

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

February 3, 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 3, 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. Claudia Blackburn, Director, Health Department; Mr. Kelly B. Arnold, County Clerk; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Ms. Jo Templin, Director, Human Resources; Ms. Diane Gage, Director, Emergency Communications; Col. Michael Stover, Undersheriff, Sheriff's Office; Mr. Marty Hughes, Revenue Manager, Accounting; Ms. Marilyn Cook, Executive Director, COMCARE; Ms. Iris Baker, Director, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

GUESTS

Mr. Don Klausmeyer, Appointee, Wichita/Sedgwick County Metropolitan Area Planning Commission
Mr. Mike Dirck, 9141 York Lane, Haysville
Mr. Rusty Leeds, Captain, Wichita Police Department

INVOCATION

Led by Pastor Rick Cline, RiverWalk Church of Christ, Wichita

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES

Regular Meeting January 6, 2010
All Commissioner were present

MOTION

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Commissioner Welshimer moved to accept the Minutes as read for the Regular Meeting of January 6, 2010.

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

CONSIDERATION OF MINUTES

Regular Meeting January 13, 2010
Commissioner Norton was absent

MOTION

Commissioner Welshimer moved to accept the Minutes as read for the Regular Meeting of January 13, 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, please."

PROCLAMATION

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A. PROCLAMATION DECLARING “2010 NATIONAL CHILDREN’S DENTAL HEALTH MONTH”.

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

PROCLAMATION

WHEREAS; oral health is an essential and integral component of health throughout life; and

WHEREAS; dental cavities is the single most common chronic disease of childhood, by the time students finish high school, more than 80 percent have had cavities; and

WHEREAS; the observance of National Children’s Dental Health Month focuses on preventive measures to ensure a lifetime of beautiful smiles for children; and

WHEREAS; the Sedgwick County Health Department has created an oral health initiative promoting five ways to have a great smile:

- Stop the Pop
- Cut the Candy
- Eat More Fruits and Veggies
- Brush Your Teeth Twice a Day
- Visit Your Dentist Twice a year; and

WHEREAS; the Sedgwick County Health Department is dedicated to supporting good dental health habits for young people, as we celebrate our 23rd anniversary of the Molardrama.

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

‘Children’s Dental Health Month’

in Sedgwick County. Our steadfast commitment to promote and protect the health of Sedgwick County residents truly demonstrates that Sedgwick County...is working for you.

“And it’s dated February 3rd and signed by our Chairman, Karl Peterjohn.”
Chairman Peterjohn said, “Commissioner Welshimer.”

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Commissioner Welshimer said, “Well thank you for reading that, Kristi. And I just want to say that this dental month is very important to me. I’m very involved in dental care for children, particularly down in the southeast part of the county in the Plainview area, and can’t express how important that is. Thank you very much.”

Ms. Zukovich said, “Thank you, Commissioners. We do have Claudia Blackburn who is here today from the Health Department, so maybe she would like to come up and have more conversation.”

Chairman Peterjohn said, “I expected Commissioner Welshimer to make a motion to adopt the...”

Ms. Zukovich said, “Okay.”

Chairman Peterjohn said, “...proclamation.”

MOTION

Commissioner Welshimer moved to adopt the Proclamation.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, “You beat me to the punch, Mr. Norton. We have a motion and a second. Commissioner Norton.”

Commissioner Norton said, “We can go ahead and vote and then I’ll...”

Chairman Peterjohn said, “Okay.”

Commissioner Norton said, “...make some comments.”

Chairman Peterjohn said, “Fair enough. Seeing no further discussion on the proclamation, please call the roll.”

VOTE

Commissioner Unruh

Aye

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

Chairman Peterjohn said, “Commissioner Norton.”

Commissioner Norton said, “Well, I don’t want to steal any of Claudia’s thunder, because I know she’s very involved in this, but I agree with Commissioner Welshimer. Oral health is very important, but not just everybody’s health, but certainly children’s health. And if they can get good habits early on, that really extends into their health outcomes as adults. It’s interesting today, I was watching the news early on, and one of the concerns nationally is childhood obesity. And if you look at what it says to do for your oral care, which is: stop the pop, which is intake of sugar, cut the candy, which is intake of sugar, eat more fruits and vegetables, which is going to be better for you, all of that also has to do with the health as far as children for childhood obesity. And I got to tell you, being a young person that grew up with a weight problem and still struggles with that, the more we can do for our young people to get them started off right, not only oral health, but just eating well, having activity, taking care of their health, the better they’ll be off as adults. And I certainly understand that because I’ve had my struggles with it most of my life. And the more we can do to help their dental health and their overall health, the better off our society will be. Thank you, Mr. Chair.”

Chairman Peterjohn said, “Thank you, Commissioner Norton. I want to add my own comments because oral health and proper dental care, if you do not proceed down that road, in terms of taking care of your teeth, the health problems that can come out at you in other areas, it’s interesting, the literature now shows that there’s connections with heart disease and other problems, so I don’t want to steal too much of Claudia’s comments, but it is an important issue. And if my dentist, who I saw recently is correct, there is a large segment of our population who has the resources to take care of their teeth, but generally don’t until something really bad happens, and then they have a much bigger problem than if they’d just taken care of it on a routine basis. Now the floor is yours.”

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, “Well I just really appreciate these comments, Commissioners, because you know you’re successful when policymakers are in the know about the issues that you’re passionate about. So I just really appreciate your comments, and you all are very well educated and all of your points are absolutely correct. The more we can make our health messages sort of multi-purpose, the better off we are, you

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know, getting to obesity and other issues with the oral health messages. As the proclamation says, tooth decay is the single most prevalent disease of childhood. It is a mostly preventable infectious disease, and if untreated it can lead to all kinds of problems, in terms of readiness to learn, nutrition problems, and it can affect speech as well. Children lose more than 51 million school hours every year in the United States related to dental problems, and that came out in the Oral Health in America, Surgeon General's report. By the time a student finishes high school, 80 percent have cavities, and that's sad, and a lot of that can be prevented.

"Now the Kansas Health Institute and the Kansas Department of Health and Environment created a report called Smiles across Kansas, and they first came out with that report in 2004 and then again in 2007. And approximately 21 percent of third grade children, 21 percent in Sedgwick County's representative in that amount in Kansas, had untreated tooth decay. That's a fairly high percentage. The Sedgwick County Health Department's Children's Dental Clinic program also does screening in the schools. We have two dental hygienists and a dental assistant that go into...last year they went into 61 area schools and they screened almost 18,000 children. They look for obvious signs of decay in the mouth and they refer those children that have decay. But they also look for things that represent an emergency, such as abscesses or extensive dental decay. Last year they found 573 children in that category and they had to make referrals. So we do have problems out there. You know if somebody's got an extensive dental decay or an abscess in their mouth, they're not going to be thinking about what they are supposed to be thinking about in a school situation.

"Every February the American Dental Association sponsors National Children's Dental Health Month to raise awareness about oral health, and the Sedgwick County Health Department dental program supports this with a local initiative. They work with the local dental association and also with WSU's (Wichita State University) Dental Hygienist program and they organize some kind of event. And for the last 23 years, it's been the Molardrama. And the Molardrama is over at 201Lulu. It is not open to the public, but it is something that, Commissioners, I would urge you to drop by and see if you can. It's playing every day this week, Monday through Friday, at 10:00 a.m. and then at 1:30, it's like 20 or 30 minutes; 2,000 elementary school students went through last year. It is really fun. So if you can drop by, that would be great. The production is underwritten by the local dental association, and then the WSU dental hygienist students who rotate through our clinic help to organize the event and work with our staff on that. So that's a really good thing."

Ms. Blackburn continued, "And the other thing that we'll be doing this month, our health promotion staff, the health educators, will be going into at least, well, I'm not sure exactly how many schools, but they'll be doing over 25 programs educating over 1,600 elementary school students, and all of the elementary school nurses will be receiving these cards. They're palm cards promoting Rock Your Smile, which is the national theme this year, and again going over the stop the pop, cut the candy, eat more fruits and vegetables, brush your teeth twice a day and visit your dentist twice a year. And the children that receive the education from the health educator will also

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receive an oral health kit. These were contributed by Delta Dental, and they have a toothbrush, floss, and toothpaste, so some of the children will receive this as well. So I was visiting with my daughter about this message this morning, and she reminded me, she's 14, she reminded me that I could have done a better job when she was young teaching her to brush behind her teeth. So I know that there's a lot to teach our kids, and we all can do a better job. Even when we think we're doing a good job, there's more to it; be involved, watch your children brush their teeth and try to give them some tips. So thank you very much for this proclamation, Commissioners."

Chairman Peterjohn said, "Thank you. And one moment, Commissioner Unruh."

Commissioner Unruh said, "Well thank you, Mr. Chairman. Claudia, I just wanted to make a comment, first of all, to express appreciation to Delta Dental for their participation in doing something very practical to help advance this effort, and then ask a question. The focus here is on children, and as a public school, are they doing things that try to help promote this by trying to reduce the amount of soda pop and candy in their school facilities, or do we know that?"

Ms. Blackburn said, "I believe that they are working on vending machines issues, and that they are reducing the amount of soda that's available to children."

Commissioner Unruh said, "Well, I think that would be a good idea, although I would like to be exempted from the first two, I mean I like pop and candy, but I guess we all have to work on that. Thank you very much for giving us this presentation today."

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

Chairman Peterjohn said, "Commissioner Norton."

Commissioner Norton said, "Well, the Health and Wellness Coalition is working on those issues of pop and candy and making sure there's good alternatives in the vending machines, and at schools, and that's really for just a healthy lifestyle in general, but it ties into what we're talking about today. Claudia, there is a population of kids that don't have dental insurance that have to be covered other ways, does HealthWaves cover dental?"

Ms. Blackburn said, "Yes. Children who are on HealthWave do have dental coverage, and there are more resources than there were in the past. You know, they can go to a private dentist that takes Medicaid, but there also are a number of community health clinics now that have dental programs,

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and there's the Advanced Education in General Dentistry program that just got started through WSU this year, and I believe they have seven residents that are part of that program, and their clinical site is at GraceMed, so there are services out there for people."

Commissioner Norton said, "I understand this year, though, that there is a chance that HealthWaves is going to be reduced or denigrated in some manner with state budget cuts. Is that a true statement?"

Ms. Blackburn said, "They have reduced the Medicaid reimbursement rate by 10 percent. I don't..."

Commissioner Norton said, "Which affects HealthWaves then."

Ms. Blackburn said, "Yeah."

Commissioner Norton said, "It does."

Ms. Blackburn said, "Yes, it does."

Commissioner Norton said, "Well, I think that's one of those issues that needs to continue to be pushed to the forefront in all communities around Kansas, that those underserved, most vulnerable, our children, may have less services particularly when it comes to dental services and it has profound ramifications later. You're right, they don't do as well in school, they have other health issues. And it's just; we are adults making decisions for children. If an adult has a tooth problem, that's one thing, but a child certainly has to be taken care of by an adult and a community, and I'm a little bit disappointed that maybe less children are going to be taken care of with their oral hygiene than more in the coming years. Thanks, Mr. Chair."

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

Commissioner Parks said, "Well, some of what I was going to cover was just covered there, so I just wanted to thank all of the other professionals in the community, all the dental professionals and the hygienists that don't participate in this particular program, that they take a lot of their time in other times of the year also to go out and volunteer and I just wanted to thank those. Thank you."

Ms. Blackburn said, "You're welcome. And I failed to introduce Kim Walker, who is our health educator, who will be going out into the schools and doing this education, and the kids love her. So we're looking forward to a big month, and I hope that you'll find time to drop by and see Molardrama. Thanks."

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Chairman Peterjohn said, "Thank you. Katie, next item, please."

APPOINTMENT

B. RESOLUTION APPOINTING DON KLAUSMEYER (COMMISSIONER PETERJOHN'S APPOINTMENT) TO DISTRICT 3 WICHITA/SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Commissioners, this appointment is to fill a vacancy on the MAPC (Metropolitan Area Planning Commission) and it will expire in August 2013, and I recommend you adopt the resolution."

Chairman Peterjohn said, "Thank you. This is my appointment to the MAPC."

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, "And I see the County Clerk and Mr. Klausmeyer are both here in the audience. If you'll both step to the podium, we will get you sworn in, Don."

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Mr. Kelly B. Arnold, County Clerk, greeted the Commissioners and said, “Raise your right hand. *I do solemnly swear...*”

Don Klausmeyer, Appointee, Wichita/Sedgwick County Metropolitan Area Planning Commission, greeted the Commissioners and said, “*I do solemnly swear...*”

Mr. Arnold said, “...*that I will support the Constitution of the United States...*”

Mr. Klausmeyer said, “...*that I will support the Constitution of the United States...*”

Mr. Arnold said, “...*and the Constitution of the State of Kansas...*”

Mr. Klausmeyer said, “...*and the Constitution of the State of Kansas...*”

Mr. Arnold said, “...*and faithfully discharge the duties of office...*”

Mr. Klausmeyer said, “...*and faithfully discharge the duties of office...*”

Mr. Arnold said, “...*of Wichita/Sedgwick County Metropolitan Area Planning Commission, so help me God.*”

Mr. Klausmeyer said, “...*of Wichita/Sedgwick County Metropolitan Area Planning Commission, so help me God.*”

Mr. Arnold said, “Congratulations.”

Mr. Klausmeyer said, “Thank you.”

Chairman Peterjohn said, “Don, you’re free to say a few words. Welcome to the Metropolitan Area Planning Commission, let me be the first.”

Mr. Klausmeyer said, “Well, thank you, Commissioner Peterjohn, and I appreciate the appointment, and with humility accept this, and will hope to add some insight and some value to the Commission. I know they have a lot of good people on there and hope I can live up to the expectations that are put on me. So thank you very much, Commissioners, I appreciate this.”

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

PLANNING DEPARTMENT

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- C. PUD2009-06 – COUNTY PLANNED UNIT DEVELOPMENT (“PUD”) ZONING REQUEST FROM RR RURAL RESIDENTIAL (“RR”) ZONING TO CREATE PUD #33, THE POLO COMPLEX; LOCATED ON THE NORTHEAST CORNER OF 95TH STREET SOUTH AND BROADWAY AVENUE. DISTRICT 2.**

VISUAL PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “You can see the location of the application site, just at the intersection of South Broadway and East 95th Street South. Also adjacent on the east is the Turnpike, or I-135. The applicants are proposing the creation of this Planned Unit Development (PUD) 33 in order to replace the current Rural Residential (RR) zoning that they have for their site. The site is just less than 125 acres in size. Then associated with this zoning request is also a conditional use for outdoor recreation and entertainment. They currently operate polo fields and they want this Planned Unit Development proposal to be approved so that they can legitimize a number of different additional operations that they would like to conduct on this site. They would, as a result of getting this PUD approval, be able to put in place additional agriculture buildings, classrooms, offices and a banquet hall with a kitchen so they can hold fundraisers and other types of group events. The PUD would also allow alcohol sales in association with those types of events. The PUD would also allow for additional signage on the site that would be appropriate for this type of operation, things such as directional signs and liability signs that they need. They are also proposing, as part of this PUD, to allow for retail sales so they can sell tack and other types of equipment associated with horses.”

“The site is within the Haysville zoning area of influence, so it went to the Haysville Planning Commission on December 10, for their review. They, at that time, voted unanimously to recommend approval of this request. When it gets to the platting stage, this will be under the City of Haysville’s subdivision jurisdiction. You can see from the graphic in front of you now, the current zoning of the site and the vicinity of the application area. It’s primarily Rural Residential with some SF-20 (Single-Family Residential) off to the northeast and southwest, and then you can see a cluster of Limited Commercial zoning in red near the intersection of 95th Street and South Broadway. Going to the aerial photo, you can see the surrounding land uses, primarily agriculture in nature and large lot residential with, again, with a cluster of commercial activities at the intersection of 95th and South Broadway. Again, this item did go to the Haysville Planning Commission and they voted unanimously to approve this request subject to the staff’s recommendation, a revised PUD drawing and a platting within a year. There was no one to speak for or against this at the Haysville meeting. The item then went on to the Metropolitan Area Planning Commission on December 17th, and they also voted unanimously to recommend approval subject to the same conditions as the Haysville

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Planning Commission. No one was there to speak either for or against this item at the MAPC meeting and we have had no protests or other complaints about this request. With that, I will be glad to take any questions.”

Chairman Peterjohn said, “Thank you. Commissioner Norton.”

Commissioner Norton said, “Well I think I’m going to be okay with this. I will make a motion, but I’d like to ask John a couple questions first. John, drainage will be taken care of with platting, will it not?”

Mr. Schlegel said, “Correct.”

Commissioner Norton said, “The Cowskin Creek kind of nips at this on the far southwest corner, is that correct?”

Mr. Schlegel said, “Correct.”

Commissioner Norton said, “And most of that has been corrected over the years by a state project because Broadway is Highway 81 down there...”

Mr. Schlegel said, “Correct.”

Commissioner Norton said, “...is that correct? We don’t anticipate any problems with drainage in that area. I know they worked on the polo fields forever to make sure they drain properly because they don’t want standing water there.”

Mr. Schlegel said, “And if there are any outstanding issues, they’ll be dealt with at platting.”

Commissioner Norton said, “Okay. To the north, who owns that little strip of property that runs, I would assume about 100 yards to the north, it runs the whole length of that, is that...”

Mr. Schlegel said, “I don’t know if it was you in briefing, I thought at that time, I had been told that that was owned by the same people that operate The Polo Complex, but it’s not. There are two different property owners that own that strip of land that is kind of a buffer between that and the subdivision to the north. And you can see the homes on those properties; the two parcels on the east are under the same ownership, and then there’s another owner that owns the parcel to the west.”

Commissioner Norton said, “Certainly that sets up a buffer between the residential to the north, and neither one of those property owners protested this at this time, is that correct?”

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Mr. Schlegel said, “No. That is correct.”

Commissioner Norton said, “Which would be problematic if they did, but that does set up a nice buffer. On the east there’s the Turnpike, on the west there’s Broadway, to the south it’s 95th, which is an east/west connector, so at least on three sides of this commercial property, it makes sense because it is high traffic areas and commercial would be very appropriate on this corner, is that correct?”

Mr. Schlegel said, “Yes.”

Commissioner Norton said, “As opposed to Rural Residential?”

Mr. Schlegel said, “Yes.”

Commissioner Norton said, “Okay. That’s all the questions I have right now, but I would make the motion that we take the recommended action.”

MOTION

Commissioner Norton moved to adopt the findings of the Metropolitan Area Planning Commission, approve the zone change to PUD #33 The Polo Complex; subject to a revised PUD drawing and platting within one year; direct staff to prepare an appropriate Resolution after the plat has been approved and authorize the Chairman to sign the Resolution.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “Any further discussion? Commissioner Parks.”

Commissioner Parks said, “Yes, John, they don’t have any plans for any rodeo events, it’s just going to be polo down there, is that what it’s going to be limited to?”

Mr. Schlegel said, “To the best of my knowledge, I haven’t heard anything about rodeo events. I don’t think there’d be anything to preclude them from doing that, but their business is polo.”

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Commissioner Parks said, "One of the other ones that I had in my district had a similar type of request for a PUD and it did turn into a rodeo, that's why I wondered, and so they came back and said if you are going to have rodeos, and participation with large crowds and what not, that they had to have a veterinarian on site and for certain events and things, so that was just one of my questions there. My other question was, this is not going to exempt the county law about 10,000 square foot per horse or animal, is it? That kind of goes along with what Commissioner Norton was alluding to about the proximity of the creek here and the potential pollution for that."

Mr. Schlegel said, "I'm not clear on what the issue is."

Commissioner Parks said, "There's the county ordinance for 10,000 square foot of property per head of the horses in there."

Mr. Schlegel said, "Well they haven't asked for an exemption of that type..."

Commissioner Parks said, "Okay."

Mr. Schlegel said, "...and this site is 125 acres. You can put, under that rule, you could put a lot of horses on this land."

Commissioner Parks said, "Yeah. Well, that's what I was asking. Thank you."

Chairman Peterjohn said, "Commissioner Norton."

Commissioner Norton said, "I know Mike Dirck is here, that has worked on this project, I think he can probably talk to whether there's going to be rodeos, but I've never heard that. I think it's going to be strictly for polo and those are two very distinctly different uses, and you'd almost have to have an arena which is different than a polo ground. Polo ground is more like a soccer field than it is a rodeo arena. So I don't know, I've never heard that that would ever be a possibility, so if we need clarification on that, Mike's here that could comment to that."

Chairman Peterjohn said, "Good morning. Welcome to the County Commission. Please provide your name and address for the record."

Mr. Mike Dirck, 9141 York Lane, Haysville, greeted the Commissioners and said, "And I'll try to answer any of the questions you have."

Commissioner Norton said, "Right now, it's strictly for polo usage..."

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Mr. Dirck said, “Yeah, strictly for polo, and the arena polo and then for the bigger polo in the two fields to the north of the drawing.”

Commissioner Norton said, “Okay.”

Mr. Dirck said, “They have no plan for rodeo that I know of, at all.”

Chairman Peterjohn said, “Any further questions? 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, “Thank you very much.”

Mr. Schlegel said, “Thanks.”

Chairman Peterjohn said, “Next item, please.”

NEW BUSINESS

D. RESOLUTION TO AMEND AND SUSPEND POLICY TO THE SEDGWICK COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL.

- **Equal Employment Opportunity Policy**
 1. **4.300 Employment.**
- **Employee Conduct and Relations Standards**
 1. **4.502 Grievance**
 2. **4.506 Discrimination and Harassment**
- **Leave Benefits**
 1. **4.711 Family and Medical Leave**
 2. **4.800 Fringe Benefits Offered by Sedgwick County**
- **Compensation**
 1. **4.2002 Recognition Award Program**

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Ms. Jo Templin, Director, Human Resources, greeted the Commissioners and said, “This resolution proposes changes to personnel policies 4.300; Employment, 4.502; Grievance, 4.506; Discrimination and Harassment, 4.711; Family and Medical Leave, 4.800; Fringe Benefits Offered by Sedgwick County, and proposes that we suspend 4.2002; Recognition Award Program. Changes to these policies are necessary to comply with the Genetic Information Nondiscrimination Act, which provides applicants and employees protection from discrimination based upon genetic information. As well, these changes allow employees to be absent from work in conformity with the 2009 changes to the Family and Medical Leave Act (FMLA) and the National Defense Authorization Act for Fiscal Year 2010. This expands family medical leave for exigency leave and caregiver leave for military families. We have proposed suspending policy 4.2002; Recognition Award Program, as this program is not budgeted in the current budget. These policies have been reviewed by the County Counselor, the Finance division, the County Manager, and I’ve reviewed each of these policy changes with you individually. And I will just propose that you approve these changes and will stand for questions if you have them.”

Chairman Peterjohn said, “Thank you. What is the will of the body?”

MOTION

Commissioner Unruh 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

Ms. Templin said, “Thank you.”

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Chairman Peterjohn said, "Thank you. Next item."

E. AMENDMENT TO THE AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION REGARDING PAYMENT FOR STAFFING THE TRAFFIC MANAGEMENT CENTER.

Commissioner Norton left the Board of County Commissioners meeting at 9:37 a.m.

Ms. Diane Gage, Director, Emergency Communications, greeted the Commissioners and said, "Back in November of 2008, we signed an agreement with Kansas Department of Transportation (KDOT) for them to pay for the staffing of two full-time equivalents of the Traffic Management Center located over at the 911 Center at 714 North Main. Since then, KDOT has come to us and asked if they could change the arrangements of payment from paying annually to semiannually. We would still be getting the same amount of money; they'd just make us two payments a year instead of the current one. I'd be happy to answer any questions."

Chairman Peterjohn said, "Thank you. Any questions for Ms. Gage?"

MOTION

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

Commissioner Welshimer seconded the motion.

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

VOTE

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

Ms. Gage said, "Thank you."

Chairman Peterjohn said, "Next item."

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F. APPROVAL OF A MEMORANDUM OF UNDERSTANDING FOR THE OPERATIONS OF THE WICHITA/SEDGWICK COUNTY EXPLOITED AND MISSING CHILD UNIT BETWEEN; WICHITA REGION, STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES, CITY OF WICHITA POLICE DEPARTMENT AND SEDGWICK COUNTY SHERIFF'S OFFICE.

Col. Mike Stover, Undersheriff, Sheriff's Office, greeted the Commissioners and said, "I'm here before you today with an updated memorandum of understanding (MOU) for the Exploited and Missing Child Unit (EMCU). As you well know, about 25 years ago, a partnership between the city, the county and the state, more specifically the Wichita Police Department, the Sedgwick County Sheriff's Office and the Kansas Department of Social and Rehabilitation Services (SRS) developed that partnership with the idea that we would certainly need to have a specialized investigative arm to help our children, specifically in areas of physical abuse, sexual abuse, endangerment and neglect, runaway, missing and abducted children and more recently, our Internet Crimes Against Children (ICAC) taskforce, which also includes a computer forensics portion to that taskforce."

Commissioner Norton returned to the Board of County Commissioners meeting at 9:39 a.m.

Col. Stover continued, "And as you probably also are aware, and I think you'll probably hear a little later, the Sheriff's Office administers the budget for the EMCU, however, all three of the partners share the budget costs by each paying a third of that budget. Now certainly, in the last 25 years, this partnership has been fairly successful, and at the time was cutting edge, and now you see that model created across the nation. Of course, in that 25 years, we have operated under a memorandum of understanding, sort of a ground rule document for all the partners, and it gets reviewed and updated as necessary frequently throughout that time. The last time we actually looked at the MOU, and updated it and made any changes was back in June of 2002. We started that process again last year, and reviewed the MOU and found that there was some things that needed to be cleaned up and addressed, such as some of the job titles for SRS and Sheriff personnel assigned to the unit, some staffing was added, a Wichita Police Department's supervisor was added to supervise the ICAC unit that I mentioned, and as well, as you remember, we added a detective to the ICAC unit from the Sheriff's Office under that federal grant last year. And certainly, as laws and statutes change, any sites in that document have been updated as those statutes have changed. The MOU was reviewed and approved, not only by the EMCU folks and supervisors, but as well as the Sedgwick County Counselor's Office, the City of Wichita Legal Department, and of course the regional SRS region here in Kansas, in Wichita. With that, I would recommend and ask respectfully that the Commission approve the MOU and ask the Chairman to sign. I would be happy to stand for any questions you might have."

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MOTION

Commissioner Parks moved to approve the MOU and authorize the Chairman to sign.

Chairman Peterjohn seconded the motion.

Chairman Peterjohn said, “We have a motion and a second. I have a question for Col. Stover. The Deputy Sheriff that we approved last year to add was going through training before he would join and become an active part of the ICAC, and do you have a date at which point his training ends and he actually goes on active service?”

Col. Stover said, “Yes, sir. She’s been assigned and has been going through training. I don’t know specifically, maybe Captain Leeds might be able to tell me, has she finished most of that? I know that quite of a bit of training is involved at different times and we have to wait for the training to be available.”

Mr. Rusty Leeds, Captain, Wichita Police Department, greeted the Commissioners and said, “Detective Klinsore came to us in August of ‘09, we’ve been sending her to the appropriate training for Internet Crimes Against Children investigations. That training is going to continue through this year, because it is pretty extensive. She is reviewing cyber tips that come in from the National Center for Exploited and Missing Children. She is doing some investigations for us now, and as her capabilities increase with her training, her responsibilities will also increase. But she’s actively working; she’s actively investigating cases as she learns through the training she attends.”

Chairman Peterjohn said, “Thank you, Captain. We’ve got a couple questions here. I’m not sure whose light went on first, so I’m going to start with Commissioner Parks.”

Commissioner Parks said, “I’m just going to comment that it was an experience for me when I was Chairman, and I hope of Commissioner Peterjohn, as Chairman, continues attending the meetings that we have with the board, and that’s one that should be a top priority. And just wanted to say that even though I had three decades of law enforcement, I learned something at these meetings I attended with the board from the inside the inner workings of this committee. And it’s a great unit and I can’t say enough about it. I’d like to thank all the agencies that are working together with this. And that’s what it’s all about; having all these agencies working together for these kids that are out there that can’t take care of themselves. Thanks.”

Chairman Peterjohn said, “Commissioner Norton.”

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Commissioner Norton said, "Well first of all, congratulations, Rusty, with your recent promotion to Captain."

Capt. Leeds said, "Thank you, sir."

Commissioner Norton said, "We're proud of you for that. Human trafficking is something that you didn't mention, and that's starting to proliferate around the nation. Is that something you are also dealing with in our community?"

Capt. Leeds said, "Yes, sir, it is. As we speak, we are in the process of completing a project that addresses human trafficking. We've been working with the Wichita School District, with the Wichita Children's Home, with SRS and with other agencies and we're putting together a project to help us work with kids that are most at risk for trafficking, and we also are trying to send some officers to some training through the National Center for Missing and Exploited Children on that subject matter. So, yes, it is a matter of importance and we are addressing that through our missing and abducted child officers. The ones who work with runaways and missing children are the ones who are leading the charge on that primarily."

Commissioner Norton said, "Does being on a major north/south interstate like I-35 complicate that, because the movement out of our community for human trafficking can happen so quickly?"

Capt. Leeds said, "We know for a fact that children from our community, teenagers from our community, have been trafficked out of state. They have been taken up and down the interstate to the east, to the north and to the south into Texas for the purpose of sexual exploitation and trafficking. So, yeah, we're centrally located and we have a good highway system that facilitates a number of different crimes, including human trafficking."

Commissioner Norton said, "Alright. As we continue to worry with, not only with EMCU, but the other components of this, we've also worried with the Child Advocacy Center (CAC), which is kind of the umbrella organization, they're still working on trying to figure out how to solve that, and to save that and continue that, is that going to have any profound implications to what you are doing, that umbrella organization to help connect all of these partnerships?"

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Capt. Leeds said, “What the CAC would accomplish, the EMCU, as the Colonel stated, started back in 1985 with a grant, and its 25 year anniversary is coming up in May, what the CAC would do would modernize the Exploited and Missing Child Unit. EMCU is a governmental entity with state, county and municipal law enforcement. The CAC, as a nonprofit, would facilitate other services such as medical, therapy and a victim advocate be brought into the EMCU concept and provide those additional services so that it would be centralized and more efficient for the victims and their families. So, I guess if you look at 25 years of success through EMCU helping families, the CAC would push that into the 21st century by adding additional services and making it a better environment for the victims and their families to work through the courts and eventually heal from the trauma of being exploited.”

Commissioner Norton said, “While you really want to help the families, the way you help the families is solving the crime, is that not correct?”

Capt. Leeds said, “Our primary objective is crime investigation and prosecution. We try to refer to the services, and when we refer, we send them out into the community to wherever those are at and the CAC would bring those into the same environment, referrals would be simpler, and we would be working with staff that we’re familiar with, that we could collaborate a little better on, for the healing process and not just the prosecution.”

Commissioner Norton said, “Okay. Thank you, Rusty, I appreciate it.”

Capt. Leeds said, “Yes, sir.”

Commissioner Norton said, “That’s all I have.”

Chairman Peterjohn said, “Thank you, Commissioner Norton. I appreciate the dialogue very much. I think it’s been very helpful. Seeing no further discussion, please call the vote.”

VOTE

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

Col. Stover said, “Thank you.”

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Chairman Peterjohn said, "Next item, please."

G. APPROVAL OF A CONTRACT FOR OPERATION AND FINANCE OF THE EXPLOITED AND MISSING CHILDRENS UNIT BETWEEN SEDGWICK COUNTY AND THE KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES.

Mr. Marty Hughes, Revenue Manager, Accounting, greeted the Commissioners and said, "The Kansas Department of Social and Rehabilitation Services is historically provided one-third of the cost of materials, supplies and operating expenses for the Exploited and Missing Child Unit. This contract before you today renews this cost share arrangement with SRS through 2010. The contract may be renewed annually in writing, subject to a mutual agreement of the parties."

Mr. Hughes continued, "Based on 2010 EMCU budget, one-third of the cost of operations for EMCU in 2010 would be no more than \$45,672, or one-third of the total budget of \$137,015, which is in the general fund under the Sheriff's budget that you approved last summer in the 2010 budget. I recommend your approval of the agreement. Again, Colonel Stover said, historically it's been a one-third share cost between the Sedgwick County Sheriff's Department, the City of Wichita Police Department and the Wichita area SRS. And this is Wichita area SRS's share on this contract. I would be glad to answer any questions you might have."

Chairman Peterjohn said, "Thank you very much. Any questions?"

MOTION

Commissioner Parks moved to approve the contract and authorize the Chairman to sign.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Mr. Hughes said, "Thank you."

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Chairman Peterjohn said, “Next item.”

H. COMCARE

1. CONTRACT WITH BREAKTHROUGH CLUB OF SEDGWICK COUNTY FOR COMMUNITY-BASED SERVICES.

Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, “In a Board of County Commission meeting in a week or two, I can’t remember which one, you are going to hear us present affiliate agreements with these two organizations, Breakthrough Club and the Mental Health Association. Those agreements allow those organizations to bill Medicaid under our Medicaid number. What you have in front of you today are contracts that we call community-based services contracts, which are essentially grants that we give these organizations to provide for services other than services that are provided on a fee for service basis. So this contract with the Breakthrough Club provides financial support for their administrative structure to oversee psychosocial rehabilitation services. It provides some funding for flexible funds to assist consumers with daily expenses that are considered important to their functioning and their continued success. The contract was reduced about \$85,000 this year due to the reduction in our state contract. We had to pass some of that along to the Breakthrough Club. We also decreased one outcome measure that had to do with individuals who are competitively employed. We had that measure go from 21 percent to 18 percent, given the current economic environment.

“Commissioner Parks, last week you asked when I presented contracts on Urban League, and I can’t remember the other one, Behavioral Link, you asked about safeguards that were in the contract. I’m not sure I did a good job of answering that, because the environment is uncertain, and I do want you to know that although this is an annual contract in both of these cases, there is a language in the contract that allows for changes. For instance, in section 2 under term, it indicates that it’s subject to approved grant funding from the State of Kansas to the county for the Fiscal Years of 2010 and 2011. Section 4, under the compensation section, contains language that says that the contractor agrees that in the event that the amount of funds that the county receives is less than

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we have anticipated, that the county may adjust the amount to be paid to that organization, and in appendix A, section 19B, language says that the contract may be terminated, in whole or in part, by either party within 30 days written notice to the other party, stating the reasons for the termination and the effective date. So we are never committing ourselves in contracts for over 30 days. We are recommending that you approve the contract and authorize the Chairman to sign.”

Chairman Peterjohn said, “Thank you.”

MOTION

Commissioner Welshimer moved to approve the contract and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, “A motion and a second, Commissioner Parks.”

Commissioner Parks said, “Thank you for pointing out that additional language in there. I think that’s going to be important, not only for this particular item, but with the state budget situation and national budget situation like it is, I’m sure our attorneys are very aware of that, and will be monitoring those closely. All these residents that are served by this club are Sedgwick County residents and citizens?”

Ms. Cook said, “They’re residents. I don’t know if they are citizens or not, but they...”

Commissioner Parks said, “Okay.”

Ms. Cook said, “...are residents of Sedgwick County.”

Commissioner Parks said, “Okay.”

Ms. Cook said, “Breakthrough Club serves 285 individuals.”

Commissioner Parks said, “Okay. Thank you.”

Chairman Peterjohn said, “Any further discussion? Seeing none, please call the vote.”

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VOTE

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

Chairman Peterjohn said, "Next item."

2. CONTRACT WITH THE MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS FOR COMMUNITY-BASED SERVICES.

Ms. Cook said, "Commissioners, like the Breakthrough Club contract we just went through, this contract provides money to pay for services that are not provided on a fee for service basis, so for the Mental Health Association, this provides funding for specialized residential homes, or group homes, and transitional housing for those primarily who are leaving local or state inpatient facilities. We used to call those crisis homes in the contracts. It also funds the chat line that the Mental Health Association staffs with consumers. This is a line that is run by consumers where consumers can call for non-emergency support, or even if they are just feeling lonely. That's taken some of the burden off of our crisis staff, and addressing those concerns and trying to manage those along with more emergent situations. It also provides for some flex funding to help address consumers' needs. I'll tell you, this year I've been kind of tracking every time I sign off on my staff's flex fund usage just to see the kinds of things that we're spending money on, and I've kept a little log of it.

"I glanced at it before I came today; many people have seen the movie *Blindside* where the young man went all his life without sleeping on a bed. We had a consumer that had been living in an apartment prior to coming to us that had no furniture and no bed. And he'd been in that situation for over a year before he came to us and flex funds went to purchase some furniture for him. We also provided some money to a consumer who needed money to do his laundry, hadn't washed his clothes in seven months, if you can imagine that. So I'm kind of tracking stories through just the money we spent on those kind of things, but those are very necessary expenditures from time. This contract also provides funding for family services to have staff to provide support for parents with children who have serious emotional disturbances that need some help kind of navigating through the system. Again, due to the cut in our state grant, this contract was reduced a little over \$195,000 from last year. We recommend that you approve the contract and authorize the Chairman to sign."

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

Ms. Cook said, "Thank you."

Chairman Peterjohn said, "Next item."

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON JANUARY 28, 2010.

Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, "The meeting of January the 28th results in three items for consideration today. First item;

**1. ICE RESURFACER FOR INTRUST BANK ARENA – FACILITIES DEPARTMENT
FUNDING – ARENA SALES TAX**

"Recommendation is to accept the purchase from Frank J. Zamboni & Company in the amount of \$82,861.25. Item 2;

**2. HEMATOLOGY ANALYZER FOR COMCARE – COMCARE
FUNDING – COMCARE**

"Recommendation is to accept the low bid from Physician Sales & Service for a five year total cost of \$28,900. And Item 3;

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3. TIRES for FLEET MANAGEMENT – FLEET MANAGEMENT FUNDING – FLEET MANAGEMENT

“And the recommendation is to accept the low responsive bid from Becker Tire and establish contract pricing through May 31, 2010, with two one-year options to renew thereafter. I’d be happy to answer any questions and I recommend approval of these items.”

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

Commissioner Parks said, “On the tires, that is net state pricing through these dealers then?”

Ms. Baker said, “Becker’s bid did mirror state pricing where the items spec’d were on the state contract.”

Commissioner Parks said, “Okay.”

Ms. Baker said, “So overall that would be a true statement.”

Commissioner Parks said, “Okay.”

MOTION

Commissioner Parks moved to approve the recommendations of the Board of Bids and Contracts with the exception of Item 1.

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

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Chairman Peterjohn said, “We’re back to Item 1 concerning the Zamboni for the new Intrust [Bank] Arena. Commissioner Parks.”

Commissioner Parks said, “Well, in the backup on page 135, I’m just not comfortable with all the information I have voting in the affirmative on this one. I’m getting conflicting information from some staff and I’d just like to put this off for a week. I know there is a need there, but I don’t think it’s going to hurt us to put it off one week to make this public, I guess, to staff, since staff had negotiated with Zamboni to obtain a second machine for the same cost paid two years ago, and I’ve had some conflicting statements about whether that machine was purchased two years ago.”

Chairman Peterjohn said, “Commissioner Parks, I’m going to jump in. I had some questions and I was curious, in terms of warranties on this and whether we’d be servicing, or how this equipment would be serviced under our agreement. I don’t know if those are questions, but I’m going to second your motion for discussion purposes, and have some questions on this item, too. Commissioner Norton.”

MOTION

Commissioner Parks moved to defer Item 1 for one week.

Chairman Peterjohn seconded the motion.

Commissioner Norton said, “Well, I would have been okay with it. I happened to be at the first Thunder hockey game at the arena and the unit that they are talking about, which is the second unit, which looks really great because it’s painted up wonderfully, stalled out as it was leaving the ice and had to be hooked up with a chain from the new unit and pulled off of the ice. And they are going to have problems fixing that unit. It doesn’t have parts. So I think we do have a definite need. If we need to wait and clear up a couple of the things on warranty and everything, I’m okay with that, but having observed that and talked to Frank Griffith, who was driving it, it’s just on its last legs. And that unit, even though it looks great, it’s painted up wonderfully, but mechanically it is just about gone. So that’s all I have.”

Chairman Peterjohn said, “Thank you. Commissioner Unruh.”

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Commissioner Unruh said, “Thank you, Mr. Chair. Iris, will this, if we hold off one week, that would make it the 10th, that still gives us time to meet this February 12th deadline that’s mentioned here?”

Ms. Baker said, “That would be correct.”

Commissioner Unruh said, “And the backup material says staff has negotiated to obtain a second machine for the same cost as paid two years ago.”

Ms. Baker said, “Correct. We bid this machine back in, I believe it was May of 2008, and it was awarded in late June, early July, somewhere in that time frame. We took delivery of it and we spec’d it out in the document that we would take delivery in the November, December time frame, and we gave ourselves a window because we didn’t know for certain when the arena was going to be ready. At the time, there was a 400 and something day lead time, a very long lead time item. It was competitively bid back then. There are two sources in the country, I should say two sources in North America; Zamboni is out of California with a couple of distributorships throughout the country and the other source in North America is in Olympia out of Canada. Globally, there’s one other firm in Germany but they have no North American market. Based on the pricing we received from the first bid process, we elected to try to negotiate the same pricing, same product, same terms, including warranty, with Zamboni for this purchase. So that’s where this activity came from. In terms of the warranty, Commissioner Peterjohn, it’s a two-year warranty and the work would be the responsibility of Zamboni and would either be performed by a distributor, the closest one is in Wisconsin, or he would elect to subcontract it to local. Based on the design of the machine, the local subcontracting would be businesses like Kansas Forklift, Berry Material Handling, designs are similar enough that those folks can do any repair work that we would need that would fall under that warranty.”

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

Commissioner Unruh said, “I’m not quite through yet.”

Chairman Peterjohn said, “Oh, I’m sorry.”

Commissioner Unruh said, “I just want to make a comment that, in light of that explanation, I have no problem being supportive, however, I can wait a week. It doesn’t hurt anything. But it looks like negotiations were adequate and favorable and it looks like we need another one. It’s coming out of the Arena Sales Tax fund, so we have provided for it, but I sure don’t have any trouble waiting one week. That’s all I had.”

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

Commissioner Parks said, “Well, I don’t think it would be appropriate for me to elaborate on some of my issues that I have with this because it does get into personnel and the conflict of information I have. I think one week, Mr. Buchanan can probably get those issues straightened out, and I fully look to be totally supportive next week.”

Chairman Peterjohn said, “Well, we’ve got a motion to postpone Item 1 for a week, 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.”

Ms. Baker said, “Thank you.”

CONSENT AGENDA

J. CONSENT AGENDA.

- 1. One (1) Temporary Construction Easement for Sedgwick County Project 817-V, W, X; Meridian from 47th St. South to 71st St. South. CIP# R-281. District 2.**
- 2. Three (3) Right of Way Easements, One (1) Permanent Drainage Easement for Sedgwick County Project 803-s 1/2 Q thru U: 135th Street West from US-54 to K-42. CIP# R-303. District 3.**
- 3. General Bill Check Register of January 20, 2010 – January 26, 2010.**
- 4. Payroll Check Register for the week of January 16, 2010.**

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5. Plat.

Approved by Public Works. The County Treasurer has certified that taxes in 2009 and all prior years have been paid for the following plat:

Panek-Durham Addition

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, you have the Consent Agenda before you and I'd recommend you approve it."

MOTION

Commissioner Norton moved to approve the Consent Agenda.

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item please."

K. OTHER

Chairman Peterjohn said, "At this time, I'd like to, before we go through what we have there, recess this meeting and open up the Fire District meeting, if that's of the will of the body."

Commissioner Welshimer said, "Do you need a motion?"

Chairman Peterjohn said, "I'm going to recess this meeting."

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The Board of County Commissioners recessed into the meeting of the Fire District #1 at 10:05 a.m. and returned at 10:08 a.m.

Chairman Peterjohn said, “We’re back in session, back on, I believe Item K; Other. Items under Item K? Commissioner Parks.”

Commissioner Parks said, “Well, I had the good fortune to be able to speak to a scout troop this week and they were earning significant merit badges for things from interviewing people and civics, and I thought it was just a great thing that our scouts are incorporating civics into their curriculum and over the time I’ve always encouraged public and private schools to do that also, and think that that is something that is really a need in our community. But that was a pleasure for me to go speak with Troop 281. Also, the swap meet is, as Kristi said at the first of the meeting, this weekend. This is something that I have attended for about 15 years, and it’s car related, but it’s well worth the parking fee that’s going to be charged. I would recommend the two-day pass at \$7 because you’re not going to be able to get through the whole thing in one day. You’re going to want to come back once you see all the good stuff that’s out there. I mean, it’s just a wonderful setting, and pleasant and never any trouble out there. It’s just a bunch of male and female, by the way. There are things for the women out there, too. So, if she has taken you to the home show, make sure that you get to go to the car show and the car swap meet out the Kansas Coliseum pavilion areas. Thanks.”

Chairman Peterjohn said, “Thank you, Commissioner Parks. I’m going to add for the record that next Tuesday, instead of our regular staff meeting, which is open to the public and normally held here on the 3rd floor of the courthouse in the Commission meeting room, we’re going to be meeting for our planning meeting off site at the Fire District headquarters on 77th street just east of Interstate 135. And that meeting is also open to the public. We’ve got plans with the significant challenges we face through 2010. So I wanted to make that announcement available for anyone who might have an interest in getting into some of the details of what Sedgwick County government is looking at in going forward. I believe we have one more motion. Commissioner Welshimer.”

Commissioner Welshimer said, “Yes, Mr. Chairman.”

MOTION

Commissioner Welshimer moved that the Board of County Commissioners recess into Executive Session for 10 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 10:20 a.m.

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 stand in recess until no sooner than 10:20 a.m.”

The Board of County Commissioners recessed into Executive Session at 10:10 a.m. and returned at 10:23 a.m.

Chairman Peterjohn said, “We’re going to call this meeting back to order and recognize County Counselor, Mr. Euson.”

Mr. Euson said, “Commissioners, while in Executive Session, we talked about a settlement in the current litigation involving the jail fees with the City of Goddard. And the City of Goddard has offered a settlement in that litigation of \$9,000 with the stipulation that they will start paying jail fees as of January 2010. That is roughly the same situation that Park City was that you approved last week. We would recommend that settlement and ask you to approve it.”

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

MOTION

Chairman Peterjohn moved to approve the settlement of \$9,000 with the City of Goddard.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “Commissioner Parks.”

Commissioner Parks said, “Mr. Euson, could you repeat what date that was, that they were going to start paying from?”

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Mr. Euson said, “The settlement is for fees to December 31, 2009, and with the stipulation that they will begin to pay fees starting January 1, 2010.”

Commissioner Parks said, “Okay. So those...”

Mr. Euson said, “So the \$9,000 gets up to the end of 2009 and then they start paying the \$2.09 per hour for their prisoners beginning January 1, 2010.”

Commissioner Parks said, “But the date on that \$9,000 was in June last year?”

Mr. Euson said, “Well it’s really not based on a date in June, it’s...”

Commissioner Parks said, “Okay.”

Mr. Euson said, “...just a settlement amount.”

Commissioner Parks said, “Okay. Thank you.”

Chairman Peterjohn said, “Any further questions for Mr. Euson? Seeing none, please call the vote.”

VOTE

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

Mr. Euson said, “Thank you, Commissioners.”

Chairman Peterjohn said, “Seeing no further business, a motion to adjourn is in order.”

MOTION

Commissioner Welshimer moved to adjourn.

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, "We are adjourned. Thank you."

L. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:25 a.m.

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

KARL PETERJOHN, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

February 17, 2010