a specific program designed to address the unique needs of youth who have experienced a traumatic event. In this case, it will target those youth who have experienced such an event or multiple foster care placements. This is a collaborative effort with COMCARE, as we work jointly with them on the treatment teams and will participate in the relevant training for this program. Community psychiatric supportive treatment and individual psychosocial rehabilitation services help reduce the need for psychiatric hospitalization or placement into a more restrictive setting due to the youth’s emotional condition or their behavior. This agreement will allow UMY to deliver these services to the youth in that program. The caseload of children receiving such services will not exceed 30 at any given time. All services are authorized by COMCARE through the youth’s treatment plan and will target one or more of the treatment goals specified in that plan. Medicaid is the payer for these services. We would recommend that you approve the agreement and authorize the Chairman to sign. Again, I would be happy to answer any questions that you might have.”

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**Chairman Parks** said, "Just as a matter of fact and a little bit of a correction, Tom Pletcher is standing in for Marilyn Cook..."

**Mr. Pletcher** said, "Yes."

**Chairman Parks** said, "...on these items. What's the will of the Board?"

### MOTION

Commissioner Welshimer moved to approve agreement and authorize Chairman to sign.

Chairman Parks seconded the motion.

**Chairman Parks** said, "Commissioner Peterjohn."

**Commissioner Peterjohn** said, "I do have a question. This is a six month agreement?"

**Mr. Pletcher** said, "That's correct."

**Commissioner Peterjohn** said, "I was curious about the duration on that since it would begin July 1, I'm always concerned when we are doing these things a bit retroactively. If you could provide any more information, I'd certainly appreciate it."

**Mr. Pletcher** said, "Sure, I'd be happy to. This agreement has actually been in process for a considerable period of time this year; from the initial development early this spring, when we anticipated being able to start the program at July 1 and allowing with plenty of leeway. The discussions between UMY and the county, COMCARE went on as we worked out specific details about this; arrangements for the locations of staff and so on, and the contract actually sat and was being reviewed on their part for some time and we just recently received that back with their approval to be able to move forward for that. The time frame for it is geared so that we can look at all of our community partners and the community based rates for the services that are being delivered as we begin this next fiscal year starting on January 1, that way we can address all of these at one time as we enter into that particular point, rather than having them staggered throughout the year where people might be receiving different conditions under their contract. So this just brings that in line with our other agreements that have also been established to be renewed starting January 1."

**Chairman Parks** said, "Does UMY operate on a fiscal year or a calendar year?"

**Mr. Pletcher** said, "I couldn't answer that, I'm sorry."

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**Chairman Parks** said, “Okay. Well I just wondered if that had anything to do with some of the state cuts and a lot of times that we went right up to July 1 on a lot of those items, so...”

**Mr. Pletcher** said, “Yes.”

**Chairman Parks** said, “...to kind of dovetail into some of the things that Commissioner Peterjohn said, just wanted to make sure that that wasn’t something that we were awaiting state action on, so thank you. Any further discussion? If not, call the vote.”

**VOTE**

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

**Mr. Pletcher** said, “Thank you.”

**Chairman Parks** said, “Thank you, Tom.”

**3. ANNUAL CONTRACT WITH STATE OF KANSAS, DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES, TO PROVIDE DEVELOPMENTAL DISABILITY SERVICES.**

**Mr. Chad VonAhnen**, Director, Community Developmental Disability Organization (CDDO), greeted the Commissioners and said, “Our first item for you today is our annual contract with SRS (Social and Rehabilitation Services) and this is an agreement that all 27 CDDOs meet with SRS throughout May and June to come to an agreement on what the annual contract will be. The majority of this contract is the same as last year. It continues to have a focus on how to effectively work with individuals with challenging behaviors and also a focus on trying to encourage individuals to pursue competitive employment when that is possible. The most significant change in this contract from last year has to do with the funding. Our contract for state fiscal year 2010, the

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total dollar amount is \$41,057,269; that represents a loss of \$2,250,121 from last year. A portion of that reduction is in a Medicaid waiver allocation to Sedgwick County. This isn't due to any changes in reduction of services for people or in a reduction in the Medicaid waiver rates, what that has to do with is changes in the individual services within that pool of funding. The same number of people will be served in that funding. Our most significant reduction that we are dealing with has to do with state funds. The state's approach to reducing the budget for this year was to reduce areas that are purely state funded. In the areas that we have that are purely state funded, the reduction was almost one and a half million dollars. It came out to 40 percent of state funding. What that really means is there are some people that we have to serve with state funding that are not eligible for the Medicaid waiver. Either they aren't eligible for Medicaid, maybe possibly due to the family income being too high for the child to be eligible for the waiver or possibly their level of scoring on the tier system that the developmental disability system uses doesn't reach the point where they would be eligible for the Medicaid waiver."

**Mr. VonAhnen** continued, "An example of a person that you would see that's served in this grant funding is, one agency talked to us about an individual that they work with that was homeless living under a bridge, he was able to receive services through the grant funding. In the last year, we had 123 people receiving day services through grant funding, 98 in residential services and 222 families received some type of financial support that helps them with their disabled child. In the past few months, we have been working with our providers here in Sedgwick County to develop a way to address these cuts that minimizes the impact to individuals and minimizes the impact to the system as much as possible, but with reductions of this amount, there will obviously be changes in how we deliver services in Sedgwick County. And those changes will be, I will walk through those when we do the affiliate agreements in the next Agenda item. This contract is on the state fiscal year, which is July 1 [2009] through June 30, 2010. The reason for the delay is there has been much debate and discussion in the last month and a half on how the reductions would be distributed across the state and we just received the contract in late August. I would suggest that you take the recommended action of approving the contract, authorizing the Chairman to sign and authorize budget adjustments related to this contract. I'd be glad to answer any questions."

### MOTION

Chairman Parks moved to approve the contract and authorize the Chairman to sign and authorize budget adjustments related to this contract.

Commissioner Welshimer seconded the motion.

**Chairman Parks** said, "We have a motion and second. Any further questions? I think you were very comprehensive and answered one of my questions during your presentation there, Chad, so thank you very much."

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**Mr. VonAhnen** said, "Okay."

**Chairman Parks** said, "Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes, thank you, and I second the Chairman's comments, but I'd appreciate a little bit more clarification, in terms of backup information we had indicated that the total amount you mentioned was a little over \$41 million, the local portion that's contained in the backup information is about \$3.5 million, was that \$2.25 million reduction out of that, was it originally \$43 million and something last year?"

**Mr. VonAhnen** said, "Yeah."

**Commissioner Peterjohn** said, "I guess that would be my question."

**Mr. VonAhnen** said, "Yes, \$43 million would have been the total allocation to Sedgwick County. The CDDO manages the waiver portion of the contract, but Sedgwick County doesn't actually see those funds flow through the county. So for the 2010 contract, the waiver amount that we will manage as the CDDO is a little over \$37 million, but we won't see, as the county, won't come through our financial system, we work with agencies to approve their access to bill those funds from Medicaid."

**Commissioner Peterjohn** said, "So my understanding is \$3.5 million of that funds would flow through to the county, correct?"

**Mr. VonAhnen** said, "From the state, correct."

**Commissioner Peterjohn** said, "Yes. Can you tell me how that's different from last year?"

**Mr. VonAhnen** said, "That's a reduction of, in the state only funding, which would be two portions, there are four different funding sections to our contract, one is the Medicaid waiver and that's the \$37 million that we allow access to and manage the access to, then there are two areas that are state funded that pay for, one pays for individual services, those day and residential and family support services I referenced previously, the other is a discretionary pool that CDDO areas are allowed to use in any way they see fit, we have always used that funding to go back out to providers. Some other areas use that to manage their CDDO and for the operation of their CDDO, we don't do that. That all goes back out to providers. Those two components are purely state funded. The reduction in those two areas was the \$1.46 million from last year. The fourth component is funding from the state, that's a federal and state mix, for the administration of the CDDO and those funds can only be used for the CDDO, that, actually, we have an increase from

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last year of about \$40,000. The increase is due to the allocation method from the state of the number of people in each CDDO area and our CDDO area grew last year, so we have an increase in funding for the administration of the CDDO.”

**Commissioner Peterjohn** said, “Okay. My next question, and obviously you alluded to it because it’s the next item on the Agenda, Rainbows is not on the list, on this list of 60 some agencies that we are going to be talking about here very shortly. Is this basically, in terms of monitoring and the information we get from this agreement, I am getting the cart in front of the horse a bit, let me...”

**Chairman Parks** said, “We might want to discuss that in the next item.”

**Commissioner Peterjohn** said, “Yeah, I’ll...”

**Mr. VonAhnen** said, “There are a couple changes that differ from the other agreements that we will go through...”

**Commissioner Peterjohn** said, “Okay.”

**Mr. VonAhnen** said, “...in terms of Rainbows.”

**Commissioner Peterjohn** said, “I’ll withdraw that and bring it up at a later time. Thank you.”

**Chairman Parks** said, “Okay. We have a motion and a second. Seeing no further discussion on this, let’s call the vote.”

**VOTE**

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

**4. ANNUAL AFFILIATION AGREEMENTS (65) WITH QUALIFIED PROVIDERS OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITY SERVICES.**

- **Accessible Home Health**
- **Advacare**

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- **Advocate Care Services, Inc.**
- **Afford-A-Care**
- **Agape**
- **Arrowhead West, Inc.**
- **Assist, LLC.**
- **Assisted Services, Inc.**
- **Bethesda Lutheran Homes & Services, Inc.**
- **Broadway Home Medical**
- **Catholic Charities of Northeast Kansas**
- **Catholic Charities, Inc. Adult Day Services**
- **Cerebral Palsy Research Foundation of Kansas, Inc.**
- **Consumer Directed Services, Inc.**
- **Cory's Dream**
- **Dependable Assisted Living, Inc.**
- **Dream Catchers Case Management, Inc.**
- **Envision**
- **Goodwill Industries Easter Seals of Kansas, Inc.**
- **Heart of Care Agency, LLC**
- **Home Healthcare Connection**
- **Hortencia Granado**
- **House of Hope, Inc.**
- **In Sync Home Health, Inc.**
- **Independent Guardian LLC**
- **Independent Living Resource Center, Inc.**
- **Individual Advocacy, LLC**
- **Interim HealthCare of Wichita, Inc.**
- **Joshua's Care LLC**
- **Jubilee Designs**
- **Kansas Truck Equipment Company, Inc.**
- **KETCH**
- **KVC Behavioral HealthCare, Inc.**
- **Lakemary Center, Inc.**
- **LakePoint Home Health Services**
- **Leticia Aldrete**
- **Life Patterns**
- **Lifespan Care Management Services**
- **Love, Comfort, and Care**
- **New Hope**
- **Paradigm Services, Inc.**

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- **Payroll Plus of Kansas, Inc.**
- **People First Employment and Residential Services**
- **Personal Support Services**
- **ProActive Home Health Care Services**
- **Progressive Home Health & Hospice**
- **Res-Care Kansas, Inc., Life Choices**
- **Saint Raphael Direct Care**
- **Saint Raphael Home Care, Inc.**
- **Special Care Services, Inc.**
- **Special Needs Billing LLC**
- **Starkey, Inc.**
- **Sullivan Gang Care Center**
- **TFI Family Services, Inc.**
- **Taylor Drug**
- **The Arc of Sedgwick County**
- **The Looking Glass**
- **The Right Thing, Inc.**
- **TKG Services, LLC**
- **Topeka Independent Living Resource Center**
- **Trust Home Care**
- **TSS, Inc.**
- **VSD Services**
- **Wichita Lifeline, Inc.**
- **Youthville, Inc.**

**Mr. VonAhnen** said, “Commissioners, this is our annual agreement between the CDDO and 65 of the 66 affiliates that we contract with, and as Commissioner Peterjohn alluded to, we will take the Rainbows United contract separately. CDDO is required to affiliate with any provider that meets SRS criteria and is selected as a provider of choice by an individual eligible for services. The total number of people that we have eligible for services right now in Sedgwick County is 2,266 people, and that is 138 more than last year. That number is given at the halfway point of this year, so I would imagine we can expect more before the end of the year. These agreements allow providers to receive either state or Medicaid funding on a fee for service basis and county funding is also distributed through this agreement with providers, and the agencies that receive county funding agree to do things above and beyond their state requirements. There are three key changes from last years’ affiliate contract. The first one is that we have changed the requirement for notice for an agency to discontinue a service from 60 days to 90 days, and that was due to concern about an agency that decides to stop serving a large number of people and the time that it would take to transition those people to a new service provider. All of these items have been discussed with the

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providers in detail over the last couple of months. The second item was a requirement for agencies that receive county funding to administer programs to provide quarterly reports that include three things: the number of individuals they serve in each program, the percentage of funding from Sedgwick County in that program and program outcomes.”

“And the last change is probably the most significant, in terms of how our local system will operate, and that is in what we have called in the past our local finance plan. In the past, it’s been a pool of the county funding along with the state aid funding that we receive in our state contract. Due to the state cuts from last year, we have had to make some changes in that area in order to maintain peoples’ day and residential services for the coming year. In the past, there were four components to that finance plan; two of those areas will be eliminated in this contract. One section was an additional funding for agencies who provide in-home support to people and go into an individual’s home and help with a child or an adult and provide additional services for them there, we used to provide funding if an agency was willing to essentially take a risk that they may serve the person without funding initially. We won’t be able to continue that anymore but we haven’t had to serve a person unfunded for a while. There were four people in the last year, so we think we can do this with minimal impact to individuals. But total dollar amount for that portion of the contract was \$400,000.

“We also will eliminate a section where we funded case management for individuals without Medicaid and that will be effective at the end of December of this year. That portion of the contract was \$265,000. With asking agencies to serve people without Medicaid, we would pay for their case management services, however, when this goes away, the agencies will no longer be required to serve those people, we’re notifying individuals now that they’ll have to enter into either a private pay agreement with an agency or they can use the CDDO as a reference point to answer any questions they have about their services. With those two changes, along with the additional funding from Sedgwick county and the 2010 budget and revenue generated by the department, we’re able to keep the other two sections of the finance plan intact. Those two sections are; one is an area where we contract with providers to increase their capacity in their day and residential programs, in order to serve people in crisis situations who need a placement immediately and the other area that we’re able to remain intact is program funding for children’s programs that are administered by The Arc and Rainbows United, so both of those areas will be able to remain at the same level as last year.

“Again, we have been working with providers to minimize the impact to the system and this plan attempts to do that as much as possible. The impact of the case management change means there will be 305 people that are currently receiving case management, that don’t have Medicaid, that will be needing to make a decision in the coming months on how they’d like to proceed with their

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services. I would suggest you take the recommended action of approving the agreements, authorize the Chairman to sign and be glad to answer any questions on these contracts.”

**Chairman Parks** said, “What’s the will of the Board?”

### MOTION

Commissioner Welshimer moved to approve the agreements and authorize the Chairman to sign

Commissioner Peterjohn seconded the motion.

**Chairman Parks** said, “Motion and a second. I do have some comments and suggestions. The key that you just reported to us on here, one of the key things that I saw was, and correct me if I’m wrong, some agencies have agreed to take cuts or to provide more services for the same amount of money as we have been doing in the past?”

**Mr. VonAhnen** said, “Well, in the past, the section that we have outside of what the normal CDDO and affiliate relationship would be, would be that section that includes the county funding, so what we’ve asked agencies to do in the past is perform above and beyond what their normal expectations would be, and so we have had to look into each of those areas to see what we could eliminate or what we could change to try to keep at least the most services for people intact. So the changes, for example, the case management changes, the people would still have a resource available if they worked through the CDDO, they won’t have a case manager, a person assigned to them, but they will have someone there available to answer questions that they may have. The other portion on the support that we provide for in-home support services, the individuals were already receiving the service, the agency in some circumstances was providing it without a funding source for a temporary time period up front, and that hasn’t happened very frequently lately. That’s something we’ll be monitoring to see what the effect of this change will be.”

**Chairman Parks** said, “Okay. Thank you for clarifying that. Tough times require a lot of adjustments and I am happy to see that these agencies are stepping up to that. Seeing no further discussion, what’s the will of the Board? Call the vote.”

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

### 5. ANNUAL AFFILIATION AGREEMENT WITH RAINBOWS UNITED.

**Mr. VonAhnen** said, “Okay. This is the affiliation agreement with Rainbows United. The majority of this contract is the same as the other 65 that you just approved. As in the other agreements, this allows Rainbows United to receive either state or Medicaid funding for the services they provide. Also, the funding from Sedgwick County would stay at the same level for the programs that they administer. That funding, which is a state and county mix, and still there is a small state portion of the local finance plan for this contract year, would be \$519,800. Rainbows will be affected somewhat by the changes that we just talked about in the two areas that we’ve had to eliminate. The first area in the in-home support section, we’ve paid out ten months of the year, our contracts run September to August. We would pay out the final two months after we get the final billing statements from Medicaid, but that impact will likely be between \$90,000 and \$100,000 for the following year. The other portion that they have provided is the Medicaid ineligible case management function, Rainbows has a high number of individuals that don’t have Medicaid and 123 of the 495 families they serve do not have Medicaid. In this contract the previous year, the 2009 contract, they received \$103,000 for this service, however, they will no longer need to serve that 123 people without a pay agreement, so that will be manageable.

“There are a few items that differ in the Rainbows United agreement from the other agreements. One is that we’ve asked Rainbows United to provide us all of their policies and procedures by the end of September, and this was following the announcement of the bankruptcy. We have also included language that would allow the county to terminate funding for programs with a 60 day notice if there are concerns about risks associated with continuing the contract. Those two items are related to the bankruptcy proceedings. We have been working with Rainbows United, and with other funding partners, to try to determine and work with them on what they feel their long-term viability will be and we’re comfortable with proceeding with this contract in those two areas. The other section that we have added into the Rainbows United contract, that is something that we were working with them on prior to the bankruptcy, is in relation to their case management program. We were notified earlier this year that they were considering terminating their case management program due to ongoing losses in that program; financial losses. Rainbows United is the primary service provider for case management for children, particularly young children. For children 13 and under, they serve 75 percent of the children in Sedgwick County, that’s 391 kids that they serve. And this is not just a Rainbows United issue; this is a system issue in how case management is billed for children. We have been working with SRS and our state association and other providers

## Regular Meeting, September 2, 2009

of children's case management to determine how to make any corrections that may be necessary in how case management for children is billed."

**Mr. VonAhnen** continued, "What the agreement asks for is up to \$75,000 for a nine month period for Rainbows United to continue providing case management. The first half of that \$75,000 would be provided when Rainbows United submits a plan to the CDDO outlining how they could make ends meet and we agree on that plan. The second half would be provided when the plan is actually implemented, and at the end of nine months, we would reconcile the actual losses for the period. If Rainbows decides they're no longer able to provide these services, they will provide a minimum of a 90 day notice in order for us to transition the children to other case management service providers. I suggest you take the recommended action of approving the agreement and authorizing the Chairman to sign and I would be glad to answer any questions, but I would also like to mention that Hale Ritchie is here, and Hale is the Restructuring Officer for Rainbows United and he would be glad to answer any questions as well."

**Chairman Parks** said, "And if you would like to come to the podium and make any comments, that would be appropriate at this time."

**Mr. Hale Ritchie**, Chief Restructuring Officer, Rainbows United, greeted the Commissioners and said, "Obviously, Rainbows is very sorry about the effect that the bankruptcy has had on our various partners. We would like to point out a couple of things. Number one, while the press reported that some kids have been affected by lack of services, we would like to point out that no special needs kids are not getting services. The only thing they are not getting is about, I think two thirds of the kids that have been affected were normally developing kids who were receiving daycare, and they are not receiving daycare. The special needs kids that were in that group are still receiving their services, but just not the daycare portion of the services, but they are still receiving the therapy services they needed. My job going forward is to make sure that this organization is financially viable going forward and to make sure that we stay true to our mission; 'It's all about the kids.' I want to make sure that as we make changes, get more efficient, work our way out of this hole that we have been in, that we do it with the kids in mind and that we do it true to our mission. Your staff has been very helpful, both Debbie and Chad have been very helpful at pulling together meetings with our various funding partners. We pledge that we are going to be open and transparent and honest about exactly where we are, exactly what's going to happen next, exactly what our finances, what shape they're in. We pledge to be transparent on that. We also pledge to stay, as I said, true to our mission; 'It's all about the kids.' And those are really my comments. I would be happy to answer any questions, as long as you don't get too specific on programs because the acronyms are immense and I have been there a very short time. I will throw those to Chad."

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**Chairman Parks** said, “And I certainly appreciate, and reiterating and reinforcing that it is all about the kids, and that’s one segment of the population that we can’t afford to have anybody falling through the cracks on because it’s the kids that can’t take care of themselves and that need the special programs, it’s a critical time and I’m certainly going to be supportive of this action. And there are some checks and balances in there, we are going to come back and look at this later and see how it’s going, so there’s an opportunity for both of us here to serve the special needs kids and be able to go forward and do brighter and better things in the future with Rainbows.”

**Mr. Ritchie** said, “Appreciate that, thank you.”

**Chairman Parks** said, “Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you, Mr. Chair. Mr. Ritchie, I appreciate your willingness to be here today. I would want to say that I think our community has been very proud of the work that Rainbows United has done over the years and we grieve with you over the current circumstances and the trouble that you are going through and I think the community is strongly pulling for you to get this back together, because we see the value of your mission to our community. Can you say anything specific on how your restructuring is moving forward, or is there comments that you might want to make that tells us how you are doing in making progress there?”

**Mr. Ritchie** said, “I think my comments at this point would be that we are working very hard, very diligently on trying to figure out exactly what happened. My focus is more on going forward. We have a team of accountants, we’ve had loaned accountants from several companies in the city as well as the county. We have a county employee named Troy that has been invaluable to us and we appreciate the help that he has been. But those accountants are working diligently to try to put back together our books, to figure out exactly where we are and what happened and they are, I think the best guess right now is that they will be pretty much done doing that by the end of this month, by the end of September. I am focused on making sure that with the cuts we have made and with our budget the way it is, that we are cash flowing going forward to where we can keep providing these services, so my focus is going to be on; can we more efficiently deliver those services and are we in such a place that we will cash flow going forward to where we can deliver those services? I believe both of those are true or I wouldn’t be here.”

**Commissioner Unruh** said, “Well, very good and I appreciate that you and your board is willing to accept some expertise from outside to help you look at that and I would say that Troy is invaluable to us also, but we are happy to lend him to you for this time period. But from your comments, it appears that you are optimistic about the long-term prospects of the success and viability of maintaining your mission.”

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**Mr. Ritchie** said, "I was retired for three and a half years. I came out of retirement to do this and I would not have come out of retirement to do this if I didn't think it could be done."

**Commissioner Unruh** said, "Very good. Well I appreciate your comment and your attitude. Thank you."

**Chairman Parks** said, "Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Thank you, Mr. Chairman. I would second the comments that Commissioner Unruh stated and I very much appreciate you coming down, Mr. Ritchie and giving us kind of an update because obviously, this has been quite a surprise and Rainbows has been a very important part of this community and having a time schedule provided in a sense, in terms of what direction you're moving, I think is very helpful for, I think not only this Commission, but for the entire community."

**Mr. Ritchie** said, "Thank you. The community outpouring of support that I have received, just in telephone calls, has been amazing. It really has."

**Chairman Parks** said, "And you still are 501(c)(3) and accepting donations?"

**Mr. Ritchie** said, "We are, except not during the United Way blackout period."

**Commissioner Norton** said, "Good answer."

**Chairman Parks** said, "Thank you. Any other comments from the Commission? Okay."

**Commissioner Unruh** said, "Do we have a motion?"

**Chairman Parks** said, "We have a motion on this? Don't have a motion yet."

### **MOTION**

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

Commissioner Norton seconded the motion.

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

### **VOTE**

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

**Chairman Parks** said, "Next item."

**6. ADDITION OF THREE BOOKKEEPERS, BAND 17, TO THE SEDGWICK COUNTY DEVELOPMENTAL DISABILITY ORGANIZATION STAFFING TABLE.**

**Mr. VonAhnen** said, "Commissioners, this item, the actual working titles for these positions will not be bookkeepers, that's just the band that we're looking at, the position titles are BASIS (Basic Assessment and Service Information System) assessors. We're requesting these positions, again in relation to the funding cuts we have seen from the state. Each individual who is eligible for services in Sedgwick County, or in the developmental disability system, is required to have an annual assessment that evaluates their level of need and provides a tier level that determines the reimbursement rates that the agencies that serve them will receive. Currently on the CDDO staffing table, there is one BASIS Assessor and the CDDO is responsible for about one third of all assessments in Sedgwick County at this time. The agency administering the assessment can bill for the assessment if the person has Medicaid, so there is a revenue component to providing this service. Currently there are five other agencies that provide the BASIS assessment; most do not generate enough revenue from the assessments that they do to offset the position.

"Consolidating this function to the CDDO would result in a couple of things. First of all, by the CDDO performing the assessment, the benefit is that you have a neutral party doing the assessment that removes any potential conflicts when a provider agency is doing an assessment on a person that they may be receiving a reimbursement rate on. So that's one benefit to this. The other benefit to this for us is that as we work through reductions that we are managing within the system, including the loss of the Medicaid ineligible case management piece of our finance plan, we know that we will have 305 people that will need to make a decision on whether or not they'll receive case management through a private pay agreement or possibly use the CDDO as their resource. These positions would perform both roles; they would be an information and assistance point for individuals that need that and they would also do the assessments for the remaining two thirds of Sedgwick County."

**Mr. VonAhnen** continued, "The funding for the positions would come from the CDDO administration pool of funding that we mentioned earlier. That is one area that we did see an

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increase, actually, in funding from last year. That funding cannot go directly to services for individuals; it has to go to the administration of the CDDO. The state views both of these functions as appropriate roles of the CDDO. In the last state fiscal year, the CDDO had approximately \$175,000 of our state funding allocation unexpended and then we have added in an additional \$40,000 for this year. These funds aren't kept by the CDDO, the state reconciles at the end of the fiscal year, so we can spend up to the allocation, but if we don't, we don't retain any of those funds. The total budget impact for these three positions for one year is \$124,877. This plan, again, was developed with the input from our provider agencies as a way to offset reductions from the state and a way to minimize impact to individual services. Our estimates are that with these positions that we can put \$100,000 back into the system because of the revenue that's generated from them and that funding would go to the two areas that remain in our local finance plan; the funding for children's programs and the capacity component for day and residential programs. I would suggest that you take the recommended action of approving the additions to the CDDO staffing table and be glad to answer any questions on these."

**Chairman Parks** said, "For the sake of discussion, do I see any motion?"

### MOTION

Commissioner Norton moved to approve the additions to the SCDDO staffing table.

Commissioner Unruh seconded the motion.

**Chairman Parks** said, "Motion and a second, maybe this is a better question for the Manager rather than Mr. VonAhnen, but of these three in the increases in the staffing table, if this revenue would happen to dry up from those sources, is there a contingency plan on this?"

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Yes, sir. We have done some of these programs in the past. When they have worked, they have worked well. When they haven't worked, we reduced the staff and gone back to the system that we normally do."

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

**Mr. VonAhnen** said, "If I could add on that, too. There is revenue that's generated by the positions, so that is part of the contingency on that. That's something we have considered is that if the state cuts start to move into those areas that have a federal component to it, that in following years that we can use revenue generated by the positions to offset them."

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**Chairman Parks** said, "And part of that is Medicare, Medicaid, MediKan?"

**Mr. VonAhnen** said, "Those would be Medicaid funds, yeah."

**Chairman Parks** said, "Okay. Thank you. Commissioner Peterjohn."

**Commissioner Peterjohn** said, "Yes, Mr. VonAhnen, could you give me an idea, in terms of you said it would give you the capability, obviously, of doing more assessments, we've got one person doing them at the moment, do you have an idea, in terms of how much increased volume you're anticipating compared to where we have been?"

**Mr. VonAhnen** said, "Well, we are doing about 700 right now out of the 2,200 people, so that would add 1,500 more people into the responsibilities for the CDDO. So right now, we're doing about a third. The reason that we feel that we need three positions is because of the added piece of answering questions, being that referral source for the people that no longer have case management because they were receiving it without Medicaid. So those people will...and the one that does the third of the assessments right now, we have a couple people that act as backups, so while it's not their primary job function, there are a couple of other people that do fill in and perform the assessments as well. So we would look at about a 1,500 individual increase in what we would be doing."

**Commissioner Peterjohn** said, "Thank you."

**Chairman Parks** said, "Seeing no further discussion. I saw you reaching for it, so I didn't know if you wanted to say something..."

**Commissioner Unruh** said, "Well..."

**Chairman Parks** said, "Go ahead."

**Commissioner Unruh** said, "...Mr. Chairman, thank you. All I wanted to say is, Chad, I am glad you're in charge of this. You have done a great job presenting these Agenda items. I know it's complicated, you're faced trying to run your responsibility for Sedgwick County under a lot of challenges, and not just funding from the state, and it looks to me like you are on top of your game. Good job. Appreciate the presentation."

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**Mr. VonAhnen** said, “Thank you. We’re fortunate to have an outstanding staff at the CDDO and also a system of providers that really works for the best interest of all the people and not in a competitive nature, so I think those things really make this a lot easier for me.”

**Commissioner Unruh** said, “Absolutely, thank you.”

**Chairman Parks** said, “And we appreciate all the overtime (OT) that you’re putting in on this, because I know you’re putting in some OT on this, so call the vote.”

**VOTE**

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

**G. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON AUGUST 27, 2009.**

**Ms. Iris Baker**, Director, Purchasing, greeted the Commissioners and said, “The meeting of August 27, results in three items for consideration. First item;

**1. CUSTODIAL SERVICES – AUTO LICENSE  
FUNDING – AUTO LICENSE**

“Recommendation is to accept the proposal from Service Master Clean in a Wink, establish contract pricing and execute a two year contract with three one-year options to renew. Item 2;

**2. INFLUENZA VACCINE – HEALTH DEPARTMENT  
FUNDING SOURCE – HEALTH SCREENINGS**

“And this is the standard flu vaccine for the Health Department and the recommendation is to accept the quote from Sanofi Pasteur, Inc. for an initial purchase of \$67,477.20. And Item 3;

**3. DESKTOP and LAPTOP COMPUTERS – APPRAISER’S OFFICE  
FUNDING – APPRAISER ADMINISTRATION**

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“And the recommendation is to accept the low quote from Dell in the amount of \$32,298.26. I’d be happy to answer any questions and I recommend approval of these items.”

**Chairman Parks** said, “What’s the will of the Board?”

**MOTION**

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

Commissioner Peterjohn seconded the motion.

**Chairman Parks** said, “Motion and a second, any discussion? I do have an item of discussion. On the influenza vaccine, this is just additional doses, there’s only 8,120 of those?”

**Ms. Baker** said, “This is the annual purchase.”

**Chairman Parks** said, “Annual purchase. Okay.”

**Ms. Baker** said, “And this is the same amount that was purchased last year.”

**Chairman Parks** said, “Okay. Just didn’t seem like a very high number of doses, but 8,000, in terms of what we’re preparing to come up with and I do realize this is the regular influenza vaccine...”

**Ms. Baker** said, “Correct.”

**Chairman Parks** said, “...not the specialized ones, so any other comments? Call the vote.”

**VOTE**

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

**Regular Meeting, September 2, 2009**

**Ms. Baker** said, "Thank you."

**CONSENT AGENDA**

**H. CONSENT AGENDA.**

- 1. 2010 Wichita-Sedgwick County Flood Control Agreement.**
- 2. 2010 Wichita-Sedgwick County MAPD Agreement.**
- 3. VAC2009-00028 - Sedgwick County request to vacate a portion of a floodway reserve, generally located on the south side of 87<sup>th</sup> Street South, east of 167<sup>th</sup> Street West. District 3.**
- 4. Renewal Summary agreement for Advance Life Insurance, AD&D, and Dependent Life Insurance plans an affiliate of Blue Cross and Blue Shield of KS.**
- 5. General Bill Check Register of August 19, 2009 – August 25, 2009.**
- 6. Payroll Check Register for the week of August 15, 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.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye

## Regular Meeting, September 2, 2009

Chairman Parks

Aye

### I. OTHER

**Chairman Parks** said, “Do any of the Commissioners, before I entertain a motion to go into Executive Session, have anything on the ‘other,’ besides myself? Commissioner Norton.”

**Commissioner Norton** said, “Just a couple of things. Yesterday we had a pretty long discussion about Ohio Township in our staff meeting and we were preparing to really understand what we might have to do if Ohio Township did not resolve some of their issues that they were dealing with; whether we’d have to step in and do some mowing and some road maintenance. It appears that last night at a township meeting they resolved at least part of the problems and that we won’t have to engage. I would like to applaud Rich Euson and Chris Chronis and Dave Spears and our staff for pulling together and trying to understand this issue and what our responsibilities were and giving us good guidance, doing some follow-up and surveying of what might need to be done. But at the end of the day, the township issues are, even though we care about them and they are our constituencies, they are not our jurisdiction. I am glad that we didn’t have to be heavy handed and step in and require action that would go against other elected officials. At this time, fortunately, we don’t have to have an off agenda item or we don’t have to deal with this, but I did want the public to know that we had a pretty long discussion yesterday trying to understand what our roles and responsibilities with townships that maybe aren’t providing as deep of services or services that they should. I just wanted to be sure that we did recognize, because I think the Manager even maybe put out that we could have had an off agenda item and we didn’t have to do that, so I did want to comment on it.”

**Commissioner Norton** continued, “The second thing is last night I went to a banquet for the 10th anniversary of Project Access. It was really kind of a celebration of the success story of Project Access. It’s a city/county medical society project that has moved forward for ten years and one thing that was interesting is that \$86 million worth of donated care has come out of the medical group here for people that are uninsured, that need help with their medical conditions, and a wonderful celebration of Project Access and we were an early funder and early partner and we continue to be. And as we worry with health access and the wellness of our community, Project Access has been a wonderful partner to deliver some great services in our community and I wanted to just let everybody know that they’re celebrating their 10th anniversary of good work in our community. That’s all I have, Mr. Chair.”

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**Chairman Parks** said, “A great project during these times. I did go out yesterday to Main Street of Valley Center for awareness of not using the ‘s word.’ We cooked, we went by Leeker’s [Family Foods] and picked up some custom cut pork chops, and didn’t barbecue necessarily, but grilled on a grill out on Main Street there of pork and various cuts and what not. But the pork chops were the star of the show, I guess. We didn’t use the ‘s word.’ Those people that tried to use it, the police department was close by and almost arrested them for disorderly conduct. Trying to get the awareness, it wasn’t only a cookout for that reason though, for the awareness of not having that, but it was also an educational thing. And of course, the hand sanitizers were there and we were telling everybody and the news about a potential case in that area of the H1N1, what was on everybody’s mind. I think we did some good about spreading some educational things out there yesterday, as well as not using the ‘s word’ for those pork producers. As far as I know, everybody is alive and well today, if there were any questions about that. Commissioner Peterjohn.”

**Commissioner Peterjohn** said, “Well, I am certainly not going to use the ‘s word,’ but I do want to mention in the animal sense, obviously, we’ve got Zoobilee coming up in the very near future, it’s a fundraiser, and I believe [www.scz.com](http://www.scz.com) is the website for the Sedgwick County Zoo for folks who are interested in getting more information on that excellent project. And I also wanted to wish the Sedgwick County participants in the upcoming Party on the Prairie at the State Fair good luck as they get ready to participate up at that annual event that will be a little later on this month too.”

**Chairman Parks** said, “Okay. And seeing no other comments, I would entertain a motion to Executive Session.”

### MOTION

Commissioner Welshimer moved that the Board of County Commissioners recess into Executive Session for 40 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation, potential litigation and legal advice. Also, preliminary discussions relating to the acquisition of real property for public purposes, and that the Board of County Commissioners return to this room from Executive Session no sooner than 11:15 a.m.

Chairman Parks seconded the motion.

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

**VOTE**

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

**Chairman Parks** said, “We're in Executive Session.”

**The Board of County Commissioners recessed into Executive Session at 10:38 a.m. and returned at 11:52 a.m.**

**Chairman Parks** said, “We're back in session. Mr. Euson, would you like to present an item?”

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “Yes, Mr. Chairman, Commissioners, while in Executive Session we discussed a number of items and one of those was a proposed workers’ compensation settlement in the amount of \$15,393.90 for an employee by the name of Elizabeth Eck Plant and I would, at this time, recommend that you approve that settlement.”

**MOTION**

Commissioner Norton moved to approve the workers’ compensation settlement.

Commissioner Welshimer seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye

**Regular Meeting, September 2, 2009**

Commissioner Peterjohn	Aye
Commissioner Welshimer	Aye
Chairman Parks	Aye

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

**Chairman Parks** said, "Seeing nothing else to come before this Board, we are adjourned."

**J. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:54 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:

September 23, 2009