

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

### **REGULAR MEETING**

**February 10, 2010**

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, February 10, 2010, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Karl Peterjohn, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Marilyn Cook, Executive Director, COMCARE; Mr. Richard Vogt, Chief Information Officer; Ms. Mary Knopick, Criminal Justice Management, Division of Public Safety; Mr. Joe Thomas, Senior Purchasing Agent, Purchasing; Mr. Kevin Myles, Director, Fleet Management; Mr. Vance Hill, Construction Project Manager, Project Services; Mr. Pete Giroux, Principal Analyst, Budget; Ms. Kristi Zukovich, Director, Communications; Mr. Kelly B. Arnold, County Clerk; Ms. Evelyn Good, Deputy County Clerk; and Ms. Katie Asbury, Deputy County Clerk.

### **GUESTS**

Ms. Cat Poland, Girl Scouts of Kansas Heartland  
Ms. Debbie Eller, Appointee, Sedgwick County Mental Health Advisory Board  
Ms. Tammy Youngquist, 5226 S. Madison, Wichita

### **INVOCATION**

Observed by a moment of silence.

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES**

Regular Meeting January 20, 2010  
All Commissioners were present

**Chairman Peterjohn** said, "What is the will of the body?"

### **MOTION**

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Commissioner Welshimer moved to accept the Minutes as read for the Regular Meeting of January 20, 2010.

Commissioner Parks seconded the motion.

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

**VOTE**

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

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

**PROCLAMATION**

**A. PROCLAMATION DECLARING FEBRUARY 2010 GIRL SCOUT COOKIE MONTH.**

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

**PROCLAMATION**

**WHEREAS;** Girl Scouts, the pre-eminent organization for girls in the United States and around the world, has been an active part of the Wichita-area community; and

**WHEREAS;** there are more than 10,000 girls who belong to Girl Scout troops, from Daisies through Ambassador Girl Scouts, in 80 Kansas counties, including Sedgwick County; and

**WHEREAS;** through the Girl Scout Cookie Program, girls learn about business, goal-setting, teamwork and money management, all of which help them become leaders who are confident in

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themselves and their abilities and who use their knowledge to effect change in their lives and in the lives of those around them; and

**WHEREAS;** through the support of generous donors and the annual Girl Scout Cookie Sale, the Girl Scout organization is able to offer quality programs on a year-round basis to girls in all racial, ethnic, cultural, religious and socioeconomic groups;

**NOW, THEREFORE, BE IT RESOLVED,** that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim February 2010 as

**‘Girl Scout Cookie Month’**

in Sedgwick County, and encourages all citizens to support the Annual Girl Scout Cookie Sale, which ends March 7, and make an investment in the lives of girls.

“And it’s dated February 10th and signed by our Chairman, Karl Peterjohn.”

**Chairman Peterjohn** said, “Thank you very much.”

**Ms. Zukovich** said, “And if you would have a motion to approve, we will then invite our guests up.”

**Chairman Peterjohn** said, “Oh, ok. I thought we might invite the guests up to the podium first. I would be happy to make that motion.”

**MOTION**

Chairman Peterjohn moved to adopt the Proclamation.

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Unruh

Aye

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

**Ms. Zukovich** said, “Commissioners, we do have Cat Poland, who is here from the Girl Scouts, and she has also left you a gift, so again, you all have to chime in and talk about your cookies.”

**Ms. Cat Poland**, Girl Scouts of Kansas Heartland, greeted the Commissioners and said, “Thank you for approving our proclamation. The cookies were not a bribe, so those are just a gift. On behalf of the 15,000 girl and adult members we serve, we would like to thank you for your support in making the Girl Scout Cookie Sale a priority. The proceeds of this sale help us to provide leadership development programs, financial assistance, outreach programs to girls in underserved areas, volunteer training and with the cookie credits the girls earn, they are able to attend fabulous Girl Scout camps this summer. So we are very appreciative of your support.”

**Chairman Peterjohn** said, “Well, thank you, and we’ve got a couple comments here. Commissioner Parks.”

**Commissioner Parks** said, “As the tradition continues, I’ve always been supportive of Girl Scout cookies, and have never turned down at least one box of anybody that has showed up at my door or at my church. So, as you can all probably tell, I don’t need to have a lot of those Girl Scout cookies, however, you do have a low fat one that I’m partaking of this year, also. However, I do have a donation for you, and I did want to make sure that you knew that we appreciated that...”

**Ms. Poland** said, “Thank you.”

**Commissioner Parks** said, “...and that I do want to give a donation.”

**Ms. Poland** said, “Thank you very much. Appreciate that.”

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

**Chairman Peterjohn** said, “Commissioner Norton.”

**Commissioner Norton** said, “Well, I’ll start off with apologizing to Cat and all the Girl Scouts for last year, we had the Cookie Challenge, and I got a little out of hand and threw some marshmallows at some of the girls and created a riot...”

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**Ms. Poland** said, "I had a girl tell me this year that she was disappointed there was no marshmallow throwing."

**Commissioner Norton** said, "...and this year, I had the luxury of being there where we stacked boxes of cookies, and I think I lost by about a half an inch in the stacking to Tracy Cassidy. It's a wonderful fundraiser, and it's got a long history with the Girl Scouts. You also have a fundraiser coming up where there's going to be decadent desserts?"

**Ms. Poland** said, "That's right."

**Commissioner Norton** said, "Tell everybody about that..."

**Ms. Poland** said, "That's right."

**Commissioner Norton** said, "...you've got a moment on television."

**Ms. Poland** said, "Yeah. Thursday, March 4th, we have an event called Cocktails and Cookies, it's an adult only event. It's at the Wichita Hyatt at 6:30 p.m. We've partnered with seven local restaurants; they are making desserts, signature desserts, with Girl Scout cookies. We've got some fabulous things to anticipate there. Tickets are \$75 each and you can go to our website, [www.cocktailsandcookies.com](http://www.cocktailsandcookies.com), and order your tickets."

**Commissioner Norton** said, "So, an adult version of cookies and a way to do some more fundraising for Girl Scouts so they can go to camp and continue your programs. Well I noticed they put Reduced Fat Daisy Go Rounds in front of me."

**Ms. Poland** said, "I gave you the Shortbreads, it must have got switched out, I'm not sure."

**Commissioner Norton** said, "Well, Commissioner Peterjohn has an affinity for shortbread, so I willingly traded with him. I have a long history with the Girl Scouts. I had a couple of Girl Scouts in my family, and I went to Camp Wiedemann several years, and was kind of the dad on duty at the time. So, Girl Scouts do great work, and I'll continue to be supportive and thanks for coming today, Cat."

**Ms. Poland** said, "Well thank you for your support. Appreciate it."

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

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**Commissioner Welshimer** said, “Well, I was a Girl Scout, and a Brownie Scout many years ago. When I was first a Brownie Scout, I went to camp, and always wondered why they put me in a place at the camp called Pooh Corner...”

**Ms. Poland** said, “I don’t know that we have that anymore.”

**Commissioner Welshimer** said, “I’ve never forgotten that. Why was I in Pooh Corner? But I really enjoyed scouts, and I’ve supported them over the years, and I thank you for the cookies.”

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

**Commissioner Unruh** said, “Thank you, Mr. Chairman. Well I just want to add my encouragement to you all, and we’re very pleased to make the proclamation, and in all the excitement and fun of selling the cookies, I think the proclamation said it very well that this helps develop team work, and goal setting and teaches these young ladies money management skills, so there is a lot of practical good that comes out of it. So we’re proud of this effort, glad that you undertake it each year.”

**Ms. Poland** said, “We like to call it edible entrepreneurship. The girls really do learn a lot of business skills.”

**Commissioner Unruh** said, “Very good. Thank you.”

**Ms. Poland** said, “Thank you.”

**Chairman Peterjohn** said, “Well, let me add, I’m going to join with Commissioner Parks, and thank Commissioner Norton for being kind enough to negotiate a...”

**Commissioner Norton** said, “Swap.”

**Chairman Peterjohn** said, “...swap, an exchange, since I do have an affinity for shortbread. Thank you very much.”

**Ms. Poland** said, “I’ll try to remember that next year. Thank you.”

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

## **APPOINTMENT**

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**B. RESIGNATION OF MARY CORRIGAN FROM THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.**

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “Commissioners you received this resignation, and I would ask that you approve it at this time.”

**Chairman Peterjohn** said, “Commissioner Norton.”

**Commissioner Norton** said, “Well, Mary was one of my appointees to the Council on Aging, and she’s moving on into another job that’s going to have a conflict. She served well for many years, and I would like to congratulate her for her service, thank her and wish her well in her new endeavors.”

**MOTION**

Commissioner Norton moved to accept the resignation.

Chairman Peterjohn seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**C. RESOLUTION APPOINTING DEBBIE ELLER (COMMISSIONER PETERJOHN’S APPOINTMENT) TO THE SEDGWICK COUNTY MENTAL HEALTH ADVISORY BOARD.**

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**Mr. Euson** said, "Commissioners, this resolution will fill a vacancy that occurs on this Board, and the appointment is a four-year term to expire in February 2014, and I recommend you adopt the resolution."

**MOTION**

Chairman Peterjohn moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

**VOTE**

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

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

**Mr. Euson** said, "And I'm not sure if she is here or not."

**Chairman Peterjohn** said, "Oh, I'm sorry. Is Ms. Eller here? Oh, yes, I'm sorry. Please step to the podium to be sworn in by the County Clerk."

**Mr. Kelly B. Arnold**, County Clerk, greeted the Commissioners and said,

*"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Mental Health Advisory Board, so help me God."*

**Ms. Debbie Eller**, Appointee, Sedgwick County Mental Health Advisory Board, greeted the Commissioners and said, "I do."

**Mr. Arnold** said, "Congratulations."

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**Ms. Eller** said, “Thank you. Well I am very excited and honored to take this position, and I really look forward to learning the system, and representing parents and family members of the mentally ill here in Sedgwick County. The mental health, such as COMCARE, when they came into my life at a time when my daughter was diagnosed with a severe mentally ill disorder, it was really a rescue from financial crisis and emotional breakdown, and not just for the child who suffers, or the family member who suffers, but for family members as well. So I really look forward to it and I am really excited.”

**Chairman Peterjohn** said, “Well thank you for your service and welcome to the Board.”

**Ms. Eller** said, “Sure. Thank you.”

### **NEW BUSINESS**

#### **D. AFFILIATION AGREEMENTS WITH BREAKTHROUGH CLUB AND MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS.**

**Ms. Marilyn Cook**, Executive Director, COMCARE, greeted the Commissioners and said, “These affiliation agreements will allow two of our community partners; the Mental Health Association of South Central Kansas and the Breakthrough Club, to bill for Medicaid services that they provide using one of COMCARE's Medicaid provider numbers. Like some of the recent contracts that I've presented before you very recently, most of the rates in these contracts were reduced five percent from last year due to the recent Medicaid rate reduction that was imposed by the state on January 1st of this year. The contracts you'll see, they're big; they spell out, not only the rates and the description of the services that these organizations are to provide, but it also includes all of the language that COMCARE has in our provider contracts and agreement with Kansas Health Solutions, which is the Kansas Medicaid Managed Care Organization (MCO). The contract also holds these two organizations to the same administrative regulations that COMCARE is held to by the state Medicaid authority. I also want to point out that the contract does spell out, that in the event that the State of Kansas reinstates the rates to the 2009 level, the Medicaid rates, we would amend the contract to restore the rates for these organizations as well. So we're recommending that you approve the agreements, authorize the Chairman to sign and to authorize the necessary budget authority.”

#### **MOTION**

Commissioner Welshimer moved to approve the Agreements, authorize the Chairman to sign, and authorize the necessary budget authority.

Commissioner Norton seconded the motion.

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

**VOTE**

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

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

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

**E. CRIMINAL JUSTICE INFORMATION SYSTEMS INTEGRATION PROGRESS REPORT.**

**Chairman Peterjohn** said, "We could take a brief recess here for a moment. Mr. Manager?"

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "We could move on to the next Agenda item."

**Chairman Peterjohn** said, "Let's go ahead and do so, then. Procedurally, I think we ought to have a motion to defer this."

**MOTION**

Commissioner Norton moved to defer Item E.

Commissioner Parks seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye

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Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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

**F. CHILD ADVOCACY CENTER FUNDING AGREEMENT.**

**Mr. Buchanan** said, "You have in front of you a funding agreement for the Child Advocacy Center (CAC) that will provide funding for them for an additional year. This agreement is for \$120,000. You will recall that to sustain the agency for a year would take about \$170,000; \$50,000 has been earmarked from the City of Wichita to help with this project. The interesting news, in the couple weeks that we've been fussing with this in the newspaper has caused a couple people that I personally know to come forward and ask how they could be of assistance. And so part of the plan, which is still being formulated, is to see how we can reconstitute that board with folks that can help additional folks who are known in this community as pretty good fundraisers and have the connections to help this agency. You know what they do, you know the agency, the good work that it does, and I would recommend you approve this funding agreement."

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

**Commissioner Norton** said, "Well, I'm going to be supportive today. I have been supportive all along. I've been actively involved in child advocacy and child abuse prevention for many, many years, and I see the necessity, and the ability to affect families and children's outcomes by the advocacy center. I, too, have had some conversations with four or five individuals out in the community that want to be involved, want to know more. It's going to take a while to put that collaboration and structure together, and to get them informed. And I see this as a good measure to continue the good work, to make sure that the system that we put together doesn't fall apart, and unravel and go away as we look to the future on what the best future for our community is, and how we not only effect it as government, but how we engage the private sector, people that care about

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the community, and maybe have the wherewithal to help out with some of the funding to be engaged also. So I'm going to be supportive today. This isn't the final answer, but it is a good answer for right now. Thank you."

**Chairman Peterjohn** said, "Thank you, Commissioner Norton. Mr. Manager, I've got a couple questions I'd like to ask you. From looking at the background information that we have on this, and comparing some other contracts that the county has, I noticed that there's no purpose, goals, objectives included in this agreement, nor is there any sort of a budget. And I'm thinking back to the challenge we had last year when Rainbows [United, Inc.], which had those provisions in their agreement, and we still ran into financial problems, and we've got an agreement in front of us this morning that is lacking those attributes. Would you care to comment on that?"

**Mr. Buchanan** said, "I sure would, Mr. Chairman. That's my responsibility, and we've known that CAC, the board had a meeting, declared that if they did not receive the funding, would be going out of business. They are prepared to start giving layoff notices for employees and dismantling the operation. I thought, as a matter of timing, that we should address the issue of continuing operations for a year. We do have a budget, we can attach that, and we can work on what the goals and objectives are. This contract is not much different, if at all, with what this Commission approved a couple weeks ago with housing options for Kansas, and that funding agreement is very similar to this one."

**Chairman Peterjohn** said, "Well, I appreciate you pointing out the fact that we may not have exercised proper oversight with housing options, because I'm concerned that we are not in a position to make the same mistake, in terms of not having proper oversight, and I'm inclined to, I know timing is of the issue of this, but let me ask you this question, Mr. Manager, who drafted this agreement?"

**Mr. Buchanan** said, "I'm not sure. I think Chris Chronis drafted this."

**Chairman Peterjohn** said, "Okay. Because my concern is, we've got a fiduciary responsibility to protect taxpayers' funds, and I know timing is of the essence, I personally would like to, since we don't have a motion on the floor right at the moment, move that we defer this item for one week so that this agreement can be sent to the Legal Department and have them review it, and add those provisions and make sure that we've got the protections in place for the taxpayers' funds in this matter. That's my motion."

### MOTION

Chairman Peterjohn moved to defer Item F for one week for review by the Legal

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Department and addition of provisions for protection for the taxpayers' funds.

Commissioner Parks seconded the motion.

**Chairman Peterjohn** said, "I'm not sure, in terms of whose lights came on next."

**Commissioner Welshimer** said, "I was the last one."

**Chairman Peterjohn** said, "I'm going to go with Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Well, I will be supportive of the recommended action on the Agenda. I don't know if deferring it a week, what sort of consequences that has, but I'm satisfied with the record of the Child Advocacy Center and its value in the community, and the activities, as we know them from just looking at their operations these last few years. I think the CAC model has proven to be an effective and efficient organizational structure for overseeing the various agencies and human service organizations that provide services to victims and for an efficient prosecution of offenders. So, I am satisfied that I know what they do. I'm satisfied that this request will get them through the next year, so I'm prepared to go ahead and vote on it today and approve the recommended action of authorizing this agreement. That's all I have right now, Mr. Chair."

**Chairman Peterjohn** said, "Thank you. I've got several lights up here, and also I believe there is a person out in the audience who wants to speak on this. Let me ask, at this point, is there anyone, how many people in the audience want to speak on this? If you will please come to the podium, please state your name and address for the record."

**Ms. Tammy Youngquist**, 5226 S. Madison, Wichita, greeted the Commissioners and said, "Good morning. I am here on behalf of several families that could not make it today, due to work and so forth. I am a protective parent who resides here in Sedgwick County. We as parents teach our children safety measures, good touch, bad touch, and to come to us whenever they are being hurt or feel uncomfortable to tell us. My girls trust in me, in telling me that they were being abused. They also trusted Donna Roberts, a child's right advocate, and the nurse who examined them. I then took them to EMCU (Exploited and Missing Children's Unit). This is just recently, okay. In front of Detective Lori Werlein and Melissa Gardner SRS (Social and Rehabilitation Services)/EMCU, who have seen both girls. The girls did not divulge any information to them; they were scared that I was going to leave, they were sent back in a room. Upon completion of the interview, I went back to talk to Melissa Gardner, again SRS/EMCU, and she said since the girls did not divulge any information to her, they would announce it unsubstantiated. I don't understand why is it that they couldn't go by

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the nurses or the child's right advocate. That was dismissed. I seeked [sic] counseling for the girls, I got a PFA (Protection From Abuse order) to protect them.

"Yesterday, I went before Judge Patrick Walters too, which was just supposed to be a consolidation for the PFA motion into Family Court; I was just objecting. It went into an evidentiary hearing, or an evidence hearing. I lost my parenting time yesterday. I have no idea why. This is happening to many families here in Sedgwick County where the victims are being re-victimized by this EMCU, but it's supposed to be helping these children. I cannot get statistics on how many of these cases are prosecuted. I can't get statistics on how many cases go back to the abuser. They can't give me that. I believe, and I speak on behalf of a lot of families that could be here today, that CAC should not get any funds until a thorough investigation is complete with EMCU and SRS. Thank you."

**Chairman Peterjohn** said, "Thank you. Any questions? Seeing none, I'm going to ask, if there was anyone else in the audience who would like to speak on this issue? Mr. Manager, I'm going to bring you back to the podium, and Commissioner Parks."

**Commissioner Parks** said, "Well I had this kind of mapped before the last testimony, the last person got up, but I want to say that I certainly think that EMCU is a highly trained group of law enforcement and SRS people, and I certainly have asked before, is EMCU broke? Let me explain this. I know I've used the acronyms, and sometimes that's caused me a few problems, the Exploited and Missing Children's Unit. I've worked with them in the past on other things in a former job, and I do think they are highly trained government employees. Now, we have to remember that the Child Advocacy Center is a nongovernment, nonprofit agency. These are not, per se, our employees, but they are assisting our employees. And to be nice to have would be one thing, and I realize that that's good."

**Commissioner Parks** continued, "And if you recall, I did support back in last year, in 2009, taking the \$120,000 or \$130,000 out of a contingency fund that we had that was pretty flush at that time, to fund them and then they came back and were wanting some expansion things. Certainly, I think that it is a very noble thing. One thing that looking through the backup that I didn't see, and it's much like we had a couple weeks ago with one of the nonprofit centers, I didn't see an audit, so I am going to ask Mr. Manager, do we have an audit, and do we have that available to us? And I think that right there is why I am going to support a one week delay on this."

**Mr. Buchanan** said, "I've been just told that the audit is about to be completed for CAC for 2009. They have a 2008 audit."

**Commissioner Parks** said, "Okay. Well, I'm certainly, don't want my vote today to reflect the support of such an organization, however, I do think that we need to be diligent with taxpayer money since this is a nongovernment, nonprofit agency. Thank you."

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**Chairman Peterjohn** said, “Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well, I believe we need professional advocates for children who have been abused. Seeing that the \$120,000 they’re asking for, they’ve been up here asking for help for a long time, so that’s probably urgent on their part, I would say. But I’m not so sure that I would like to put it off for a week if we’re going to give them the money. We haven’t looked into the financial records, but maybe we should have asked for that much earlier. But on the other hand, in my experience when I was a legislator, I followed several families whose children were taken away from them. And from the beginning to the end, I got very involved and there was no mercy for this. And several cases that I looked at, they eventually got the children back a year later, after the family was destroyed and the home was lost due to costs, or lawyers, and so on. They got the children back with the statement that they shouldn’t have been taken in the first place. And so my concerns are the same as these families who have formed groups now, and are trying to support themselves and defend other families against having children taken away without a really good reason, and I’m getting emails from them and calls from them that say, do not fund the Child Advocacy Center. So it’s a hard decision to make, and so what I would want is, somehow I’m going to want to follow the data on how the Child Advocacy Center recommends children being taken from families and how that’s working out, because I’ll accept the fact that they need the money now, and I’ll accept the fact that we need professional advocates to protect abused children, but I won’t in the future, if children taken from families without good substantiation continues and grows as a result of this funding. So that’s my position on this. I will not delay the payment of \$120,000 so that we don’t injure them completely. A week can make a lot of difference, and I will vote for the funding, but I might not next time if this increases unsubstantiated removal of children from families.”

**Chairman Peterjohn** said, “Thank you. I’m going to make some comments, because I’ve raised a lot of questions in the past, and sadly, I’ve not been successful in getting all the answers I wanted to hear, in terms of we’ve talked about how EMCU and Child Advocacy Center has handled thousands of cases, and I’ve tried to find out the disposition of those cases, in terms of how many of those led to arrests, how many of those led to convictions? But I, too, like Commissioner Welshimer, I’ve had folks contact me who said, you know, that they personally have had severe family problems created because of unfounded allegations, or having families getting torn apart following sometimes divorce proceedings, and then allegations pulling out from that, and the percentage of the children who are removed and actually returned to families, and it’s a terribly difficult responsibility for everyone who is involved in this. Because I think the cases where children are returned to families, and then something horrible happens to the child, and it’s a terribly difficult fine line and I am very glad that I am not one of the people who have to make those challenging decisions, and that’s why I made the motion to see if we could delay one week.”

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“I know timing is significant, but my understanding is, is the CAC, the discussion about shutting them down was going to occur at the end of March, and so I thought a one week delay, and trying to get some goals, objectives and measurable criteria put in place, and also get a budget put in place, would be good responsibility and would not put this in jeopardy, but if it does, I would like to have that stated for the record, Mr. Manager. Because I do want to protect the children, I want to do it at a reasonable a price as possible, but I also want to protect the families. And I’ve heard some numbers that, for instance 85 percent, and I have pushed to get documentation for this and have not received it, in terms of families, of children who are removed from families that don’t get returned, and if that number is even close to being accurate, it’s problematical for me. So, Mr. Manager, the question I would like to pose to you at this point is, is a one week delay to get our objectives, budgetary information and the audit in place critical to preventing the CAC from closing in your opinion?”

**Mr. Buchanan** said, “I don’t know. But if it would please the Commission, let me make sure that we understand that the conviction rates and the case management of those are the responsibility of EMCU, the Exploited and Missing Child Unit, not Child Advocacy Center. The responsibility for removing children from families is a law enforcement and SRS issue, and not Child Advocacy Center. Child Advocacy Center provides medical, and provides mental and emotional counseling and connects families to the right agencies. It does not make recommendations about family removal; that’s a responsibility of SRS and law enforcement.”

**Chairman Peterjohn** said, “Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well, Mr. Manager, the SRS talks to everyone involved in a case for a child, and it’s been my experience, and this is probably not the majority, but in the few cases that I’ve followed, they absolutely did not listen to the parent, or the grandparent, or the aunt, or whoever it was in the family that wanted those children and never saw them again. So that was, you know, it was a heartbreak thing for everyone, and for me too. As far as the delay in paying the bills, I serve on a board for a nonprofit organization, bills need to be paid, and if there’s no money granted here today by our majority vote, then they can’t tell their creditors they can’t buy their supplies, they can’t pay their rent, or say that there’s...I mean there’s nothing here to say for sure that they’d have it next week; though it’s the same thing as saying that they’re not going to have it. It doesn’t give them the stability they’re looking for, and so if we’re going to help them, we need to help them, and we need to give that to them today.”

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

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**Commissioner Parks** said, "Mr. Manager, it says in the backup that the state's already agreed to provide \$112,000, has that check been received, to your knowledge?"

**Mr. Buchanan** said, "I don't know."

**Commissioner Welshimer** said, "That's an annual thing."

**Commissioner Parks** said, "I didn't know if that was something that was in the recent budget cuts or not. And are we prepared to, also, if another child advocacy group like A Child's Voice, the ACV, comes before us, are we prepared to then address that and ready give them money also, I guess? For the ACV, I just want to stress that this is a nonprofit, nongovernment organization. So, I thought I would throw that out."

**Chairman Peterjohn** said, "Well, I am going to apologize to my colleagues up here on the bench, because I've gotten a little bit out of sorts, in terms of whose light was which, and if I've got you out of order, I apologize. Commissioner Unruh."

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Part of my question, I think, was just answered by the Manager in his explanation about the authority of who makes these decisions about the children. I mean, my understanding is that the Child Advocacy Center is an umbrella organization that coordinates the activities of these various service providers and law enforcement agencies, and they're the ones who make those specific decisions about the children. The CAC is a coordinating effort, am I misunderstanding that?"

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

**Commissioner Unruh** said, "So the issues that are complaints, or that are unsatisfactory, from these comments and anecdotal comments that we get, not funding the Child Advocacy Center will not have any influence on that, that's still made by Exploited and Missing Children, and SRS and those people. So to me, to provide the efficiencies and to get to decisions effectively and efficiently in a coordinated way, these different agencies need to be under some structure that allows that cooperation and efficiency to happen. So, unless I misunderstand, that's what the Child Advocacy Center does and I want to be supportive of that, and I will not support the motion that's on the table before us because I want to go ahead with the funding. That's all I have."

**Chairman Peterjohn** said, "Thank you. And I'm going to point out a couple of concerns that I've had, because we had discussed this issue awhile, and it's been before us going back to shortly after I became a Commissioner, one of the first I heard about a request. When we took this up a couple of weeks ago, I thought the will of this Commission was that we would request from the city to join us

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in becoming an equal partner in the effort, and I'm glad they're willing to step up to the tune of \$50,000, but we're looking at making a larger expenditure if the underlying motion that's on the Agenda is taken up. The reason I brought up this request to defer it one week is, we've had this issue going around for basically 13 months, and I have an incomplete proposal before us that does not include even the goals and objectives, the budget, and we've got a commitment to get an audit report, but it's not in front of us at the moment. And I thought if we delayed one week, we could exercise due diligence, and that's my effort here, because we do have a responsibility for nongovernment, not for profit. I do not want to see another...I want to prevent us from being in a position where we were last year, where we had to put county staff over to try and do forensic audits, and spend money going through the books of an agency that was not being properly handled, and even though we thought we had more protections in place, it was not adequate. And so I appreciate finding out that, unfortunately, we had a similar agreement that we passed a few weeks ago that didn't have all the i's dotted and the t's crossed, but that's the reason I made that motion. And with that, Katie, I'm going to ask you to restate the motion for the record, and Commissioner Norton, I'm sorry."

**Commissioner Norton** said, "Well, we are engaged, we have been talking about that. I've seen several incarnations of what the mission is for the Child Advocacy Center, what their history has been, we asked for a more complete presentation, and we got that, which was an expanded presentation of what the best scenario would be, so I think we are engaged. I think we understand that, and truthfully, we have a lot of staff, some in this room, that are on the board, that do oversight, and I trust them because they are good folks that understand their part of the continuum of taking care of children in our community. There is no doubt this is a hot potato."

**Commissioner Norton** continued, "Everybody wants to pass it around. And it's an emotional issue, because it affects families, and we understand that, but it also affects our most vulnerable population. We often talk about the both ends of the spectrum, our seniors and our children, and I personally have a very warm spot in my heart for children and I would love to keep them in families. I would like for every family to be the nuclear family, with a mom, and a dad, and a grandma and a grandpa that all hold each other, and love each other, and go to church together, and go to every school function and never have a problem. But we have internet crimes and it's proliferating big time, and your head's in the sand if you don't think that's the truth. And we have human child trafficking, right on the I-35 corridor. If you don't think it's happening, your head's in the sand. And we have abusive situations. I can tell you, I've known of two or three just recently in families that I happen to know, and it scares the bejeebers out of me, because they are among us.

"And we have children in need, and children that come out of hardworking families, but they are still in need. Now, is it government's responsibility to fix all these evils? Well, you can debate that until the cows come home, whether it's a family responsibility or government's responsibility, but I know on my watch, I'd love for families to take care of this, but the truth is, we have the obligation

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to make sure that there's public safety for everybody. It's not just about pulling over a drunk driver. It's also making sure that our children are taken care of in this community. CAC is an umbrella organization. They don't make the final decisions on anything. They try to bring all the pieces together, advocate for the child, make sure they're getting the services they need, make sure the family gets the services they need, whether it's mental health, or medical, or whatever, and it's interesting that well over 200 communities in the nation have very functioning, sustainable child advocacy centers. And although we're pretty new at it, we're on the verge of just letting ours go away, and I don't believe that's the right thing to do.

"I certainly understand Chairman Peterjohn's angst a little bit with not having every detail nailed down. I want to move forward today, but I can see that maybe we need to make sure that within a couple of weeks we come back and see the audit. I've already seen the missions, and goals and all of that, because that was embedded in all the other things that we've seen. I don't see any reason for us to not move forward today, but then I ask for those things that we need, because I think Diane and her board would be willing to come back. I see Colonel Stover here. Is it Captain Stover now or Colonel Stover? Colonel. Okay. I wanted to be sure I got that right. Marilyn Cook is here; both of them sit on the board, so I am willing to move forward today. I think it's important for our community. I know that there's advocacy groups, and good for them, that push the envelope and hold peoples' feet to their fire and make sure the system works. Some of it is legislative, some of it is policies that are outside the jurisdiction that we have here, and I agree that we all need to be looking at this, opening it up and making sure that it functions best for our community, and I think this is a start. I am going to be supportive. I would even make a substitute motion if we need to." **Chairman Peterjohn** said, "Thank you, Commissioner Norton. Your eloquence has transfixed me so much that I'm not sure whose light I need to recognize next, whether it's Commissioner Parks or Commissioner Unruh."

**Commissioner Unruh** said, "I think it's Commissioner Parks."

**Chairman Peterjohn** said, "Without objection, Commissioner Parks."

**Commissioner Parks** said, "Yes, I just had to stick up for the law enforcement officers when Commissioner Norton was talking about internet crime and trafficking. We've had cases recently where our local law enforcement and federal authorities have charged some people in this, and I think the publicly paid law enforcement officers are doing a great job in this realm. Thank you."

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

**Commissioner Unruh** said, "Mr. Chairman, I don't want to preempt your authority on this, but I would like to just call for the vote on the motion on the table."

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**Chairman Peterjohn** said, “Well, seeing no other lights lit, Katie, please restate the motion, so for the record, and for the audience out there, it is clear exactly what we’re voting on.”

**Ms. Katie Asbury**, Deputy County Clerk, greeted the Commissioners and said, “Mr. Chairman, I have that you made a motion to defer Item F for one week for legal review of the funding agreement, and it was seconded by Commissioner Parks.”

**Chairman Peterjohn** said, “Thank you. That’s the motion on the table, please call the vote.”

**VOTE**

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

**Chairman Peterjohn** said, “Motion fails 2-3. We are back on the item. Is there a motion?”

**MOTION**

Commissioner Unruh moved to approve the Agreement and authorize technical budget adjustments to provide spending authority.

Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, “Motion and a second, any further discussion? Let me, at this point, since we’re on the underlying motion, I see Diane out in the audience, if she wanted to have any additional comment from our discussion at this point? Okay. I am going to just briefly restate my point for the record. I think it’s important that we exercise proper fiduciary responsibility. And I’m glad that the Sedgwick County’s safety folks, whether they are in the District Attorney’s Office, whether they are in the Sheriff’s Office, are working to try and address the crimes that are brought before us. We are spending a significant amount of money right now to address that criminal problem, and frankly, if it causes overcrowding in the Sedgwick County jail because of arrests and/or convictions, I’m glad we’ve got space for at least 1,200 people. But having said that, we do have a responsibility on this, and I really hope that we can have the appropriate parties, Mr. Manager, come back, not only with the audit, but with detailed goals and objectives and a budget

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criteria so that going forward we can make sure that, even if we don't dot all the i's and cross the t's today, I can count to three, and I think I know where we're going to go on this.

"But I do believe we need to exercise full responsibility, and a number of the questions I've made in the past I'm going continue to raise, because I do think moving forward, it's important to protect our children, but we need to do it in a way, I've seen the debate in Topeka often stated, various measures up there were for the children. Well, we need to make it effectively for the children and we need to have accountability. And I've fought for not only transparency, but accountability, and it's hard to be sometimes fully transparent when you get involved with private organizations. And I know their 990s are on the record, so you can get some information, particularly those of you folks that are very good on the internet and better than me. And some of these meetings are open, and when we fund organizations like this, I would hope that they would also...we've got, trying to make it transparent in exposure, in terms of open meetings and open records, and avoiding conflict of interest problems, so I'm going to, Mr. Manager, I believe we have a provision in this agreement covering conflicts of interest. Do we have a provision in here concerning whether the CAC would be covered under open meetings and open records?"

**Mr. Buchanan** said, "I don't believe it is covered."

**Chairman Peterjohn** said, "Thank you very much. Commissioner Parks."

**Commissioner Parks** said, "I won't reiterate some of the things including the open meetings, the open records request item that I was going to have here, but I will say that I don't think Exploiting and Missing Children Unit is broken. I think that our local law enforcement is doing a good job. I do see where this is going, and I hope that our nongovernment friends that we are funding, going to fund here in a few minutes, will come back on a regular basis with some data, not only the money data, the audits, but also the numbers that they are dealing with. Thanks."

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

**Commissioner Norton** said, "Just a final comment. Mr. Chairman, I would be willing to serve as a liaison with the Commission with their board to make sure that as we move forward that we understand their mission, their audit, their policies and procedures. I don't particularly want to be on the board, but I would certainly do that as we make this transition so that we all are as comfortable as I am with what their organization, what their mission is, how it functions in our community and what it's really doing for children. Now I don't know if that's pertinent in this conversation, but I have a heart for this, and I would certainly be willing to be attached to a greater understanding."

**Chairman Peterjohn** said, "Thank you. Seeing no further discussion, please call the vote."

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**VOTE**

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

**Mr. Buchanan** said, “If it pleases the Chairman, let me assure the Commission that it was our expectation from the beginning to monitor this contract very carefully. We know the budget, we know the goals, we articulate our expectations and we will make sure that we do that and you are informed of that information in a timely fashion. Thank you.”

**Chairman Peterjohn** said, “Thank you, Mr. Manager. I see Mr. Vogt out in the audience. Is there a motion to take up Item E?”

**MOTION**

Commissioner Norton moved to take Item E after Item F and before Item G.

Commissioner Unruh seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “The floor is yours, Mr. Vogt.”

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### E. **CRIMINAL JUSTICE INFORMATION SYSTEMS INTEGRATION PROGRESS REPORT.**

#### **VISUAL PRESENTATION**

**Mr. Richard Vogt**, Chief Information Officer, greeted the Commissioners and said, “As the previous discussion just highlighted today, criminal justice and public safety takes on a huge portion of local government’s time, energy and resources providing that kind of service in the most efficient and productive way is the goal of many different entities within, certainly within Sedgwick County, and many other agencies. One of the ways we do that is to apply technology, and technology has played a very important role since the early days of the IT (Information Technology) Department, and in this organization, and it continues to be that. The changing times require us to use different approaches, and one of our strategies within the IT Department is what we call forced multiplication. By that, we mean, what do we have that we can use, in a synergistic way, bring together what resources to leverage better results without expending a lot more of those resources that we already spend.”

“We’ve talked quite a bit in various meetings, and I’ve been up here before talking about what we now call the Metatomix project, wanted to, again, get you up to date on what’s going on. But I’m going to back up just a little bit and we’re going to look at kind of the whole process, the criminal justice process here, it is probably the same in a lot of different places. And I’m going to have Mary come and introduce herself, and she can walk you through the first couple of slides and then I’ll finish the presentation.”

**Ms. Mary Knopick**, Criminal Justice Management, Division of Public Safety, greeted the Commissioners and said, “Commissioner Parks, I think you’ll agree with me that our criminal justice system is very complex. And I’m afraid that my little presentation this morning might find you a bit bored. What I’ve done is I’ve prepared a very simple look at two junctures in this system. We’re going to look at how you get out of booking and what happens at final case disposition. The easiest way to get out of booking is OR, your own recognizance; you just get out without having to post bond, or you might be asked to post bond, a cash bond or a surety bond. A judge might place you in pretrial services or a judge might place you in the Sedgwick County Offender Assessment Program (SCOAP). The District Attorney could decide that they don’t have a case and they are not going to charge, so you would be released without prosecution; at that point, you exit the system. The District Attorney could also release you with prosecution pending.

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“At the time when charges are filed, you might simply be given a court date when you appear in court, or depending on the severity of the crime, you may be rearrested and reenter the system. Once the charges are filed, you also have the option of applying for a diversion. All right, you have your day in court. If you’re not guilty, you exit the system. If you’re found guilty, the judge has many different options on sanctions. He could release you simply for time served, assess fines, you could be placed on diversion, you could be placed on probation, you could be placed in a program, you could be sent to jail to serve time, or you could be authorized for work release, or you could be sent to prison. Or the judge might do a combination. He could assess fines, place you on probation and a condition of your probation may be to report to the day reporting system. Again, a very simple look at a very complex system. If you have any questions, I’ll answer them, otherwise turn it back over to Richard.”

**Chairman Peterjohn** said, “I’m going to begin, if I may, with a question or two. Can you go into a little bit more detail on the diversion area, because we’ve got a variety of options, whether it’s Drug Court, or SCOAP and mental health court, and would those both be considered as part of diversion?”

**Ms. Knopick** said, “They can be, yes, and that’s where the system becomes very complex. Yes, all of those can be diversion, also. They can be.”

**Chairman Peterjohn** said, “Are there other programs that could fall under diversion, too, that you could mention?”

**Ms. Knopick** said, “The City of Wichita has numerous diversion programs, the District Attorney has numerous diversion programs, I can come back with more information.”

**Chairman Peterjohn** said, “Would day reporting fall under another diversion program, Ms. Knopick?”

**Ms. Knopick** said, “I would not consider that one diversion.”

**Chairman Peterjohn** said, “Oh, okay. Any further questions? Seeing none, thank you. We’ve got a request for a copy of the presentation...”

**Commissioner Welshimer** said, “Well maybe of all of your slides, if you can do that.”

**Chairman Peterjohn** said, “Go ahead, Mr. Vogt.”

**Mr. Vogt** said, “I will do that. As you can see from Mary’s two charts there, there are probably a dozen points where key decisions are being made in the system, and at other places where maybe a

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little less key decisions are being made, but where complete and comprehensive information is vital to the decision making process. And certainly the judges, who in a lot of cases make these kind of calls, need that kind of information, but everybody throughout the system. We know 14 distinct areas that we've surveyed, just ourselves, where activities are being done; Wichita Police Department, Sheriff's Office, District Attorney, courts, Corrections, a variety of places where these kinds of decisions are being made. The problem is getting that comprehensive information, because these different entities, these different agencies, including up in the state and federal level, have their own databases. So we recognized early on, as I point you to the first slide here, that a multi-database search capability was vital and we've provided that on the Mainframe system from probably the mid '80s. The idea was that you can look at, type in a name once and bring up information about that individual from the multiple databases, multiple systems, that were there. Unfortunately, the system's moving off the Mainframe, the Mainframe is kind of like a steam shovel. It does one thing and does it very well, but it still only does that one thing. Systems, the needs changed in the '90s, and so we moved off the Mainframe, we started the process of moving off the Mainframe, so that we could leverage different technologies that were out there. And all of the agencies have benefited from that."

"Unfortunately, moving off the Mainframe gradually but surely removed the efficacy of that multi-database search capabilities. Our first solution, something we call Case Connect, brings case numbers together and that helps build that thread, but it only partially met the needs of our agencies. The second solution had to do more with ensuring that in all these databases we are able to cull out all the information, find people even though they have different names, different spellings, maybe they missed the year when they gave their date of birth from time to time, multiple passes through the system, ID (identification) numbers didn't quite match up. We needed a way to comprehensively analyze all these databases and make sure that when you type in John Doe, that you were getting that John Doe that you're interested in and not all the other John Does out there. Through an RFP (request for proposal) process, went through analysis, worked with a group called SEARCH, it's a national justice organization working with the Department of Justice, we prepared an RFP, went out and have now selected, did select last year, a company called Metatomix, which we believe does meet national standards and the local needs.

"I'm quick to tell you, as you know, the benefits, and wonders and glories of technology and I'll do that here on the next slide. But then the one that follows this one, I'm almost as quick to tell you what technology can't do for you and why it's simply a tool and an asset. But first, what it does, it pulls data from multiple databases, as I mentioned, scoring the results. That is, it determines by middle initial, or middle name, the spellings; the spellings of the last names, spellings of the first name, it gathers information from these databases and determines a particular individual in one database is actually the same individual in another database, even though the data about that person may be slightly different. That's what we mean by scoring. The system will either have a 100

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percent surety that the people are the same, typically that means it's the same name, it's the same date of birth, the same race and sex, same social, same KBI (Kansas Bureau of Investigation) number and so on. Or it has a little bit less number, 85 percent or 90 percent, but it allows the humans who are running the system, and using the system, to make that determination whether or not that really is the same individual.

“Once that's developed, once that determination has been made, then detailed information is brought forth, and brought forth from all the databases, so that the individual has a comprehensive view of the person that they're researching. A really nice thing about the Metatomix product is that it gives the same report format. Instead of having to cut and paste from five, six, seven different databases, it puts it all into one report. That really speeds up the process, you're not having to do a lot of report gathering and report preparing, but it produces a comprehensive final report very quickly. So, tasks are done faster. This improves the efficiency. So something that took 15 minutes in the past will take 5 minutes. Something that took two hours in the past will take 30 minutes. And other entities, like the State of Florida and the State of Georgia have seen dramatic improvements in tasks getting done faster.”

**Mr. Vogt** continued, “What we looked at originally were things like background checks and presentence investigation. Again, with technology, things change and other topics have come up more recently. One of the ones was journal entries, and one of the bugaboos with journal entries is calculating time served, so I included that on the slide as well. Again, having all of the different stays for this particular pass through the system available to the people in the District Attorney's Office calculating time served will be a tremendous benefit. And we know that takes a lot of time on their part to calculate; Metatomix will be a great asset to them in calculating time served. And we know there's going to be other things that come up when people use the system. They will think of other ways that it can benefit. It can be used to correct things that are wrong in the original databases. That's very helpful because for a person using that particular operational database, and I'm going to reiterate and I'll say in a little bit later, that this does not replace existing systems. This is kind of a system that sits on top.

“If we can help keep the data in those underlying systems clean, make them more accurate, it will help the people who use it; the booking deputies, the pod deputies, the court officials, it will help them when they use their systems to have better and more accurate information to make better decisions. What it also can do is go beyond traditional systems. I know we've had some discussions about, could this be used with the tax system, with other areas of responsibility in the county? And the answer is yes, this is a tool, like a hammer and a screwdriver. It can be used for multiple purposes. What it does is it gathers information from multiple databases about a particular name, about a particular person, so it has broader scope. It also aligns us with the state and federal approach. It uses what we call the JIEM standard, the Justice Information Exchange Model, that standard that the federal government has established, so that when other entities, like the state, or

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other states, or other local agencies want to leverage this system, it's ready to go. It meets those standards. And so, I ask the question, will it help? Absolutely. It's going to be a fantastic tool in the hands of these 14 different areas and probably a lot more to help make things more efficient; things getting done faster.

"Like I said, I also like to mention what it doesn't do. And technology sometimes can be seen as a threatening thing. It can be seen in a too negative of a light, and it can also be seen in a too positive of a light, so I've got a few things here that I just want to make sure that we understand about the Metatomix project. It does not replace people. People are still the essential, the human brain continues to be the number one decision point, decision making system, as it were, within the criminal justice area. We might be able to reduce positions, and all the departments out there probably cringe when I say that, but with technology we do things faster. But I've also found with technology that when we do give people more time back, it enables them to do more work, and to do that work more completely, and sometimes it helps them do other jobs as well. So, this is not a people replacement tool."

"This is not going to replace the tasks. The presentence investigations will still have to get done, the background checks will still have to get done. Those things are still the responsibility of these agencies. It will help them do it faster and it will be a great asset to them, but it does not replace any of those tasks. They still have to be done. It doesn't replace any databases. It leaves the databases, the existing databases, in situ. We're going to use what's there and we're going to multiply the efficacy of those systems by making them all work a little bit harder. It's not going to tap every database. There are certain databases out there that for confidentiality, various reasons, we will not be tapping. So, security is very important and we're going to take great care to make sure that everybody who owns data is willing and able to share that data. It will not reduce the length of stay in jail every time. We could have more comprehensive information, maybe it's an unfortunate thing, I don't think so, but there may be times when we find out more information about a guy that makes us want to keep him longer; there's a reason to keep this person longer.

"The important thing is that we have accurate information, it's comprehensive and we can make the right decisions. It doesn't eliminate the need to make other changes. Again, we've been talking for many months, and probably years now, criminal justice is a complex area. This is not going to be that silver bullet that solves all the problems. Other changes need to be looked at, need to be talked about, investigated. And, most importantly, it will not make the final decision. It will give information to make that information more effective, and make the decision more effective and more quickly. People can pass through the system more quickly, and that's a good thing because that does help people get through the jail faster. So will it help, even though it doesn't do a lot of these things? Absolutely. I'll say it again; it's a very important system. It's going to be a great tool.

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“Very quickly, how it works, we first do the security. Make sure that the security is correct. That we’re not sharing, disclosing information to people that are not authorized to see it. User will select which data sources they’re going after. In some cases, they may not want to search all the databases. User enters as much information as they know about that individual, and when they hit the submit key, then the system is scanned for what we call summary information; just enough information to bring back to help the humans who are using the system to decide which person they want to pursue. So the user can then refine the search, or they find the name that they’re after, they select that. Consolidated information is then displayed; it’s printable, shareable. It’s one of the things where you don’t have to print it; you can ship it around, help with our sustainability initiatives, and ultimately get the data more quickly into the hands of people who use it.”

**Mr. Vogt** continued, “Where we are right now is we have two databases for which the summary is totally complete. We have that under test. It’s back to the departments and they are verifying that the names are indeed being matched up in an appropriate way. We’re hearing very good results. People are asking more about, what else can the system do, then telling us that the system has flaws in it. So we’re very encouraged by that. We’re going to let them do as much testing as they want, hopefully before the month is out we’ll be able to be through that testing phase. The next phase involves more databases, including the City of Wichita Police Department, Municipal Court and the legacy data that we’ve copied off the Mainframe into servers. And then down the road, there are imaging systems and other systems that we’d like to tie in as well, but we will follow the lead of our Criminal Justice Coordinating Council (CJCC). First thing we did was go get their blessing and move forward with this project and working in lockstep with CJCC. If you have any questions, I’d be willing to answer them.”

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

**Commissioner Parks** said, “Yes. Are these, Metatomix, is that going to be easy for cities, and the county also, and the courts and everybody to hook up to, and how far off are we on training those places, if that is so?”

**Mr. Vogt** said, “Yes. It will be. And first of all, it’s web based, it’s something that people will be very comfortable with. When we shared that information with other people, we have to have another piece, what we call a virtual desktop, I won’t even get into that, but that’s being finalized as well. We will offer that up to, again, to individuals and agencies that are entitled to see that and make that happen. It’s not just within the county. We are looking and working with the state. We’ve had the state, KBI have come down and we’re sharing with them what we’re doing. So we have a

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lot of players at different levels. All of them, as long as the data owners are willing to share that information, we will make the system available to them.”

**Commissioner Parks** said, “Will that be a cost to the other cities and the other municipal courts and the like?”

**Mr. Vogt** said, “With the other cities, they fall under our subscriber access network, so they will see no change in their current cost structure.”

**Commissioner Parks** said, “If they’re a subscriber access now, this will just go in with their system then?”

**Mr. Vogt** said, “That’s correct. I mean, again, I always qualify that whoever owns the data will have the final say.”

**Commissioner Parks** said, “And that’s good to hear. I want to revert back a little bit to Mary’s arrows and her... I just wanted to say thank you for that. That one of the things that, one of the little gaps that was in there that didn’t have an arrow on it, but I don’t want to sound like a broken record, and I know to my colleagues I do, but it’s been some time since I’ve mentioned that on air about the remote AFIS (Automated Fingerprint Identification System) systems and the possibility of getting those back when we decided to charge the cities for jail fees. I certainly was convinced to do that with the thinking that we would go out and help the cities try to not darken our door of the jail if it was not necessary and meeting those criteria that the state have for [Class] A and B misdemeanors to be fingerprinted and photographed, whereby they could go to their remote location, whether it be Derby, Valley Center, Park City, Maize, wherever it might be, to be fingerprinted and photographed and they could release them from that area and then not have to even darken our door. So that Automated Fingerprint Identification System is still on my radar for that part of the...and hopefully before too long we can get another arrow that says AFIS remote booking. Thank you.”

**Chairman Peterjohn** said, “I’ve got several questions, Mr. Vogt. Let me begin with, we’ve had a lot of discussions internally among the Commissioners and staff concerning failure to appear. When this first step in the Metatomix system is put in place, will there be some clarity, in terms of folks who are being held on a failure to appear warrant of some sort, in terms of finding out within the system what’s on that warrant, will that be available when this upgrade actually goes live?”

**Mr. Vogt** said, “Yes. One of the things we did early on was to just treat the Sheriff’s system as kind of a single entity, and I know warrants crossover between multiple systems, which kind of complicates things, but what we finally did was we broke out the warrant information, call it a

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different data source, and that information will be one that they can select and they'll be able to see that information."

**Chairman Peterjohn** said, "Okay. In terms of folks who are being held out of county, would we be able to get a breakdown, in terms of this information, in terms of those who are awaiting a trial versus those who are serving a sentence on those out of county folks at the end of this month when it goes live?"

**Mr. Vogt** said, "The current up to date information from the Sheriff's system will be available, and as will the court information, and I think what the individuals will have to learn to do is to make sure that they select both of those data sources so that they can see the most recent court actions and see if something has changed. So, yes, if they were brought in and were being held in like a pretrial mode, but something then changed in the courts, because of court action, that information will all be comprehensively displayed. We just have to train and make sure that the people who are looking for the information will not just stop when they're done reading the Sheriff information, but they can go down and read the court information as well. They've put those two pieces together. The answer should be yes."

**Chairman Peterjohn** said, "Okay. Because, in terms of knowing the capability, we've had several discussions like on journal entries, and how long people have been, actually how much time they've actually spent inside the jail, and sometimes we haven't been able to get the information, or the information has come at a much slower pace than we'd like, and I was interested, in terms of how the project might help us concerning journal entries and being able to get a list of the duration of people who are being detained in the jail?"

**Mr. Vogt** said, "And I think that the risk might be, and this is how we're going to have to determine how the system works and how it is refined, is that there will be data overload. And so if you do have a person who has a hundred failure to appears, as we've talked about in the past, that makes that report huge. How do you mentally filter that? How do you not look at that and make some opinions about the individual, but how do you filter through that process? And we can refine that part of it so that we don't show as much, if that's a relative point for the people who are using this system to make it easier for them to digest the information that's there. I think information overload will probably be more of a problem than what it is now, which is a paucity of information."

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

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**Commissioner Norton** said, “Well, Rich, you’ve become almost an expert on the criminal justice system just by following the audit trail of the data, so I applaud you for that. How long a process has this been? When did we first get hooked up with Metatomix? When did the thought process start on collating all the data?”

**Mr. Vogt** said, “We appointed, we kind of designated, our first person on this project in September of 2007. That doesn’t mean that was the first moment obviously we thought about it. We had been thinking about it for quite some time before. Like I said, the Case Connect system had been developed for several years and its weaknesses were increasingly apparent. So I can’t really put my finger on it, but probably 2006 to early 2007 is when we really started to think, hey, we need something else. What else is out there? We’re part of a group called NAJIS, which is a National [Association for] Justice Information Systems coalition. Like I said, the search consortium as well. We leveraged all of these agencies, all these entities out there, their help during this process. It was rather lengthy until we decided, hey, we need to have what we call an interface manager to do that, but that happened in September of 2007.”

**Commissioner Norton** said, “This is similar to the conversation we had years ago when we started talking about ERP and Enterprise Resource [Planning] systems where there’s a lot of data out there, but none of them talk to each other. There’s legacy systems that don’t share information. So it was pretty much a similar conversation, was it not?”

**Mr. Vogt** said, “Yes, and we’re reaching the second or third generation level of IT systems. It used to be we’re just collecting the data, now we are asking computers to start connecting some of the dots for us; some of the dots that can be connected by a computer. Computers have their limitations. But, yeah, to be a little bit smarter than it was before. Like I said, forced multiplication.”

**Commissioner Norton** said, “In this process, did we create any new data, or new data collections, or was most of the data out there but just needed to be put together?”

**Mr. Vogt** said, “This did not really involve creation of any new data. We’re just leveraging the data that already exists in the database and trying to help the databases to be cleaner and more correct.”

**Commissioner Norton** said, “So we had access to all the data, it just wasn’t very easy to use?”

**Mr. Vogt** said, “That’s correct.”

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**Commissioner Norton** said, "Okay. And this collates all the existing data that is out there in a lot of systems that have never talked with each other before, is that correct?"

**Mr. Vogt** said, "Well, in a sense that they were all on the Mainframe together, they had a kind of a minimal talking. I won't say they didn't talk at all, but this is such a light year, kind of advanced forward, it's like night and day."

**Commissioner Norton** said, "And finally, speak a little bit to that. We were on a Mainframe, and that was kind of a central depository and they could share a little information, but that's all changed over the years and we're no longer on a mainframe, is that correct?"

**Mr. Vogt** said, "That's correct. We have one major system left on the Mainframe, and that's the tax system, and it is scheduled to come off later this year. What we've done with what we call legacy data, tremendous amount of information that did not get converted into the Full Court, the court system, or to the ILEADS, which is the Sheriff's system, that stayed on the Mainframe. We did not want to lose that very valuable information. So we had a rather lengthy project, and it's still going on, to copy that information off of the Mainframe into relational database systems, and one of the other things we're asking the courts, and the Sheriff, and the DA (District Attorney) and various entities to do, is to check through our legacy front end, the program that allows them to search the legacy data, and make sure that that information that they expect to be able to continue to access is there. The second thing we're doing with a legacy is it will be part of our phase two into Metatomix. We will tap that information, so, again, it's all there for people to use."

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

**Chairman Peterjohn** said, "What's the will of the body?"

**Commissioner Welshimer** said, "I have a question."

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

**Commissioner Welshimer** said, "You said we had access all along, does that mean that any one of these entities, like the courts, and the corrections and the jail could go into each other's database any time they wanted to?"

**Mr. Vogt** said, "Our approach was to allow the data owners to determine who all could look at their data. By and large, there was a fairly free access between all the systems. There were some

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limitations placed by the data owners, but they could certainly ask for the authority to go in and view those databases.”

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

**Chairman Peterjohn** said, “What is the will of the body?”

**MOTION**

Commissioner Unruh moved to receive and file.

Commissioner Norton seconded the motion.

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

**VOTE**

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

**Mr. Vogt** said, “Thanks.”

**Commissioner Norton** said, “Thanks, Richard.”

**Chairman Peterjohn** said, “Next item.”

**G. PURCHASING DEPARTMENT.**

- 1. RECONSIDERATION OF ITEM 1 OF THE MINUTES OF THE JANUARY 28, 2010 MEETING OF THE BOARD OF BIDS AND CONTRACTS: ICE RESURFACER FOR THE INTRUST BANK ARENA.**

**This item was deferred at the February 3, 2010 Commission Meeting.**

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**Mr. Joe Thomas**, Senior Purchasing Agent, Purchasing, greeted the Commissioners and said, “This item is our recommendation to accept the purchase from Frank J. Zamboni & Company in the amount of \$82,861.25. I’d be happy to answer any questions in regards to this and recommend approval of this item.”

**Chairman Peterjohn** said, “What is the will of the body?”

**MOTION**

Commissioner Unruh moved to approve Item 1 from the January 28, 2010, Board of Bids and Contracts.

Commissioner Norton seconded the motion.

**Chairman Peterjohn** said, “I have a motion and a second, seeing no further discussion, oh, Commissioner Parks.”

**Commissioner Parks** said, “Well, I did appreciate the week delay and I did receive some information that I was seeking, not that it really pleased me, but I do realize that we need to get this ordered and on the way. Thank you.”

**Chairman Peterjohn** said, “I’ll second those comments, Commissioner Parks. I appreciate getting the additional information and the clarification. Seeing no further discussion, please call the vote.”

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**2. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON FEBRUARY 4, 2010.**

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**Mr. Thomas** said, “There are three items for consideration that resulted from the meeting of the Board of Bids and Contracts on February 4th. Item 1;

**1. BRIDGE IMPROVEMENTS – PUBLIC WORKS  
FUNDING – B436 3900 NORTH 167<sup>TH</sup> ST W**

“The recommendation is to accept the low bid from Dondlinger & Sons Construction Company in the amount of \$654,926.13. Item 2;

**2. FULL SIZE FOUR DOOR POLICE SEDANS – FLEET  
MANAGEMENT  
FUNDING – VEHICLE ACQUISITION**

“The recommendation is to accept the low bid from Rusty Eck Ford in the amount of \$250,353. And Item 3;

**3. CHANGE ORDER #1, HISTORIC COURTHOUSE/MUNGER FIRE  
ALARM UPGRADE  
FUNDING – MODERNIZE FIRE ALARM SYSTEM - HCH**

“The recommendation is to accept the change order with Shelley Electric, Inc. for \$22,824.31 and 35 additional days to contract time. I’ll be happy to answer questions in regards to these and recommend approval of these items.”

**Chairman Peterjohn** said, “Thank you. Questions for Mr. Thomas? Commissioner Parks.”

**Commissioner Parks** said, “Were the police cruisers spec’d out as Fords, per se, or a certain wheel base instead of including other sedans in that?”

**Mr. Buchanan** said, “Kevin?”

**Mr. Kevin Myles**, Director, Fleet Management, greeted the Commissioners and said, “Yes, those were specked out as the Ford police cruisers.”

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

**Chairman Peterjohn** said, “Any further questions? I’m going to, I was curious on the third item. I noticed there was a credits listed as part of the bid for the Shelley Electric, and I was interested in finding out, was this a follow-up from an earlier agreement, and since we’re doing work on the

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Historic Courthouse and Munger Building, I wanted to understand that if we go ahead and approve these, will we have to, if there's further remodeling, how this will impact the alarm upgrade too? Was that part of the consideration? I guess I've got several questions. I'm sorry to throw them all to you at once; maybe I should break them down."

**Mr. Thomas** said, "That's all right."

**Chairman Peterjohn** said, "Take your best shot."

**Mr. Thomas** said, "Okay. Well, the original project was for the upgrade of the Historic Courthouse and the Munger Building. Now the reason we have this change order is that after the plan review, the Office of Central Inspection had additional changes that were made; part of those changes were due to the fact that the city Fire Chief had additional comments and recommendations to make, which mandated that we make these changes. Then the additional 35 days is required, because of these changes there is a lot of coordination between the general contractor and the subcontractors, and also the requirements involving testing, making sure that it works properly, and then we have a final inspection and system verification by the Office of Central Inspection to make sure that it is up to code and working properly."

**Chairman Peterjohn** said, "Okay. And then, explain a little bit, I'm still uncomfortable, in terms of understanding how we ended up with a credit, especially on an item that's a sole bid. If there were more than one bidders, maybe that wouldn't bother me quite as much, but on sole bid items, it makes me always wonder how we had the specs drawn up."

**Mr. Thomas** said, "Okay."

**Mr. Vance Hill**, Construction Project Manager, Project Services, greeted the Commissioners and said, "Part of the credits had to do with, primarily in the Munger Building, some of the horns and strobes were compliant, and what had happened over the years, we just had one addition on to the system after another, and so you had different dates and different years of equipment. Some of that ended up being compliant with the current codes, so we were able to go back in and deduct that back out."

**Chairman Peterjohn** said, "Okay. Thank you. Seeing no further questions, what is the will of the body?"

### **MOTION**

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

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Contracts.

Commissioner Norton seconded the motion.

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

**VOTE**

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

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

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

**CONSENT AGENDA**

**H. CONSENT AGENDA.**

- 1. One (1) Right of Way Easement for Sedgwick County Signalization Project at the intersection of 167<sup>th</sup> Street West and Maple . CIP# R-320. District 3.**
- 2. Three (3) Right of Way Easements, Three (3) Temporary Construction Easements and One (1) Permanent Drainage Easement for Sedgwick County Project 803-s ½ Q thru U: 135<sup>th</sup> Street West from US-54 to K-42. CIP# R-303. District 3.**
- 3. Consideration of Resolution accepting the resignation of First-Citizen Bank & Trust Company as Trustee and appointing U.S. Bank National Association as successor Trustee for bonds sold in 1999 for FlightSafety International.**
- 4. Housing Department Section 8 Rental Assistance.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V10001	\$258	4	Valley View Apartments

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V10002          \$420                  4          Country Park Residences

**5. The following Section 8 contracts are up for annual recertification:**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V07019	\$292	\$292
V07018	\$333	\$311
V07021	\$256	\$220
V08083	\$317	\$304
V2029	\$241	\$236
V07106	\$446	\$516
V07010	\$455	\$335
V09049	\$381	\$458
V06015	\$208	\$212
V08017	\$566	\$566
V06072	\$339	\$277
<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V07103	\$459	\$391
V06003	\$400	\$400
V08079	\$245	\$509
V08032	\$451	\$482
V03046	\$181	\$189
V04097	\$615	\$645
V020052	\$458	\$554
V09019	\$413	\$509
V05101	\$519	\$556
V07025	\$491	\$212
V09025	\$560	\$560
V08005	\$380	\$426
V08017	\$566	\$125
V09037	\$341	\$550
V05051	\$636	\$576
V07103	\$391	\$484
V08040	\$348	\$174

**6. General Bill Check Register of January 27, 2010 – February 2, 2010.**

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- 7. Payroll Check Register for the week of January 13, 2010.**
- 8. Payroll Check Register for the week of January 27, 2010.**

**Mr. Buchanan** said, “Commissioners, you have the Consent Agenda before you and I would recommend you approve it, and then you also have two off-agenda items in the front of your book that we need to deal with.”

**MOTION**

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Welshimer seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, “Mr. Manager.”

**Mr. Buchanan** said, “Mr. Chairman, I would recommend that you take two off-agenda items, and if someone would make that motion, then I will address the two items.”

**MOTION**

Commissioner Unruh moved to take two off-agenda items.

Commissioner Welshimer seconded the motion.

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

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**VOTE**

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

**OFF-AGENDA ITEMS**

- 1. CONTRIBUTION ON BEHALF OF SEDGWICK COUNTY TO NUMANA, INC. IN RECOGNITION FOR HAITI MEAL EVENT HELD AT THE KANSAS COLISEUM ON JANUARY 23 AND 24, 2010.**

**Mr. Buchanan** said, “Mr. Chairman and Commission, the first item is a contribution on behalf of Sedgwick County to Numana, Inc. for the recognition of the Haitian meal event that was held at the Kansas Coliseum on January 23rd and 24th. A number of you had attended that event, and there were several volunteers, over 10,000, who packaged 1.2 million meals at that event. As our normal process and practice for the Coliseum complex, we rented that space to that agency, and because of some conversations that you had with those folks and because of the great need of the Haitian people, it was recommended to me that we place this off-agenda item to make a contribution of \$1,000 to help offset that rent that would be sent to Numana. I’m recommending that you approve that action.”

**MOTION**

Commissioner Welshimer moved to approve the contribution of \$1,000 to Numana, Inc.

Chairman Peterjohn seconded the motion.

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

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**VOTE**

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

**Chairman Peterjohn** said, “Mr. Manager.”

**Mr. Buchanan** said, “The next item is to amend the 2010 Capital Improvement Program (CIP) to increase the right-of-way and utility relocation and Pete Giroux has a quick PowerPoint.”

**2. AMEND THE 2010 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCREASE R303 RIGHT OF WAY AND UTILITY RELOCATION.**

**VISUAL PRESENTATION**

**Mr. Pete Giroux**, Principal Analyst, Budget, greeted the Commissioners and said, “Yes I do. Public Works has requested a CIP amendment to increase the funding for right-of-way and the utility relocation phase of R303, a project on 135th Street West. Here’s a map of the project. It proceeds from a point just south of US-54 down to K-42 and paves this road to rural standard. It’s the largest road project in this year’s CIP. Mr. Spears would probably describe it as his crown jewel for the year. The road is currently a mix of gravel and hard surface. Sedgwick County is responsible for the design, the utility relocation and acquisition of right-of-way, and will contribute approximately 20 percent for the construction and construction engineering phases of the project. KDOT (Kansas Department of Transportation) will manage the construction phase this year and expects to let the contract in April. They provide 80 percent of the construction and construction engineering funding. The cost of the construction phase is estimated at \$4,749,500.”

**Mr. Giroux** continued, “Right-of-way and utility relocation were funded in last year’s CIP and highway staff have been working with a total of 42 property owners who have various right-of-way

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agreements with the county. Highway staff have reached agreement with all but two of these property owners as of yesterday afternoon. The initial budget for the right-of-way has been expended and Public Works estimates it needs an additional \$250,000 to complete this phase of the project. Of course, those costs are a function of the amount of property required, the cost of relocating private utilities, fences, et cetera, and, of course, there's damages for trees and landscaping that follow a prescribed schedule. Public Works has suggested that we fund this requirement with the remaining budget authority in the 2009 maintenance program, and this is a result of less than the programmed amount for some of the projects, as well as for the materials for that year. CIP committee supported this unanimously and recommend approval. Do you have any questions?"

**Chairman Peterjohn** said, "Thank you, and I'm going to extend that to include Mr. Spears too, in terms of the questions. Commissioner Parks."

**Commissioner Parks** said, "Yes. I know that Mr. Spears' staff goes to long, great concerns to avoid condemnation, and I think I am going to be supportive of this. I did have a question of either Mr. Spears, or somebody in Finance, is this, the 80 percent from KDOT, is that the old FAS (Federal Aid Secondary), or the old ISTEA (Intermodal Surface Transportation Efficiency Act) program, or something connecting 54 and 42, is that the idea behind the state participation in this?"

**Mr. David Spears**, Director, Public Works, greeted the Commissioners and said, "That was our idea. Yes, we selected the project. And in the beginning, we actually didn't have any funds coming on this, and then we applied at a later date, after it was already in the CIP, and we were successful in getting those. But that was the main idea to connect Kellogg, or US-54, to K-42, and then as you know, 135th leads all the way down into Clearwater. So we thought that would be a good improvement."

**Commissioner Parks** said, "And I agree with those statements. Thank you."

**Chairman Peterjohn** said, "I also agree it would be an improvement. But, Mr. Spears, I'd appreciate a discussion, if this project includes traffic control at K-42 and 135th Street, since we've paved that from 135th going north to Kellogg, I suspect we're going to have a lot more through traffic on 135 in both directions. And if my recollection is correct, I think we had, in fact we had a county vehicle that was involved in an accident on K-42 that may have even been at, or near, or within a mile or two of that intersection in the not too recent past. So I was curious if this project included traffic control along K-42, or how that's going to be handled?"

**Mr. Spears** said, "Well, yes, sir. All of our projects include updates of any traffic signals that might be needed. As you might know, we've already put in a signal at 135th and Kellogg. There's a signal there now. It's a new one. And we will look at each intersection as you go down, and it would have

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to meet certain warrants. I don't believe there would be any other signals on any of the other intersections. We would have to study K-42 right there. That would be the only other place that might require a signal, but, like I say, we go through a specific procedure to see if it meets warrants. The other intersections down through there would probably, I would say be like a two-way stop, but I don't want to say that categorically, but usually if you have a paved road going through, the traffic goes through on that and then if the side roads are gravel, they would stop."

**Chairman Peterjohn** said, "Yeah, and 135th Street is a stop street when you reach K-42 at the moment, but going north, it's gravel. And so, normally, the vehicles coming south are not going that fast, and I think most people are used to when they're on a paved road. I just want to make sure we don't create an intersection such as, and I'm going to be a little risky here mentioning one in particular, it's not in Sedgwick County, but where Yoder Road crosses US-50 southeast of Hutchinson has been a problematic intersection, and they went a long time without having a traffic control, and had some bad accidents there and they finally put one in. And I think it's improved that intersection and made it much safer. I'm concerned, and I'm going to be supporting of this, and in fact will make a motion to do so, but I want to make sure that that's at the front end of our attention too. Because expediting traffic is important, but doing it in a safe way, in my opinion, is just as important."

**Mr. Spears** said, "Our top priority at Public Works, and as engineers, is the safety of the public and we will sure be looking at that."

**Commissioner Parks** said, "I will second your motion."

**Chairman Peterjohn** said, "I will make a motion that we approve this item and I appreciate your second in advance. Commissioner Parks."

### MOTION

Chairman Peterjohn moved to approve the amendment to the CIP.

Commissioner Parks seconded the motion.

**Commissioner Parks** said, "And I do have just one more quick question, he touched on it a little bit with the traffic signalization there. Mr. Spears, your procedure to warrant that, you would look at what the MUTCD (Manual on Uniform Traffic Control Devices) says and, of course, we would be in danger of losing funds if we didn't follow that state law that says MUTCD should be followed, is that correct?"

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**Chairman Peterjohn** said, “Commissioner Parks, would you please, for the record, MUTCD, I think there’s probably more than a few viewers out there who don’t know that acronym and what you’re referring to.”

**Commissioner Parks** said, “Manual on Uniform Traffic Control Devices. Thank you.”

**Mr. Spears** said, “Yes, sir. Like I said, we will follow all proper procedures in accordance with the MUTCD, Manual on Uniform Traffic Control Devices. Mark Borst in our office is a highly qualified traffic engineer and will do that study. And I am sure you don’t want me to bore you with all the details of the different items that we look at on one of those.”

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

**Chairman Peterjohn** said, “Seeing no further lights up here, please call the vote.”

**VOTE**

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

**Chairman Peterjohn** said, “Next item.”

**I. OTHER**

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

**Commissioner Parks** said, “Well, I am going to follow-up on the MUTCD, the Manual on Uniform Traffic Control Devices, and talk a little bit about, we’re having a township meeting, and if any of our township officials are watching this, I want to extend a special invitation. We have a great speaker this year. We’re going to be meeting on the 18th out at the Zoo, and Tom Mulinazzi from KU (University of Kansas) is one of the premiere traffic engineers in the region, and I would almost say United States, because I have over 40 hours of instruction from him, also. However, I

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just think it's going to be a great program, and we have these annual township get-togethers with the township to talk to them about various things, and this is something that's very important to our township is signage, and liability and those items. On our Bid Board this week, we had a comment about [Office of] Central Inspection, and I have commented at staff meeting, I would like to go on record at this meeting saying that there have been times when I have said we should consider de-annexation [sic] of some of our county buildings. I'll just say that for the record again, that if we're having our Sheriff Deputies doing the law enforcement on those, or county security officers doing the items in there, and other things that we could be potentially saving a lot of money by having our own inspectors do those inspections, and just wanted to throw that out as a comment that came up today. Thank you."

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

**Commissioner Welshimer** said, "Well, I'll be going on Tuesday for my second trip up to Topeka to talk to legislators about some of the issues that they have that affect us; one being the 10 percent reduction in Medicaid that is so critical to all of our nonprofits and to our organization as well. There will be several others. But I am hoping that we can have some progress there."

**Chairman Peterjohn** said, "I am going to throw out a couple of items that I think are important. Last weekend out at the pavilions at the Kansas Coliseum complex, there was a car swap meet that I had not attended in the past, and I was rather surprised to see, not only the parking around the pavilion buildings being fully utilized, but also people parking literally on the west side of the Britt Brown Arena and walking all the way around it to get to the entrances for that swap meet. The potential, in terms of for events out there that are like that, especially in light of the fact that we only spent a portion of the money that had originally been allocated in the 2004 vote, my recollection is, I believe about \$6 million out of the \$9 million for the pavilion upgrades in and around that facility, that was a significant event for me and it was good to see Commissioner Parks out there. I hope he had some success selling the items that he was marketing. I also, on a slightly different note, have to take notice of the, there are several, I think, important articles in today's Wichita Eagle, but the one that jumped out at me was the legislature is talking about having another countywide vote concerning gambling, and I look at this in light of the fact that we've never had a statewide vote as to whether we should have casinos in Kansas."

**Chairman Peterjohn** continued, "And I've always thought it was rather odd that the judiciary could transform the lottery vote that occurred in 1986 into a vote on gambling for casinos and legalizing casinos. And I've always wondered why we didn't have that, but I've also wondered why we're the only state in our region that doesn't allow voters to have a say in approving property tax increases. We have it for sales taxes at the local level, but not for property taxes; in Missouri, and in Oklahoma and in Colorado, this is all routine. So as we go through, and I mention this because there's talk about more lawsuits over school funding and various other issues, I have to take note of

**Regular Meeting, February 10, 2010**

the fact that with the resignation of Secretary of State, Ron Thornburgh, five of the six constitutional offices at the state level in Kansas will be filled by people who were not elected to those positions; they were appointed or succeeded into office. That is a rather remarkable fact and I'm frankly rather surprised that that hasn't been noted. I view it personally as a sad state of our democratic republic here in Kansas. Seeing no other lights...Commissioner Welshimer."

**MOTION**

Commissioner Welshimer moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation and legal advice, and that the Board of County Commissioners return to this room from Executive Session no sooner than 11:20 a.m.

Chairman Peterjohn seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, "We are in recess."

**The Board of County Commissioners recessed into Executive Session at 10:20 a.m. and returned at 11:45 a.m.**

**Chairman Peterjohn** said, "I call this meeting back in order. And there was no binding action taken in Executive Session. Seeing no further business, a motion to adjourn is in order."

**MOTION**

Commissioner Welshimer moved to adjourn.

Chairman Peterjohn seconded the motion.

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

**VOTE**

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

**Chairman Peterjohn** said, "We are adjourned."

**J. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:46 a.m.

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

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**KARL PETERJOHN**, Chairman  
Third District

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

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

\_\_\_\_\_  
**KELLY PARKS**, Commissioner  
Fourth District

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**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

\_\_\_\_\_  
**Kelly B. Arnold**, County Clerk

APPROVED:

March 3, 2010