

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

### **REGULAR MEETING**

**March 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, March 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 Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Jo Templin, Director, Human Resources; Mr. Chris House, Captain, Emergency Medical Services; Mr. Mike Buchanan, Captain, Emergency Medical Services; Ms. Gail McMillan, Office Specialist, Corrections; Ms. Patricia J. Parker, Assistant County Counselor; Ms. Kristina Helmer, Worksite Wellness Health Educator; Ms. Janice McCoy, Health Protection Coordinator, Health Department; Mr. Bill Farney, Assistant to the Director, Health Department; Ms. Annette Graham, Director, Department on Aging; Ms. Marilyn Cook, Executive Director, COMCARE; Ms. Iris Baker, Director, Purchasing; Mr. Rick Brazill, Deputy Chief, Fire District #1; Maj. Glenn Kurtz, Bureau Commander, Detention Facility; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

### **GUESTS**

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell

### **INVOCATION**

Observed by a moment of silence.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, that Commissioner Norton was absent.

### **RETIREMENTS**

#### **A. PRESENTATION OF RETIREMENT CLOCKS.**

- **ROBERT HOUSE, EMS CAPTAIN, EMS WILL RETIRE APRIL 1, 2010, AFTER 32 YEARS OF SERVICE.**

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- **MIKE BUCHANAN, EMS CAPTAIN, EMS WILL RETIRE APRIL 1, 2010, AFTER 30 YEARS OF SERVICE.**
- **GAIL McMILLAN, OFFICE SPECIALIST, CORRECTIONS WILL RETIRE APRIL 1, 2010, AFTER 7 YEARS OF SERVICE.**

**Ms. Jo Templin**, Director, Human Resources, greeted the Commissioners and said, “Could I have our three retirees come forward, please. This item congratulates our retirees upon their decision to retire after long-term county employment and a commitment to public service; we want to congratulate them today. They are joined here by many coworkers, family members and friends, and we welcome all of you as you help our retirees celebrate their decision to retire. The first retiree is Chris House, an EMS (Emergency Medical Services) Captain, he will retire April 1st after 32 years of service.”

**Chairman Peterjohn** said, “Please have a moment at the microphone.”

**Mr. Chris House**, Captain, EMS, greeted the Commissioners and said, “Thank you. All I want to say really is that I think I’ve been pretty fortunate to have a job that I’ve always wanted to do, and I’ve had the opportunity to do it here and I appreciate that. That’s it. Thank you.”

**Ms. Templin** said, “Our next retiree is Mike Buchanan, also an EMS Captain, who will retire April 1st after 30 years of service.”

**Mr. Mike Buchanan**, Captain, EMS, greeted the Commissioners and said, “Thank you.”

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

**Mr. M. Buchanan** said, “I would like to say thanks for 30 years. This has been a great place to work; it’s been a great job. And I guess mainly the thing I’ve appreciated most are the people that work for EMS, the coworkers I’ve had and the friendships I’ve made mean a lot to me, so thanks a lot.”

**Ms. Templin** said, “And our next retiree is Gale McMillan, Office Specialist with Corrections, and she will retire April 1st, 2010, after seven years of employment.”

**Chairman Peterjohn** said, “Congratulations.”

**Ms. Gale McMillan**, Office Specialist, Corrections, greeted the Commissioners and said, “Thank you.”

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**Chairman Peterjohn** said, "Thank you. On behalf of Sedgwick County, may we present you with this clock for your years of service, and a certificate..."

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

**Chairman Peterjohn** said, "...I'll let you speak at the microphone."

**Ms. McMillan** said, "I want to thank the people at Juvenile Field Services for taking good care of the juveniles the way that they do, and I also want to thank the administrator there, Steve Stonehouse, for giving me the job. I've learned an awful lot. Thank you."

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

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

**Commissioner Parks** said, "I would like to say that, you know, I would like to thank all of our retirees and long-term employees, but, you know, EMS, a lot of times we don't think of the danger that they face when they are out there, especially on a wintertime condition, when they are rolling up on a wreck, and they are out there to try to extract, or get the people out of the car, or in various situations. There's been a lot of things over the years that I really appreciated the danger that the EMS people have been into, and it is certainly a good sign to see you reach retirement and be here. And would like to say that probably one of the biggest challenges that you faced was bloodborne pathogens, and that is a very dangerous situation out there, and I would like to thank you for that."

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

**Commissioner Unruh** said, "Thank you, Mr. Chair. Well I'd just like to express appreciation also for the years of service that you have given to the citizens of Sedgwick County. I mean, you all provide really critical services for public safety, and citizens don't often get to say thank you, but you have performed your service diligently for cumulatively almost 70 years among the three of you. But part of that, I think, comes back to what Mr. House said, that he had a job that he always wanted, and so I'm glad that we have people in position who are doing jobs they want to do, they see the value of it, and as citizens, we get the benefit of that. So we thank you for your dedication to service to Sedgwick County. That's all I have."

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

**Commissioner Welshimer** said, "Well I want to thank you all. I think so many of us have experienced your service in emergencies we've had with our families and neighbors, and it's always

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such a relief to have such good people in charge of those services, and you're very much appreciated and thank you for all those years."

**Chairman Peterjohn** said, "As Chairman, I am going to also second my fellow Commissioners' remarks and express my appreciations to Captain Buchanan, Captain House and Ms. McMillan, not only the time that's been spent, but I think in the time period that all three of you have worked, you've seen some significant changes here in Sedgwick County and it's allowed this community to grow, prosper and you're leaving the community a better place than when you joined, and for that, I think you have the heartfelt appreciation of this entire Commission. Thank you. Next item, please."

### NEW BUSINESS

#### **B. A RESOLUTION AUTHORIZING SALE OF UNREDEEMED REAL ESTATE AFTER TAX SALE.**

**Ms. Patricia J. Parker**, Assistant County Counselor, greeted the Commissioners and said, "You have before you this morning a resolution authorizing tax foreclosure proceedings and sales of real property with delinquent real property taxes. The County Counselor's Office is responsible for instituting tax foreclosure proceedings on properties eligible for foreclosure. As a courtesy, I might add that the Treasurer's Office mails out notices to property owners well in advance of a property tax sale notifying them that their property will be selected for foreclosure if those taxes are not paid. When that process started back in July of 2009, the Treasurer's Office sent out notices for 1,836 parcels, and numerous parcels were redeemed, so ultimately 1,197 parcels were sent to our outside legal counsel to be included in the tax sale foreclosure proceedings. He advised me yesterday that the tax sale should take place sometime mid-summer. This is a resolution that is brought to you every year, as we have to do this every year, and it merely requests you to authorize the County Counselor's Office to institute those tax sale foreclosure proceedings. If you have any questions, I will be happy to address them."

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Patricia, what happens to properties that do not meet these thresholds? I mean, they just remain in delinquency until it accumulates?"

**Ms. Parker** said, "No. No, we are a large enough county; we're always going to meet the thresholds. The criteria is the oldest year's tax, in this, for the most part, is 2005. There are some that are 2006 that are vacant parcels that are unredeemed. But for the most part, most of these properties in the tax sale have delinquent taxes from 2005. The law provides that, as the resolution

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states, that whenever the aggregate assessed valuation of real estate subject to sale is \$300,000 or more, or the aggregate amount of delinquent taxes including special assessments is \$10,000 or more, so we're always going to be in that process, I am afraid."

**Commissioner Unruh** said, "Alright. I think I misunderstood..."

**Ms. Parker** said, "Okay."

**Commissioner Unruh** said, "...instead of cumulative taxes..."

**Ms. Parker** said, "Cumulative, yes."

**Commissioner Unruh** said, "...it's aggregated properties altogether."

**Ms. Parker** said, "Right. Absolutely..."

**Commissioner Unruh** said, "Alright, I understand."

**Ms. Parker** said, "...not individual properties."

**Commissioner Unruh** said, "Okay. And all of this is not by option of county government; this is required by state statute?"

**Ms. Parker** said, "Kansas legislature requires us to institute foreclosure proceedings when property becomes eligible for foreclosure, and obviously the public policy behind that is that we want to get property in the hands of taxpayers who are going to be paying the taxes on that property."

**Commissioner Unruh** said, "Alright, thank you. That clears it up. I was not thinking straight."

**Ms. Parker** said, "That's okay."

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

**Commissioner Parks** said, "That answered part of my question, but the rights of redemption, can you kind of go over that just a little bit..."

**Ms. Parker** said, "Sure."

**Commissioner Parks** said, "...for the public record."

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**Ms. Parker** said, "Sure. A taxpayer can redeem the property. The delinquent taxpayer would have to pay all the taxes, once the tax foreclosure proceedings have been instituted, and I understand three cases have been filed, the fourth one is getting ready to be filed, so at this point, in order for a taxpayer to redeem his property, he would have to pay all of the years' taxes, not just one year, not just the oldest year, but all of the years. And they can redeem up to the tax sale. We have had some redeem right before the auctioneer started, I mean, they sometimes cut it that close. Usually not, but they do. And the Treasurer's Office works pretty hard with the taxpaying public to coordinate that, so that they get as much redemption as possible."

**Commissioner Parks** said, "I've had one question from a constituent about if they are in the process of paying under protest or something, does that enter into delaying anything there?"

**Ms. Parker** said, "No. That will not stop the tax foreclosure process."

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

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

**Commissioner Welshimer** said, "Where do you have this sale?"

**Ms. Parker** said, "In the past they've had the sale downstairs in the jury room, but it has grown so large, last year they moved it to the Extension Center, I believe. And I believe it was fairly successful. I was there last year at at least one of the tax sales, and there was a lot of room for folks. And they used to be very cramped downstairs, but now it's much easier to deal with..."

**Commissioner Welshimer** said, "It's a nice, big room over there."

**Ms. Parker** said, "...big room, and I don't know for sure if that's where it's going to be this year, but I think that's where it will be."

**Commissioner Welshimer** said, "And it's done like in an auction..."

**Ms. Parker** said, "Right."

**Commissioner Welshimer** said, "...type?"

**Ms. Parker** said, "Right. They hire an auctioneer, I believe Bud Palmer has been the auctioneer in the past, I don't know if he's going to do it again. We leave those details up to Mr. McElgunn; Chris McElgunn is the attorney that represents us in this tax foreclosure process."

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**Commissioner Welshimer** said, “And those lists of properties are available from the Treasurer?”

**Ms. Parker** said, “Yes, they are.”

**Commissioner Welshimer** said, “So that people can look at them?”

**Ms. Parker** said, “Absolutely.”

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

**Ms. Parker** said, “Anything else?”

**Chairman Peterjohn** said, “And I would like to add a few questions of my own. If the public is interested in not only seeing the list, but bidding on the list, do they need to sign up in advance? And if so, how so? And do they need to come with a certain amount of...do they need to come with like registered and certified check, or a cashier’s check, or anything on property they wish to bid on?”

**Ms. Parker** said, “I believe that they do sign up in advance, but I don’t believe that they have to sign up...I think they can just appear that day at the sale, and they register so that they can bid on the property. I believe they do take, well, I’ll have to get back to you for sure on how payment, I don’t believe they require a cashier’s check, but I’ll have to get back with you on that. I’m not sure, but if anyone is interested, they can contact the Treasurer’s Office and get that.”

**Chairman Peterjohn** said, “And the Treasurer’s Office could provide the details...”

**Ms. Parker** said, “Right.”

**Chairman Peterjohn** said, “...Ron Estes’ office could provide those details.”

**Ms. Parker** said, “Absolutely.”

**Chairman Peterjohn** said, “Let me ask you a question, in terms of I know this process goes on every year, and you mentioned the volume of parcels that come up for sale, I was interested in the taxable, on the penalties that are paid on these properties that they have to redeem, isn’t there some sort of an interest and surcharge, and how much is a penalty added for delinquent payments of property taxes?”

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**Ms. Parker** said, “Well, penalty is not added for real property taxes. What is added, of course, would be interest...”

**Chairman Peterjohn** said, “Well that’s what I meant, interest...”

**Ms. Parker** said, “Yes.”

**Chairman Peterjohn** said, “...and how much would that be, and does it vary?”

**Ms. Parker** said, “Well, yes, depending upon the age of the tax. When the property is sold, it’s sold for whatever amount of taxes we can collect. We do not separate out between tax and interest, it all merges together, so we collect as much as we can possibly get for property, and however much that sale brings, then that amount will be divided among the taxes, and the special assessments and then to pay the publication fee, abstract fee, Chris McElgunn’s fee comes out of that, all out of the sale proceeds.”

**Chairman Peterjohn** said, “Okay, well, maybe let me re-ask the question this way, is there a fixed maximum interest rate that we can charge for delinquent properties, to redeem them as part of this process?”

**Ms. Parker** said, “Well, interest is accrued on those taxes as they become due, and there is a fixed amount that is determined. I believe those figures are given to the Treasurer’s Office every year by the Department of Revenue, exactly what that amount is to date, I would have to get back with you on that...”

**Chairman Peterjohn** said, “Okay.”

**Ms. Parker** said, “...I don’t know what the exact figure is.”

**Chairman Peterjohn** said, “Well I was interested because I’ve had constituents ask me, in terms of for delinquent, you know, what the interest rate was...”

**Ms. Parker** said, “Sure.”

**Chairman Peterjohn** said, “...and how it might vary. There have been obviously a lot of interest, in terms of where real estate is going and real estate trends, do you know how the total amount of delinquent unredeemed real estate valuation, what it’s on the tax rolls for, compares this year, to say, the same period last year?”

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**Ms. Parker** said, "I really couldn't tell you. We would have to research that. We would have to go back and look at the properties that were up for tax sale last year. Are you referring to what the value is, or what the taxes were?"

**Chairman Peterjohn** said, "I was interested, in terms of the value..."

**Ms. Parker** said, "Value."

**Chairman Peterjohn** said, "...as kind of a harbinger of how the local..."

**Ms. Parker** said, "Sure."

**Chairman Peterjohn** said, "...economy is doing."

**Ms. Parker** said, "We would have to go back, and I think we probably could go back and review those properties, and the valuations of those properties, compared to the properties that are in this year's tax sales process and look at those values. I look at terms of the numbers of parcels, and I know that doesn't have a thing to do with value, but I think the numbers of parcels that are being foreclosed upon this year is similar to what was foreclosed upon last year, but I'm basing that on a memory, so don't bank on it."

**Chairman Peterjohn** said, "We didn't get a chance to visit on this in detail in advance, but with the focus on how the local real estate market is doing, I think there's a good deal of community interest..."

**Ms. Parker** said, "Sure."

**Chairman Peterjohn** said, "...and I very much appreciate the information you do have. Commissioner Welshimer."

**Commissioner Welshimer** said, "Well I think these tax sales are a loss to the county, because we're not collecting the full tax over those years."

**Ms. Parker** said, "Right."

**Commissioner Welshimer** said, "I'd be interested in knowing how much we lose in this process, in taxes due and taxes collected."

**Ms. Parker** said, "Okay."

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**Commissioner Welshimer** said, “Money due and money...revenue due to us and revenue lost.”

**Ms. Parker** said, “Okay.”

**Commissioner Welshimer** said, “It would be an interesting figure.”

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, “We’ll get you that information, Commissioner.”

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

**Ms. Parker** said, “Yes, I think we can do that.”

**Chairman Peterjohn** said, “I’ll just add for the record, I agree with Commissioner Welshimer, in terms of having additional information would be helpful. We’ve had a lot of, I think, a very good dialogue, and questions and answers here. We don’t have a motion in front of us, I believe, so what is the will of the body on Item B?”

**MOTION**

Commissioner Unruh moved to approve the Resolution.

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

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

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### C. HEALTH DEPARTMENT.

#### 1. AN ANNUAL REPORT AND UPDATE FROM THE SEDGWICK COUNTY WELLNESS COMMITTEE.

##### VISUAL PRESENTATION

**Ms. Kristina Helmer**, Worksite Wellness Health Educator, greeted the Commissioners and said, “The Sedgwick County Wellness Committee, this year is the first time we had a full-time committee working on the wellness issues for our county, and we came up with a vision. And the vision is the ‘Sedgwick County Wellness Program will promote a culture of wellness that encourages employees and sets an example of healthy behaviors for all residents of Sedgwick County.’ A lot of our departments affect the public, and so we want our public also to become healthier. Our mission is to improve the overall health and wellness of employees by providing opportunities and leading a healthy lifestyle. So in 2009, a new position was created for Sedgwick County, and this was the first time the county had a full-time Worksite Wellness Health Educator. We have begun developing an infrastructure that supports a healthy environment for county employees to improve their health and overall well being. We have a Wellness Committee that works on our issues; we have 34 committee members that represent most county departments. Last year we had three sub-committees, we had a Policy Committee that worked on existing policies to integrate them to make healthier policies. We had a Communications Committee to really get the word out about wellness and what is a healthy lifestyle. And we had a Programs and Interventions Committee that worked on programs, classes and gives us opportunities for people to have a healthier lifestyle. We also have Wellness Liaisons, we have 18 Wellness Liaisons from most departments, and they help promote the programs and the classes. I call them my cheerleaders. They’re the ones that are really getting the word out there and encouraging people to participate in our programs.”

“We also have a Sedgwick County Wellness Club, we have 413 members currently, and they receive a bi-monthly newsletter. They’re the first ones that hear about the classes, the upcoming challenges and the programs that are going on in our work site. And I also have a wellness internet site; I update it probably twice a month, sometimes three times a month, depending on what’s going on. And you can find it on the e-line site, you can click on it. And also this year, we surveyed our county employees. We had over 800 people participate in the survey process, so over a fourth of our population actually took the time to fill out the survey. And this was for our employees to give input on what they would like to see the Sedgwick County Wellness Program to look like. We really want to develop a program the employees can really take, you know, be a part of. We want them to change their behaviors, so we really wanted to know what they had to say and what their thoughts and feelings are on our Wellness Program.

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“Also in 2009, we offered 19 wellness classes, 260 employees participated. Class topics included healthy grocery shopping, stress management, women’s health, understanding Medicare, caregiver support and trigger point massage. We also partner with Via Christi; they also offer health classes at their locations, so we highlight the classes that they have going on at their sites. I also attended brown bags and staff meetings. In January we provided a Fat Bucks presentation to the Manager’s Brown Bag and the OD (Organizational Development) Brown Bag. And also each month, I provided a wellness tip at the OD Brown Bags and also just kind of promoted some of the events that were kind of coming up in our organization. I also presented at 42 staff meetings throughout the county, which was great. I really got to meet a lot of wonderful people that work in our organization and got to hear what they really would like to see also in the Wellness Programs. It was fun to go and see so many different sites in the county. In 2009, we also had some wellness events. We did Walk Across Kansas, the Appraiser’s Office actually piloted that for us. We did Walk at Work, we did The Culprit and The Cure book review. Reading the book is what really changed some peoples’ behaviors. There were some great success stories coming out of that. They really got to learn more about nutrition. We did a Fat Bucks challenge, we did the Manager’s Challenge in August, we did Walktober and we also did a Maintain No Gain.

“We also have A Movin’ Minute, it’s videos that are produced to encourage employees to get up and out of their desk and move for at least one minute at their desk site. You can go to the internet site, it’s just me doing five simple exercises to get you encouraged to get up and moving out of your desk. So that has been kind of fun. Those are kind of fun to do. We also have discounts to local health clubs. Each year I write a letter to all the health clubs in Sedgwick County saying that we cannot provide financial assistance to give our employees a discount, but in exchange we can provide marketing opportunities and really promote their services that they can provide to our employees. These were the companies that provided us discounts for employees last year.”

**Ms. Helmer** continued, “This year we have 11 health clubs signed up, and you can always find it on e-line, the updated health clubs that are on there. We also have a Wellness Star. This initiative was developed to highlight county employees who are actively taking charge of their health by maintaining a healthy lifestyle. In 2009, we had 20 employees that were highlighted on the e-line, and it’s great to know right when you pop up e-line, they’re the first ones that you see. Those are the people that are really taking charge of their health and trying to make a change for a healthier lifestyle. And it’s also great that their employees are noticing it, because they’re being nominated by their coworkers. We also did a senior management video. The Communications subcommittee developed this. We interviewed some of our senior leadership, asking them about their healthy lifestyles and how do they maintain a healthy lifestyle with their schedules. I think it was a lot of fun for coworkers to see it. We showed it at Columbus Day, and it was just kind of fun to see how people manage that lifestyle and find the time to eat better, move more during a busy lifestyle.

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“For 2010, we’re going to continue planning, promoting county wellness, classes and events. We’re going to continue researches on best practices for our comprehensive wellness programs and we’re really developing a five-year program to address the county employees’ needs. And some things already in 2010 that are happening, we have the Manager’s Challenge going on right now for fruits and vegetables; 14 percent of our population actually signed up for this challenge, which is a great thing. We did a pilot program with the Department of Finance, with the Movin’ Minute. They had a calendar reminder notice that popped up that reminded them, get up out of your desk for just a minute and move your body. And we’re also getting ready for more events coming up in 2010, so look forward to them. Thank you. Any questions?”

**Chairman Peterjohn** said, “Any questions or comments?”

**Ms. Helmer** said, “I’m a fast talker.”

### MOTION

Commissioner Parks moved to receive and file.

Commissioner Unruh seconded the motion.

**Chairman Peterjohn** said, “We’ve got a motion and a second, Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you. Well, I got quite a workout listening to you.”

**Ms. Helmer** said, “I know. I’m a fast talker.”

**Commissioner Unruh** said, “But, truthfully, it’s an effort that takes someone to be in charge and to keep working at it every day, because I’m sure I’m not too much different from most folks, I get a little lazy, and lackadaisical and just let that stuff slip. So I know that this is a very beneficial program for Sedgwick County employees, and appreciate your effort. I am looking for what health benefit I might get by voting in favor of the motion. That’s all I have.”

**Chairman Peterjohn** said, “Well, Commissioner Unruh, I think that’s true for all of us up here, in terms of the benefit. I’m going to throw out a question, because I thought you’d mention this, and you didn’t, and I know it’s ongoing among a number of county employees, that they are, and I was going to save it for the ‘other’ section, but I’ll move it up here, in terms of the timing, but I know a number of Sedgwick County employees are working out after their normal work hours now that it’s light a little later in the afternoon, and they are running, generally they’ve been all over Sedgwick County, in terms of places they’ve run. At the moment I think it’s mainly along the river, and they are getting ready to try and do the 10K River Run. And as a person who has run that race a number

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of times, I want to lend them all the support. Unfortunately at my chronologically gifted state, I don't move like I used to, and that's a source of some internal frustration for the 18 year old that's trapped inside of me. Having said that, Commissioner Welshimer."

**Commissioner Welshimer** said, "Well, I think our office staff is involved with this wellness program because they have put on my calendar private appointments, five of them a day, which means I have to get up, and stretch, and walk and so on, and it buzzes me when it's time to do that. So I wanted to tell Deb that, too, next time she's looking at personal appointments on our calendars, that's what it is. Thank you."

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

**Chairman Peterjohn** said, "Seeing no further comments, please call the vote."

### VOTE

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

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

## 2. REPORT OF H1N1 RESPONSE ACTIVITIES.

### VISUAL PRESENTATION

**Ms. Janice McCoy**, Health Protection Coordinator, Health Department, greeted the Commissioners and said, "I've also been the Incident Commander for the H1N1 Response, and this is just a wrap-up of basically what we've been doing for almost nearly a year now, and hopefully we are at the end of it, at least I'm hopeful at this point. I wanted to do a quick timeline of what has happened in the last year. In April, actually on the 24th, we started hearing a lot of news about the 'swine flu' being in Mexico and starting to pick up some cases of that in Texas and in California, and so we started doing some, just paying attention to what was going on. And then on April 25th, because of the news, I woke up about 5:30 in the morning, I was like, you know what, this is what we've been preparing for all of these years, and we need to activate, and so I did. I called the MMRS (Metropolitan Medical Response System) person on call and said, I want to activate our staff, we're going to go ahead and institute Incident Command, and start doing some active surveillance in our

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community, because Texas is really rather close to us, and we don't know if this will hit our community or not, so we activated that day. Anyway, we activated. I met with the MMRS on call person at my office, later that day we received a call from Dr. Jason Eberhart-Phillips, who is the state Health Officer, and we were notified that we had a case actually come through our airport, so we had actually activated before we had our first case in the state, or notification of that.

“So May 1st we actually had our first case in Sedgwick County, and it was a student, and our epidemiology staff investigated that case, followed up, and they were working on that case until midnight on May 1st, because it was a new case, and we were unsure of all of the protocols that were required and we wanted to make sure that we were doing what we needed to do and we were doing it correctly for the safety of our community. On August 11th and throughout the summer, we continued investigation of cases as they arose. We instituted isolation and voluntary quarantine, something that we don't usually, but we asked people to voluntarily quarantine, which many of them were happy to do, just so we could protect and try to not spread the cases throughout our community. August 11th, we went ahead and activated for our fall response, and that was for, of course, mass vaccination. September 15th, FDA (Food and Drug Administration) approved our H1N1 vaccine, so we knew we would be receiving it. On October 7th, we brought our first contract for our funding to you, and you, of course, signed so we could receive the funding and be able to really plan and respond to H1N1 in our community. And on October 9th we received our first vaccine. And then from September through December, we had a concurrent seasonal flu vaccination program with our H1N1 program. And as you know, in September and October, we saw a real increase in H1N1 cases in our community, especially with our schools.”

“This is what our Incident Command System chart looked like in the spring, and unfortunately I took out the one for the fall; it was twice this size, but it held with NIMS (National Incident Management System). We're NIMS compliant. We used Incident Command so we could have a structured system in our response. So, surveillance and epidemiology; at the local level, we do have an electronic system called FirstWatch; it monitors 911 calls and it also monitors Wesley Emergency Department so we can see what they are seeing coming in through their ER (emergency room) doors. We were able to watch as the wave of H1N1 cases increased in our community because of that system. And over the summer we tweaked it, those triggers, so we were more sensitive to what was going on. We did not have any way to really monitor what was going on in the schools, so over the summer we developed a program that was web based, that school nurses could go in and put in their absenteeism based on symptoms, which almost all of the schools were willing to do, and we were able to monitor school absenteeism rates through that, using our epidemiologist. The Electronic Disease Surveillance System is through the State of Kansas, and that is how we received our reports. Anytime we had a lab confirmed case, our epidemiologist would initiate a disease investigation. We also were looking at hospital admission data, as well as death reports from KDHE (Kansas Department of Health and Environment). Every case that was identified in Sedgwick County, we followed up on.

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“So the current status, as of March 5th this year, we are through the end of the second wave. We have not seen any indicators for a third wave, fortunately. We also haven’t really seen any indicators for seasonal flu, which usually we see, and it’s been below that baseline for the state. We’ve had, in the county, 7 confirmed deaths for H1N1-related deaths and 317 confirmed cases. Now, we’ve had a lot of unconfirmed cases, because to be considered confirmed, you have to have the lab test through the state. There have been 28 confirmed deaths in the state. We also had the Strategic National Stockpile come into our community; that was sent out in the spring. They sent antivirals to our community and we received that just according to the plan that we have developed to do that, and that is the plan that the Centers for Disease Control (CDC) actually rates us on, on an annual basis, to make sure that we’re ready to receive anything from the National Stockpile. We distributed antivirals to community clinics in the spring. Our biggest concern was getting antivirals to people who couldn’t actually afford them from regular retail pharmacies, so we worked with the state to set up a system to provide that. We also distributed masks to community clinics that didn’t have the resources to purchase their own, we had some in stockpile locally so we provided that to them. We also monitored distribution of antivirals to retail clinics and pharmacies in case they were getting low and we needed to open up our stockpiles to provide that to the community.”

**Ms. McCoy** continued, “Community and guidance was very, very important, especially when you’re talking about keeping people calm and collected, and we don’t want people to be alarmed. And, of course, you’re fighting an uphill battle when CNN (Cable News Network) is talking about this all the time, so we wanted to make sure people had the correct information, and we worked really closely with Jennifer McCausland and our Communications Department to get information out. We got information to our private providers and clinics with ‘blast facts’ on how to do the testing of their patients, how to get the lab test up to the state, so they can confirm if they really did have a case or not, what the treatment protocols were, not everybody needed to have antivirals, and what their reporting requirements were for this because we generally do not have reporting for influenza. And then we also wanted them to know information about the vaccination and what the priority groups were. There was a lot of misinformation about vaccination when it first came out. Also, we wanted to get information out about the mass vaccination clinic we had to the community, what the location was, what were the hours, what days, so that people could come in and get it, and who could come and get it and who couldn’t, which was really hard for us. And then also availability of antivirals out in the retail clinics so doctors knew where to send their patients to get the antivirals. We also wanted to get information to our schools and our school nurses; they had a real increase in cases, so we wanted to make sure they had disease control guidance, what to do with the students, how to clean their classrooms and environmental controls, and also we helped them develop information to send out to the parents.

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“Health education; very vital. Our Health Promotion program actually is in the same building with my staff. Becky Tuttle is the Program Director, and she was on board immediately to help us, which was very good because my staff could not go out and do the presentations that we were being asked to do, and do our jobs as well, so they jumped on board really fast. And they gave 51 presentations; 74 on hand washing, 8,000 individuals were presented to with 43,000 hand washing and H1N1 materials distributed. And then we stole Becky Tuttle from her normal duties and we put her in as the Planning Chief, and she was excellent in that position, because she just has a good mind for that. And then we also had a liaison that could talk between us and between the Health Director and Medical Officer, because oftentimes they need information right away and we didn’t have time to just drop stuff and get it to them, and we had a liaison that could do that, and then also could communicate between us and county government. The county set up a committee to take care of continuity of operations for the county, we didn’t know how severe this virus would be, but we wanted to make sure that we could maintain the infrastructure here and that they had the information they needed to know to be able to do that. And then we also gave regular electronic updates to our community partners, like law enforcement, fire, EMS, et cetera.”

“We set up a call center. We were inundated with calls from providers, from the public, from schools. It was staffed 10 hours a day with people that could actually talk to them and tell them what was going on. They had set protocols, they had scripted up to date messages. When we would get a question that had never been answered before, that would enter the script, so if somebody asked again, they would know it. By the end of December, we had over 6,000 calls, and the average time was 16 seconds that those calls were answered in. We found out really fast, a lot of times people were just calling to find out what time the clinics were open, so we did a recorded message, put that at the front end of the call when they called in, so if that’s all the information they wanted, they could hang up and they didn’t have to talk to a person if they didn’t want to. The public media messages were really important in making sure that we were getting out the right information and keeping the community and the media up to date on what was going on. We developed a website and kept it updated. There were 44 press releases, 22 facts sheets, 13 of them were in Spanish and 12 in Vietnamese, and we had 80 interviews between September and February. And I wasn’t very comfortable at first being in front of the media, and after a while it’s like, oh, whatever, so you just kind of get used to it after a while. At least we were getting the information out and people knew the message, and fortunately so did the media, and that was the best thing.

“One day, 12/16/09, we sent out flyers to all the households in Sedgwick County to let them know where that clinic is at, because we felt like we weren’t getting the message out about you can get the vaccine, and here’s where you can get the vaccine and it’s free, and we wanted them to know that, so we sent out almost 150,000 flyers to every household. And then we did a secondary mailer to

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to select households about an upcoming mobile vaccine clinic, because there were some specific areas that we really wanted to focus on their high-risk groups. Initially our targeted priorities, you knew about this, were pregnant women, caregivers of children under the age of six months, health care workers and emergency medical responders, children 6 months to 24 years, and then those up to the age of 64 with underlying medical conditions, which would have been just over half of our population. That was our target, and unfortunately, we didn't hit all of that target. We received just over 160,000 doses of vaccine, and we've administered just over 118,000, which is about 25 percent of our population. Of that, 177 private providers have done just over 60,000. We, as the Health Department, have done just over 58,000, which is really quite an accomplishment. We can try our best, but if people don't come for it, we can't force them to do that. And even with these numbers, and the number that have been sick, we're confident that we have enough immunity in Sedgwick County that if somebody would get H1N1, that it wouldn't be as big of an outbreak as we had had in October, because they would meet somebody, enough people that have immunity."

**Ms. McCoy** continued, "School located vaccination clinics were really important to us, we felt it was a good avenue to get vaccines, especially into the target population of children. All 10 districts participated. We were very fortunate and we really appreciated their help with this. Twenty private schools and three of our universities also participated; 190 sites were able to take care of 202 schools, and 23 percent of our students were vaccinated with at least one dose. We sent out reminder letters to parents to bring in their children to the clinic for that second dose, hopefully most of them did that. Staffing was really important, especially in the clinic, to make it run smoothly, as smoothly as it did. We could about get a person through in less than 15 minutes in a long line, 6 seconds if it wasn't. I only have six people on my staff; we couldn't have done it without the staffing and volunteers that we had. We had hired 20 temporary part-time people; we used 62 non-PHEM (Public Health Emergency Management) county employees and 158 contract agency nursing staff. We had 750 community volunteers, and that's a lot of volunteers and that says a lot about our community pulling together to help each other.

"I wanted to point out one of our volunteers and highlight him. His name is Dr. Hull. He is a retired psychiatrist and was one of just many of our volunteers. He has practiced in Sedgwick County since 1973, and he spent several years setting up clinics for inmates in maximum security prisons. And he's also been the Chief of Psychiatry at the Veterans Affairs (VA) Medical Center, and he retired about a year and a half ago, but he felt like he still had something to offer this community. Well, this pandemic was his first opportunity to actually volunteer, and he said that the experience was such that he wants to continue to volunteer, and is going to volunteer at local community clinics now because of what he experienced through the mass vaccination clinic. He's been an inspiration to the people around him as well, and I just cannot say how much we are truly grateful for his

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service and all the hard work of the other volunteers and the staff that helped make this possible for us to vaccinate all of these people.

“A little bit about the funding; we couldn’t have done it without the funding that came down from the federal government. As you can see, we received \$2.4 million in funding, and we have expended of that just a little over \$1 million, actually it’s about \$1,010,000. Nearly \$350,000 of that was in personnel costs, which is expected, it took a lot of people to carry off what we’ve done. We’ve saved the county about \$100,000 in personnel costs because of having to take people and put them into this. For the future, we’ve developed a better disease surveillance system. We want to continue to refine it and make it more robust. Surveillance is absolutely essential to be able to pick up when diseases, we’re having outbreaks in our community, and we really discovered that through this experience.”

“We still have the clinic open, but it does close March 26th. After that time, you won’t be able to get an H1N1 vaccine at that clinic. We will move those vaccines over into our regular immunization clinic on West Central and people will be able to go there during normal operating hours and get it. We have just around 10,500 doses left as of yesterday to give. We will have an after-action report of what we’ve done, and we’ll develop an improvement plan and we will make our plan and our response better than it was this time. Do you have any questions?”

**Chairman Peterjohn** said, “Questions, comments? Let me begin by thanking you for this presentation and I very much agree with your assessment, in terms of the 750 volunteers who participated, and helped in this and provided a lot more hours, are just fabulous contributors to this community and deserve our thanks. A question I was interested in was you mentioned 28 fatalities statewide, and a smaller number, obviously, here in Sedgwick County. The seasonal flu is a problem then goes on, I was curious how the deaths that we had during this flu season compared with a year ago, and how that might have changed? Because obviously each one of these cases is a tragedy for, obviously for the person who died, and for their families, and friends and neighbors, but I was curious, in terms of how this compares to what we’ve had since last year and maybe the year before?”

**Ms. McCoy** said, “Well, the fact is, is that they don’t normally track flu deaths; they track pneumonia and influenza related deaths, and it’s usually just children that are reported, so I don’t have the numbers, but I can follow up with the Kansas Department of Health and Environment and see what they have. But I would say that generally we expect to see more influenza like deaths from pneumonia, and they call them flu related deaths, as opposed to flu deaths.”

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**Chairman Peterjohn** said, “Well I was very much interested, in terms of how it compares, because the flu has been a major, well, if it’s not the primary cause, it creates other problems like pneumonia, if it does lead to mortality, and that was one of the things I wanted to get an understanding for. Since we didn’t spend all the money that came down through Topeka and from Washington, that excess money, will it go back to either Topeka, go back to Washington, or both?”

**Ms. McCoy** said, “It will go back to Washington.”

**Chairman Peterjohn** said, “Goes back to Washington.”

**Ms. McCoy** said, “Yes, it does.”

**Chairman Peterjohn** said, “So a small amount to reduce the deficit. Commissioner Unruh.”

**Commissioner Unruh** said, “Thank you, Mr. Chairman. Well, Janice, thank you for the report. I think it clearly illustrates the great effort and organizational challenge that you all had to get this task successfully completed, or successfully brought to this point anyway, so I just want to express appreciation to you and the team at the Health Department for all the work they did, along with the volunteers from our community. But it’s obvious there’s a lot of data and a lot of organization, so I want to express appreciation to you. I would say that yesterday morning at this time I was listening to some comments by Secretary of Health and Human Services, Kathleen Sebelius, and she opened her remarks by talking about the H1N1 pandemic, and she was very complimentary, thankful and grateful for the good work of county health departments and how they participated in controlling this pandemic, and I sincerely believe it was a heartfelt appreciation and so I just wanted to express that comment that she made back to our local people. She made a comment, however, that next year she thought that the H1N1 shot, I lost the word here...”

**Ms. McCoy** said, “Vaccination.”

**Commissioner Unruh** said, “...and the flu shot were going to be combined into one dosage, is that...”

**Ms. McCoy** said, “That’s correct. They are going to combine the H1N1 antigen into the seasonal vaccine, it will be a component of it. I believe it’s going to be a trivalent vaccine this next year.”

**Commissioner Unruh** said, “Alright. Well I thought that was good news, also...”

**Ms. McCoy** said, “It is good news.”

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**Commissioner Unruh** said, "...and should off load some of the effort in trying to get our people vaccinated. But at any rate, thanks for your report, and I just wanted to tell you what the secretary said."

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

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

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

**Commissioner Parks** said, "In following up a little bit of what the other two Commissioners have spoken to here, this is not over and it's still around. I mean, let's don't send the money back too quickly; we may have other projects to be out there. But I would say that I appreciate you going out to the schools, and all the schools in the county, just not the Wichita School District, and that was very much appreciated. And I would like to thank all those volunteers. You know without those Medical Reserve Corps and all those volunteers getting out there, this would have been, not only an expense for Sedgwick County, but it would have been a monumental personnel problem to get the people employed, and then laying them off, or whatever, but the volunteerism in this county is definitely still around and I would like to thank those volunteers out there publicly."

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

**Ms. McCoy** said, "I was going to say, we will have a formal reception for the volunteers on April 8th, because we do want to thank them for their hard work and dedication to this event."

**Commissioner Parks** said, "And where will that be?"

**Ms. McCoy** said, "It will be at the Harry Street [Wichita] Mall clinic."

**Commissioner Parks** said, "Okay."

**Ms. McCoy** said, "4:30 to 6:00. You will receive an invitation, of course, yes."

**Chairman Peterjohn** said, "Anything else?"

**Commissioner Parks** said, "No, thank you."

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

**Commissioner Welshimer** said, “Well I think, Janice, we found out what our community can do, and what it will do in a medical emergency, and I think we’re all very pleased to know we’re in such good hands. Thank you.”

**Ms. McCoy** said, “Thank you.”

**MOTION**

Chairman Peterjohn moved to receive and file.

Commissioner Parks 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

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

**3. APPROVE THE APPLICATION FOR AID-TO-LOCAL GRANTS FROM THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT.**

**Mr. Bill Farney**, Assistant to the Director, Health Department, greeted the Commissioners and said, “Good morning, Commissioners. Claudia is in Topeka today. The Agenda item before you this morning is our annual KDHE aid-to-local funding request. Grants represent over half of the Health Department’s total budget, and this group of grants represents almost 30 percent of that grant funding. Three of these grants have match requirements and all three can be met at this time, and in the foreseeable future, without any additional local funding. All our competitive grants, except the state formula, which is a block grant with funding based on population, the formula is just under 71

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cents per person, though there is a minimum of \$7,000 for all Kansas counties regardless of their population. The state formula funding also includes a match of sorts, it's called a Maintenance of Effort requirement, which basically means the local funding for the Health Department will not decrease from one year to the next; if it does, then this state formula funding is in jeopardy. The local funding for the Health Department in 2010 did not decrease from 2009, so this match requirement, like the others, is currently being met. The funding being requested represents both state funding and federal pass through funding. Typically the state portion is about 60 percent and the federal pass through is about 40 percent. For the current fiscal year, it's 58 percent state and 42 percent federal pass through."

"And for most of these aid-to-local grants, the funding has generally been flat over the past decade, the increase for this combined group for the decade is 1.5 percent annually. But there have been a few that have realized gains, the largest of those is a Cardiovascular Disease Risk Reduction (CDRR) grant, which has increased from \$14,000 in 2001 to \$112,000 in 2010. If you exclude this grant, the overall growth rate for the remainder of the group is just under one percent. Taking a step further, the current award for AIDS (acquired immune deficiency syndrome) testing and counseling grant is \$54,000 and change, but just over \$ 31,000 of that is one-time funding. If you exclude that also from the equation, the growth rate is about 0.6 percent. So for the past decade, the funding for this group has generally been flat. There have been a couple that have realized modest increases, and then the CDRR that has experienced tremendous growth. For these grant applications it is our normal practice to seek guidance from the various program managers we work with at KDHE, and that is what we did this year as well. We have not yet been told of any large impending cuts, and by and large we were not told to hold the line on our budget requests, only the Maternal and Child Health Program Manager instructed us to keep it pretty close to what it's been. Because of this, we are cautiously optimistic of relatively flat grant funding for next year. The application is due electronically next Monday, March 15th, and typically we receive the award amounts sometime in June. With that, I would be happy to answer any questions you may have."

**Chairman Peterjohn** said, "Questions?"

### MOTION

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

Commissioner Unruh seconded the motion.

**Chairman Peterjohn** said, "Okay. I have a motion and a second. I'm going to throw out a question,

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question, you said 58 percent was state funded and 42 percent was federal in this proposal before us today, is that a significant change from, say, the grant we had been operating under prior to this?"

**Mr. Farney** said, "Well, actually, I didn't say that clearly enough. The current fiscal year that we are in right now that ends June 30 has the 58 percent state funding and the 42 percent federal pass through."

**Chairman Peterjohn** said, "Okay. And would those percentages change under this application?"

**Mr. Farney** said, "We don't really know based on the application. That's something that we'll get from KDHE."

**Chairman Peterjohn** said, "Okay. So they'd feed it back. Because one of the questions I'd have, in terms of understanding this, with the state's obvious financial challenges, I was interested, in terms of how that was impacting these grants that are being rolled over, would we have any new programs, or new providers of services, under this grant that we're seeking that would be different from the one that expires June 30th?"

**Mr. Farney** said, "We have no new programs. We have some new aspects of programs, really an expansion of some of the things that we do now. The Cardiovascular Disease Risk Reduction, for example, we are asking for an additional part-time health educator. And this grant is mostly about tobacco, and so this additional part-time person would do additional education, I think, with faith based and university programs. So really just an expansion of the program that we currently have."

**Chairman Peterjohn** said, "Well the reason I ask those questions was, in terms of there's some significant changes from as part of the 2011 request from what was in the 2010 award, in our backup information on page 15 and 16, and that's part of the reason for my request, in terms of trying to understand how this is working. Because, frankly, this item surprised me with the challenges we know the State of Kansas is facing budget wise, to be able to go in, and make a request and have some double digit percentage increases was frankly a bit of a surprise to this Commissioner. But having seen that, I understand that we have a significant amount of grant funded operations, and certainly quite a few in the Health Department, and that this is basically in effect a rollover grant request for continuing a grant that, like you said, expires June 30th, so I'll be supporting this motion. Seeing no further comments and questions, please call the vote."

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Absent
Commissioner Parks	Aye

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Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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

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

**D. DIVISION OF HUMAN SERVICES.**

- 1. SIGNATURE AUTHORITY TO SIGN APPLICATIONS, REPORTS, PLANS, AND OTHER DOCUMENTS FOR SUBMISSION TO THE KANSAS DEPARTMENT ON AGING (KDOA).**

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "Annually the Kansas Department on Aging requires that the 11 Area Agencies on Aging in the State of Kansas submit evidence as to who in the organization's governing body is authorized to sign documents on behalf of the organization. This is a notarized affidavit of the chairperson of the governing board which identifies persons by their names and titles and/or positions who have been authorized by the governing body to sign the documents on behalf of the organization. This affidavit in front of you allows the Chair and Vice Chair to sign official documents, including area plans and various program applications. The affidavit would allow designated staff to sign financial reports, cash requests, units of service reports and other basic operating documents. I would request that you approve the signature authority and authorize the Chair to sign."

**Chairman Peterjohn** said, "Thank you. Any questions?"

**MOTION**

Chairman Peterjohn moved to approve the signature authority and authorize the Chair to sign.

Commissioner Parks seconded the motion.

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

**VOTE**

Commissioner Unruh	Aye
Commissioner Norton	Absent

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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

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

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

**Ms. Marilyn Cook**, Executive Director, COMCARE, greeted the Commissioners and said, "This is an amendment to the community-based services agreement with Breakthrough Club for them to provide psychosocial rehabilitation and case management services that you approved a couple of weeks ago. We looked again at it more closely; we had a lot of contracts coming up at the same time, and the outcome target for the percent of consumers living independently was incorrectly listed as 90 percent rather than 85 percent for the 2010 contract. This amendment revises that target for independent living to meet the state outcomes and to be consistent with other community-based service contracts that we have with other organizations. So we recommend that you approve the amendment and authorize the Chairman to sign."

**Chairman Peterjohn** said, "Are there any questions?"

**MOTION**

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

Commissioner Unruh seconded the motion.

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

**VOTE**

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

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

**3. AGREEMENT WITH THE SUBSTANCE ABUSE CENTER OF KANSAS FOR COMCARE TO PROVIDE CERTAIN COMMUNITY-BASED MENTAL HEALTH SERVICES ONSITE.**

**Ms. Cook** said, "Commissioners, like the agreement with Derby High School that you approved last week, this is an agreement with SACK, the Substance Abuse Center of Kansas, for them to provide rent free space for a small team of COMCARE case managers that will be co-located there. Having case managers at that location, which is just down the street from here, will expedite the referral process to our case managers and provide good case collaboration for SACK adolescent clients who would benefit from our case management services. In the agreement, SACK would provide office space for the case managers to co-locate there; there's no other part to this agreement, and our existing staff will be locating there. We recommend that you approve the agreement and authorize the Chairman to sign."

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

**MOTION**

Commissioner Unruh moved to approve the Agreement 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	Absent
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Peterjohn	Aye

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

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**4. AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT WITH DR. LAURIE COYNER TO PROVIDE INPATIENT PSYCHIATRIC CARE FOR COMCARE CONSUMERS.**

**Ms. Cook** said, “Last week on the Consent Agenda you approved an employment agreement with Dr. Kumar, who’s a psychiatrist who will round on all of our patients at Via Christi Good Shepherd Campus and take call on weekends and holidays. So as a result of having Dr. Kumar now on our staff, this is an amendment to the agreement that we have with Dr. Laurie Coyner, who’s a psychiatrist who had been providing that service on the weekend to our patients. This amendment reduces and limits Dr. Coyner's inpatient services to Mondays through Fridays with no weekend coverage requirement. The contract was reduced by a little over \$1,100 a month for the seven remaining months of the current contract to reflect this change. We recommend that you approve the amendment and authorize the Chairman to sign.”

**MOTION**

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

Chairman Peterjohn 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. Cook** said, “Thank you.”

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

**E. PUBLIC WORKS.**

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**1. RESOLUTION CREATING A BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING ROAD IMPROVEMENTS THEREIN (U.S.D. 262 ADDITION).**

**VISUAL PRESENTATION**

**Mr. Joe L. Norton**, Bond Counsel, Gilmore & Bell, greeted the Commissioners and said, “For your consideration this morning is a resolution to create a road improvement benefit district for the benefit of USD (Unified School District) 262; Valley Center, Kansas. The county has received a petition signed by the Board of Education of that school district requesting the creation of a road improvement district to make improvements on Meridian, north of 93rd Street, to provide increased access to the new Valley Center High School that was approved by the voters of that district last year. On the screen before you is a depiction of the area proposed to be contained in the benefit district, which is the site of the new structure in Valley Center. Public Works has approved an estimate of costs, which is approximately \$454,000, to be assessed to the site of the new proposed school and to no other property in the county. The cost would be shared 100 percent by the school district with no costs incurred by the county at large. Jim Weber of Public Works is here to answer any questions you may have about the project itself. Otherwise, the resolution has been prepared to create this district and authorize the project to proceed. I would attempt to answer any questions that you may have.”

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

**Commissioner Parks** said, “Actually, Mr. Norton answered my question about that, but I want to state this publicly for those people that are around that area that have been calling me and concerned that their taxes are going to go up because of this, particularly north of 93rd and up in that area. This is going to be a single payer, the school district...”

**Mr. Norton** said, “Right.”

**Commissioner Parks** said, “...not the other people. Now the taxes may go up through the bond issue, but that’s nothing that’s going to be additional affecting their property if they border Meridian or 93rd?”

**Mr. Norton** said, “Right. That is correct. This is part of a new provision, the charter resolution on road improvements that you passed last year, that creates the possibility of one property owner that

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benefits being willing to share the entire cost and not having it assessed to other properties that may also benefit, but in this case, they will not have a special assessment, you are correct.”

### MOTION

Commissioner Parks moved to adopt the Resolution.

Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, “We have a motion and a second. I have a couple of questions...”

**Mr. Norton** said, “Sure.”

**Chairman Peterjohn** said, “...for Mr. Norton. Improvement districts, do you have any idea how many we have in Sedgwick County or is that a better question for Mr. Weber?”

**Mr. Norton** said, “Probably Mr. Weber or Mr. Spears. There are a number of them. I would guess less than a hundred, but I don’t know for certain. A lot of those were created a number of years ago when the county was in the sewer district business, especially on the east side of town and the far west side of town. A decision was made a number of years ago to sell that facility to the City of Wichita for operations and the number of benefit districts that have been created since that time have been very minimal, primarily just road improvements in various subdivisions. Those older benefit districts still exist until those improvements have paid out over a 15 or 20 year period. Very few new ones have been created over the last 10 years or so.”

**Chairman Peterjohn** said, “I’ve raised the question because a lot of comments have been made about the number of governmental units here in Kansas, and improvement districts fall into that category, and we had an extended discussion on an improvement district on the other side of the county last week that concerned sewers as opposed to street improvements. That was one of the reasons I wanted to understand this. Because would this improvement district that we approve, is all the property that’s inside its boundaries property that’s owned by the Valley Center School District?”

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

**Chairman Peterjohn** said, “Let me ask you, would there be elected officers to serve in the improvement district, and if so, how would they be selected?”

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**Mr. Norton** said, “Now this is not an improvement district as a statute defines an improvement district, which is a governmental entity, this is a benefit district for the purpose of imposing special assessments. An improvement district is like the Oaklawn Improvement District, the former Bel Aire or Park City Improvement Districts, there are very few of those actual statutorily created improvement districts that have their own governing bodies. Here, this is a boundary area just for the purpose of spreading special assessments for public improvements. They have no elected officials, no governing body. It’s all administered by the county.”

**Chairman Peterjohn** said, “So they’d have no ability to raise any, to impose any sort of a mill levy?”

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

**Chairman Peterjohn** said, “Okay. Well I very much appreciate the clarification because I think with our discussion last week, a lot of people who watched this Commission, and trying to understand what we’re doing, that’s a subtle distinction between an improvement district and a benefit district, and I very much appreciate the clarification, Mr. Norton.”

**Mr. Norton** said, “My pleasure.”

**Chairman Peterjohn** said, “Seeing no further questions or comments, please call the vote.”

**VOTE**

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

**Mr. Norton** said, “Thank you.”

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

- 2. APPROVAL OF AN AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION ON SEDGWICK COUNTY PROJECT 783: I THRU M; 295<sup>TH</sup> STREET WEST BETWEEN 21<sup>ST</sup> & 61<sup>ST</sup> STREETS NORTH. CIP# R-323. DISTRICT 3.**

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**Mr. David Spears**, Director, Public Works, greeted the Commissioners and said, “In Item E-2, we are requesting your approval of an ARRA, that’s the American Recovery and Reinvestment Act, agreement with KDOT (Kansas Department of Transportation) for construction of a two inch overlay project on 295th Street West between 21st and 61st Streets North designated as R-323 in the Capital Improvement Program (CIP). We estimate the total project cost at \$724,500. This agreement is based on standard KDOT language except for the addition of federally mandated employment monitoring requirements. Since Sedgwick County is performing inspection on the project, we will have to report employment of our personnel for the project in the same way that contractors and subcontractors report their payrolls. We recommend that you approve the agreement and authorize the Chairman to sign.”

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

### MOTION

Chairman Peterjohn moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

**Chairman Peterjohn** said, “Motion and a second. Mr. Spears, just for the record, Sedgwick County is contributing to this project in the tune of, just off the top of my head, about 11 maybe 12 percent of the total cost through the local sales tax, I believe, is that correct?”

**Mr. Spears** said, “Excuse me, I couldn’t hear the question.”

**Chairman Peterjohn** said, “The question is, Sedgwick County will be contributing in part for the cost of this project...”

**Mr. Spears** said, “No. This is 100 percent funded by, unless it goes over that estimate of \$724,500...”

**Chairman Peterjohn** said, “Okay.”

**Mr. Spears** said, “...if it goes over that, Sedgwick County will be responsible...”

**Chairman Peterjohn** said, “Okay.”

**Mr. Spears** said, “...but 100 percent of the \$724,500 is from the stimulus funds.”

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**Chairman Peterjohn** said, "Okay. The information I had had a cost of \$805,000 in the backup."

**Mr. Spears** said, "It's kind of a long story why we put that in there. We think the cost will not exceed the \$724,000, but in the CIP we put a little extra money just in case it came over we would have that available."

**Chairman Peterjohn** said, "Okay. Well I appreciate the clarification for the record."

**Mr. Spears** said, "You're welcome."

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

**Commissioner Parks** said, "And I do think, following up on that, that's good planning by Mr. Spears and his department with the cost of fuel oil, and those things going up and the resurfacing. Just wanted to clarify, there's no town that's going to be ready to take over a portion of this, or is there a town that's..."

**Mr. Spears** said, "No."

**Commissioner Parks** said, "...involved in this..."

**Mr. Spears** said, "No, this is in..."

**Commissioner Parks** said, "...or close by?"

**Mr. Spears** said, "...a rural area of Sedgwick County."

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

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. David, what happens if, I mean, you always are good on bidding projects so that we don't get in trouble, what happens if the project comes in under \$724,000? Does that money go back to the federal government?"

**Mr. Spears** said, "We would go back to WAMPO (Wichita Area Metropolitan Planning Organization) and there are other projects on the list that there's a possibility that someone else could get that. We were actually first. This was on the contingency list. As you recall, we got Rock Road last year, and then when it led, it came in under and some other projects also had bid lettings

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last year, and they came in under, so there was extra money. So we went to the contingency list, we were number one on the contingency list for this 295th Street. So the same thing will happen here...”

**Commissioner Unruh** said, “Okay.”

**Mr. Spears** said, “...but eventually we’ll use up all the money. Somebody will in the county.”

**Commissioner Unruh** said, “And do you know, off the top of your head, what’s that total amount of the recovery act money that we have for road projects in Sedgwick County?”

**Mr. Spears** said, “I don’t recall...”

**Commissioner Parks** said, “\$16 million.”

**Mr. Spears** said, “...\$16 million.”

**Commissioner Unruh** said, “Alright. Thank you. I’m sure that you’ve told me before, but it might be good for the folks watching to hear...”

**Mr. Spears** said, “Sure.”

**Commissioner Unruh** said, “...that we’ve got, I don’t know if it’s our fair share, but we got a share.”

**Mr. Spears** said, “We did.”

**Commissioner Unruh** said, “Alright. Thank you.”

**Chairman Peterjohn** said, “Seeing no further comments or questions, please call the vote.”

### VOTE

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

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

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**3. APPROVAL OF THE FORCE ACCOUNT CONSTRUCTION ENGINEERING INSPECTION SERVICES AGREEMENT FOR SEDGWICK COUNTY PROJECT 783: I THRU M; 295<sup>TH</sup> STREET WEST BETWEEN 21<sup>ST</sup> & 61<sup>ST</sup> STREETS NORTH. CIP# R-323. DISTRICT 3.**

**Mr. Spears** said, "Item E-3 is a force account agreement with the Kansas Department of Transportation to reimburse Sedgwick County for engineering inspection services performed during construction of the road project mentioned in the previous item. Since this is an ARRA project, we will receive 100 percent reimbursement. The maximum amount of federal funds a county can receive is \$29,169.10. I recommend that you approve the agreement and authorize the Chairman to sign."

**MOTION**

Chairman Peterjohn moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Parks 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

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

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

**F. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON MARCH 4, 2010.**

**Ms. Iris Baker**, Director, Purchasing, greeted the Commissioners and said, "The meeting of March 4 results in three items for consideration today. First item;

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**1. AGENDA CREATION SOFTWARE – MANAGER’S OFFICE  
FUNDING – MANAGER’S OPERATING BUDGET**

“The recommendation is to accept the proposal from Daystar Computer Systems for an initial cost of \$79,708 and establish five year contract pricing for maintenance and support. Item 2;

**2. AIR AND LIGHT FIRE APPARATUS (TRUCK & EQUIPMENT) – FIRE  
DISTRICT  
FUNDING – FIRE DEPARTMENT**

“Recommendation is to accept the low proposal from Max Fire Apparatus/SVI Trucks in the amount of \$539,881. And Item 3;

**3. WHOLE BODY IMAGE SCANNER – SHERIFF’S OFFICE  
FUNDING – SHERIFF’S OFFICE**

“That recommendation is to accept the low proposal from American Science and Engineering for an initial cost of \$104,030 and establish contract pricing through May 31, 2012, and then establish contract pricing for maintenance and support, locked in for five years, and that same rate would apply to any future purchases. Would be happy to answer any questions and I recommend approval of these items.”

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

**Commissioner Parks** said, “I do have a couple of questions and a comment. I did meet with staff yesterday and I appreciate them coming in and explaining some of the things to me on number one; the Manager’s operating budget. I did arrive at a conclusion that we, on the maintenance agreement, which appears to be almost as much as the lower bid on one of the other ones, the five year maintenance agreement, that after that second year, the first year is under warranty, after that second year, that can be negotiated with the company, and so I would hope that that would be followed up and negotiated with the company on that. And then on number two, Unruh [Fire] equipment out of Sedgwick did not bid on that piece of apparatus then, or did not request to be?”

**Ms. Baker** said, “That’s correct. They were solicited. This apparatus we actually bid twice. The first time we only received one response, so we went back to everyone that was solicited, Unruh was one, to get an indication of why they didn’t bid. Couple of them said specs were too tight.

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Several others said they didn't have the experience making this, putting together this kind of apparatus. Unruh indicated that they had not done it in the past, but they thought they might be able to. And then several of the other responders at the time we also had another RFP (request for proposal) out for a big piece of equipment and several of them elected to participate in that RFP instead. So we did go through a rebid process based on all of that and these were the responses that were received."

**Commissioner Parks** said, "Well since Unruh fab [fabrication] is in my district, and I see nice looking fire trucks rolling out of there, I just wondered. And it may be a larger project than what they're normally accustomed to."

**Ms. Baker** said, "And since they do not regularly manufacture this product, they would have had to do a lot of subcontracting to be able to do it."

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

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

**Commissioner Unruh** said, "Thank you, Mr. Chairman. Just want to make a comment and, Iris, maybe you can expand on it, but Item 1, the agenda creation software is not just for internal use, but this also allows for the public to see these agendas online, and they can make comment either before or after our meeting, and I think that's a great benefit and it's consistent with our desire to be as transparent as possible."

**Ms. Baker** said, "That's correct."

**Commissioner Unruh** said, "So I just wanted to underline that fact. If there's more to say, well help me out."

**Ms. Baker** said, "It's a true statement. We are also hoping that once this is implemented that we'll be able to use it in other areas of the county and other meetings as well."

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

**Chairman Peterjohn** said, "Thank you. I've also got comments on all three of the items, and let me kind of go through each of them one at a time. The first one, in terms of the software that would allow public comment and also transparency, I've had requests from people here in Sedgwick County who want to get the backup information that we have, and I know media members get, and our Communications Department has available up here, but for people to be able to get this

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information without having to come down to the courthouse, this software would make that happen. I agree with Commissioner Unruh's comments, in terms of the transparency there. I, obviously, had concerns, in terms of pricing and over the five years, but I'm going to be supportive of this item because I think the transparency and getting the information out to the public is going to be a significant value. And I think it's going to also have broader applications that will be helpful for Sedgwick County and I'm looking forward to how that could be used to get public feedback and input. I think, for instance, the H1N1 discussion we had earlier, that they're allowing people to give us real time feedback on how the county is performing, especially when we get into extraordinary circumstances would be very helpful. I'd like to see if Deputy Chief Brazill could come up to the microphone because I do have some questions about the fire apparatus, and we're looking at an item that's almost \$540,000 and have some discussion about the air and light apparatus. This is replacing equipment, the backup information indicates it's pretty old, I want to understand if it is truly 28 years old or not, in terms of what we're currently using or not, Chief?"

**Mr. Rick Brazill**, Deputy Chief, Fire District #1, greeted the Commissioners and said, "Commissioner, I think that's a misprint. That truck is 18 years old. I did some checking, that's a 1992 model, but it is getting some miles on it, some age on it. The compressor is causing us some maintenance issues. This new truck will serve us for the next 20 years. It is a support truck for lighting and air support for fire calls, hazardous materials calls and rescue calls."

**Chairman Peterjohn** said, "Could you expand a little bit, in terms of when we talk about an air and light truck for support, I mean, how is this going to answer, improve fire protection for folks here in Sedgwick County if we go ahead, and, I mean, spending over half a million dollars is not an insignificant expenditure?"

**Deputy Chief Brazill** said, "Sure. Well what the purpose of that truck is, it has a compressor on it; air compressor for the air bottles that the firefighters wear on their, air packs, when they're fighting fires. It has a capability to fill those bottles at the scene. It also carries a cache of extra bottles if we would have a large incident where we're going through a lot of SCBA (Self-Contained Breathing Apparatus) bottles, we can replace those. It has a generator and light tower on this truck. When we respond to an incident at night, we can light the scene up with that truck. It can be used as a rehab [rehabilitation] truck. It carries some chairs and some rehab equipment that we can either cool our firefighters down if it's an incident that happens in summertime. We've got an area we can get firefighters in and warm them up. We can put our Incident Commanders inside the cab of this and have some private conferences to develop our incident action plan and talk about our strategy at the incidents. There's a lot of capabilities that we'll have with this new truck."

**Chairman Peterjohn** said, "I appreciate that information. Commissioner Parks."

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**Commissioner Parks** said, “Yes. On the technology here, 1992 and we’re updating, we’re getting onboard air capabilities, I’m going to be totally supportive of this. I think this is an exciting concept and our technology that we’re upgrading, not only for the firefighters’ safety, but if you have somebody, an apartment fire or something like that, that is trapped in there and you need to, you’ve determined you can go back in there, this is a great tool to be able to be at the scene, so I’m going to be supportive of it.”

**Deputy Chief Brazill** said, “Thank you.”

**Chairman Peterjohn** said, “Thank you. Chief Brazill, that’s all the questions I had on this item. Thank you.”

**Deputy Chief Brazill** said, “Alright. Thank you.”

**Chairman Peterjohn** said, “Next item, the third item we had here was a whole body image scanner for the Sheriff’s Office. We had three proposals. I’d like to get a better understanding, and I see that we’ve got a Sheriff’s representative in the audience. If Major Kurtz could come up to the podium, please.”

**Major Glenn Kurtz**, Bureau Commander, Detention Facility, greeted the Commissioners and said, “Good morning, Commissioners.”

**Chairman Peterjohn** said, “I was interested, we’re looking at an expenditure of almost \$134,000 for this equipment, could you give us a little bit of a background information, in terms of why this, are any property tax funds going to be used to pay for this equipment?”

**Maj. Kurtz** said, “The funding for this project came from the inmate telephone contract which was approved last year with GTL (Global Tel\*Link). So the funding for the original purchase and the ongoing maintenance contract on this equipment, it starts at \$7,800 a year, will come from that funding source.”

**Chairman Peterjohn** said, “Can you give me an explanation, in terms of this would obviously be a change in how we’ve searched prisoners in the past, is this driven by other factors, other than the technology itself?”

**Maj. Kurtz** said, “The technology itself will assist the Sheriff’s Office in reducing the amount of contraband getting into the Detention Facility in a number of ways. Number one, it will enable us to search all inmates coming in much more thoroughly. Currently, state law only allows us to strip search those persons under arrest for felony charges other than traffic. Everyone else on a

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misdemeanor charge can only be pat searched. Pat searches only go so far in identifying contraband. A pat search is where we go over the person's clothing on the outside with our hands, so concealed objects do slip past on that. The technology, this caught my eye about two and a half years ago when TSA (Transportation Security Administration) started experimenting and working with this equipment, test locations were set up at various airports. I saw the benefit for the safety and security of the inmates, my staff and the entire facility that this would be a beneficial, time saving, much more efficient way to accomplish our mission."

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

**Commissioner Parks** said, "I just wanted to tell my support of this and for the reasons why: more safety for the detention deputies, less liability from someone alleging groping, or something like that, from pat downs, it's paid for by the detainees' collect phone calls. And ASE (American Science & Engineering) is a good company and I'm really surprised that they had the low bid there. Thank you."

**Maj. Kurtz** said, "Thank you."

**Chairman Peterjohn** said, "Seeing no other further questions or comments, let me just double check, Katie, do we have a motion?"

**Ms. Katie Asbury**, Deputy County Clerk, greeted the Commissioners and said, "No, we do not."

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

### MOTION

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

Commissioner Unruh seconded the motion.

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

### VOTE

Commissioner Unruh	Aye
Commissioner Norton	Absent
Commissioner Parks	Aye

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Commissioner Welshimer           Aye  
Chairman Peterjohn                Aye

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

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

**CONSENT AGENDA**

**G.     CONSENT AGENDA.**

- 1. Termination of Affiliation Agreement with KVC Behavioral Healthcare, Inc.**
- 2. A resolution designating Ron Holt acting director of the Kansas Coliseum.**
- 3. ZON2000-00023 – Extension of time to complete platting requirement for a zone change from "RR" Rural Residential to "LI" Limited Industrial. Generally located at the southeast corner of 29<sup>th</sup> Street North and Greenwich Rd. District 1.**
- 4. ZON2000-62 – Extension of time to complete platting requirement for a zone change from SF-20 Single-family Residential to LI Limited Industrial. Generally located east of Greenwich Rd. and North of K-96. District 1.**
- 5. ZON2004-00069 - Extension of time to complete the platting requirement for a zone change from "SF-20" Single-Family Residential to "LI" Limited Industrial for approximately 0.6 acres located north of K-96 and east of Greenwich Rd. District 1.**
- 6. Commercial Lease Agreement between Ron Harder and Sedgwick County for space at 500 Main Place, Newton, KS for the Central Plains Area Agency on Aging.**
- 7. One (1) Right of Way Easement and One (1) Permanent Drainage Easement for Sedgwick County Project 636-7-4560; Bridge project on 71<sup>st</sup> Street South between 295<sup>th</sup> & 311<sup>th</sup> Streets West. CIP# B-438. District 3.**

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- 8. Two (2) Right of Way Easements for Sedgwick County Project 636-3-4500; Bridge project on 71<sup>st</sup> Street South between 359<sup>th</sup> & 375<sup>th</sup> Streets West. CIP# B-437. District 3.**
- 9. One (1) Right of Way Easement for Sedgwick County Project 636-23-910; Bridge project on 71<sup>st</sup> Street South between 39<sup>th</sup> & 55<sup>th</sup> Streets West. CIP# B-441. District 2.**
- 10. Order to correct tax roll for change of assessment dated February 24, 2010.**
- 11. General Bill Check Register of February 24, 2010 – March 2, 2010.**
- 12. 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:

**Eberly Farm Office Park 2nd Addition**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, “Good morning, Commissioners. You have the Consent Agenda before you and I would recommend you approve it.”

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

**Commissioner Parks** said, “Well, if you need a motion to do that before discussion, I would make the motion that we accept the Consent Agenda.”

**MOTION**

Commissioner Parks moved to approve the Consent Agenda.

Commissioner Welshimer seconded the motion.

**Chairman Peterjohn** said, “Okay. I thought perhaps that was the purpose for your light.”

**Commissioner Parks** said, “No. I just wanted to bring out that number two in the Consent Agenda for people in my district that have been asking me about the Kansas Coliseum, and who’s running things out there and whatnot, there’s a resolution in there designating Ron Holt as the Acting Director for that, so I wanted to make that a part of the public record. Thank you.”

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**Chairman Peterjohn** said, “So noted. Further comments concerning the Consent Agenda? Seeing no further discussion on the Consent Agenda, please call the vote.”

### VOTE

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

**Mr. Buchanan** said, “Thank you.”

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

### H. OTHER

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

**Commissioner Unruh** said, “Thank you, Mr. Chairman. I thought I’d take this opportunity to give just a quick report on some of the activities that I was involved in at the National Association of Counties legislative meeting in Washington, DC last Saturday, Sunday, Monday and Tuesday. I mentioned one contact we had, it was in a presentation with Kathleen Sebelius, who is Secretary of Health and Human Services. On Tuesday morning, we also heard Speaker Nancy Pelosi talk to us, and Melody Barnes, she’s the White House Director of Domestic Policy and William Spriggs, who’s Assistant Secretary of Public Policy in the Department of Labor, so the White House was well represented through the morning as we heard each of them make presentations telling us how they were helping county governments, and what they were doing with the challenges they faced. And they were consistently on message, I would say, in promoting the American Reconstruction and Recovery Act and also making a pitch for passage of the comprehensive healthcare change. And as you might expect, reaction was somewhat mixed in those presentations, but it was, I think, a compliment to the importance of county government to have that level of folks talking to us and

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they all acknowledged work done by County Commissioners, and that we're the folks with boots on the ground making policy to get things done and they expressed appreciation for our efforts.

“On Saturday, I was involved in Justice and Public Safety Steering Committee activities. That was a continuation of my efforts in those areas, both with jail overcrowding issues and with homeland security issues. And Sunday most notably was involved in a town hall meeting that was supposed to be conducted by the Director of the [Office of] National Drug Policy. He was not there, one of his assistants was there, but much of the conversation focused on the legalization of medical marijuana and that the federal government wasn't going to enforce any violations in that. And some of the Commissioners stood up and talked about how it's become a lucrative business in their counties and they are kind of at a loss of what to do with the problem. There was a strong sentiment that if we're going to legalize medical marijuana, we need to control it so that it just doesn't have people, well, there was an anecdotal story of someone in Highland Park, a suburb of Denver, Colorado and very affluent neighborhood, supposedly this fella made nearly half a million dollars growing medical marijuana in his basement. So it's an interesting conversation, I guess, we had that morning. Went to a Reinvestment and Reentry Program later and then probably one of the most important things we did is a delegation from Sedgwick County with Commissioner Norton, and the Manager and Debbie Donaldson is that we visited our Congressional Delegation. We spoke to Senator [Pat] Roberts' staff and then we saw in person Senator [Sam] Brownback and Representative Congressman Todd Tiaht and Jerry Moran. As you might expect, they were receptive to us. We presented some of the things that we were being challenged with, and that we're involved in, in Sedgwick County.”

“One was our involvement in workforce development through National Center for Aviation Training. We also talked about the challenges we have in our radio conversion and the nearly \$22 million opportunity we have to upgrade our radios. Commissioner Norton talked in some detail about his involvement in the healthcare initiatives in Sedgwick County. We were not there with, as Chairman Peterjohn says, with our tin cup out, quite as much as we were just saying this is what we're involved in, we have challenges back home and if you have an opportunity to be helpful to us, we think our citizens deserve a fair share of the money that's being distributed from Washington, DC. Our citizens pay in and we think we should have an opportunity to share in those proceeds. I think the meetings went well and I was able to get an earlier flight and get home before 10:00, so I think I had a good meeting. That's all I had, Mr. Chair.”

**Chairman Peterjohn** said, “Thank you for that report, Commissioner Unruh. Commissioner Parks.”

**Commissioner Parks** said, “Well, a couple weeks ago I went out to the Wichita Wild football game at Hartman Arena. It was great entertainment and tickets starting at \$5, I really don't think you can beat that. If you have four or more people in your car, or a hybrid car, you can park for free. That's

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That's encouraging carpooling. If you need to have a football fix instead of a basketball fix, you can certainly go see some local players from KU (University of Kansas), K-State (Kansas State University), Friends [University], other universities around the state and they put on a good show. A couple weeks ago I had a chance to also talk with some neighborhood complaints about a septic tank in my district. And in talking with Glen Wiltse, who is our Code Enforcement Director, about the complaint, he advised some things that I think we need to pass along to people to let them know that there are certain things out there. I'm just going to take this opportunity to say, having being on one of those systems myself, I know that you don't put Clorox down there, you try to limit your antibacterial soaps that go into your septic systems. However, the neighborhood that had the complaint on the people, the person in that family had been getting chemotherapy, and that does also affect the septic system. So just wanted to let you know that there are things that affect the systems that people don't realize and people need to take, I guess, the appropriate precautions and try to make sure that those systems are working throughout the year. Today we approved replacing a piece of equipment on the fire department that was a 1992 model fire apparatus. We have some apparatuses out there, and I'm looking forward in the next few weeks to getting those, the funding for that and securing that. The sirens, the outdoor warning systems, I know that we want to wait on technology, but I'm ready to move on it, because there has to be plateaus in these things. And if we're replacing 1992 fire equipment, and we're looking at replacing some 1957 sirens, I think it's past time to do that. Thank you."

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

**Commissioner Welshimer** said, "Well, not too long ago, a very short time ago, we had over 1,700 detainees and inmates in our county jail and this week we have just over 1,500, so our jail population is reducing. And some of the things we're doing is working. I think a lot of that has to do with our Pretrial Services Program that we implemented. Anyway, that's awfully good news. And another thing I have to report is the Arts Council is in the process of judging the statuary from the artists that will be placed on the west side of the Intrust Bank Arena. And hopefully, those statuary will be placed there sometime in May and they will be there for a certain period of time until new artists are awarded that honor. That's all I had."

**Chairman Peterjohn** said, "Thank you. I'm going to add, Commissioner Welshimer, I had pulled up just before I came in here to get the exact number of people that the Sheriff had in custody this morning, and despite having averaged about 100 arrests a day, or over that number for the past week, we had 1,519 people in jail. Now, 256 of them are out of county and a portion of them are also on work release, but I would hasten to add that if you included, not only the people in jail, but those on parole, probation, out on bond, you're looking at roughly one to two percent of the population in Sedgwick County, and I think that's a remarkable number. But I agree with Commissioner Welshimer that we have certainly made progress. I think pretrial services is a significant part of it, and I'm looking forward to continuing the efforts on the part of the folks in the

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District Attorney's Office and in the judicial side of things, in terms of getting the journal entries expedited, and I think that's been helping too, in terms of our jail population problem.

“Speaking of problems that come up every time this year, and some of them are opportunities. We talked today about road work, and road and bridge work will be occurring as the weather warms up, and I'm urging all the citizens here in Sedgwick County to slow down for the road workers. It's important to keep everyone safe. We've got a number of projects, not only in Sedgwick County, but a number of municipalities have them too and the state does also, and I think we're going to have a better transportation system when they get completed, but, obviously, it's going to occur during the next few months. And I think that's important for drivers, not only to get in that mindset that that's going to be one of the challenges.

“Storm season was mentioned earlier, and I want to add that for the parents out there, this is a good time to talk to your kids about it. When the kids are, if they're walking home from school, or if they hear the sirens go off, what are they supposed to do, especially if perhaps they're in a latch key situation? Are they familiar with where they should go, what they should do? I think parents need to talk to their kids and make sure that they've got a plan, in terms of emergency, and whether we're talking about a storm, or maybe meet at the mailbox if there's a fire at your house, or whatever. Those are all things that would be worthwhile talking about.”

“Unfortunately, I have a piece of news that I wish was a bit better. In November and December last year, the number of valid sales occurring here in Sedgwick County had popped back up, and for most of last year, the number had been decreasing, which was a bad sign, in terms of how our local economy was performing. And for the year, we had the lowest number of valid sales the Appraiser's Office had included in roughly the last 15 years in 2009. November and December had been positive months though, and had been well above the same time period the numbers for November 2008 and December 2008. The report for 2010 for the first two months, January and February numbers, unfortunately, are down below what they were, and in fact, in January, the number is the lowest for any of the months that we've got records going back to 1994. So from a real estate point of view, that's one of the disturbing trends, and I wanted to let people know that as part of the process, because the valuation notices are going out, and if people feel that their values on the properties have not been valued properly, they have 30 days to file a protest, and that window is currently open and so I mentioned that for the record. Commissioner Welshimer.”

**Commissioner Welshimer** said, “Well I just want to add one more thing. I want to express sympathy to the family of the Honorable Ruby Gilbert. She was the first African American woman to serve in the Kansas Legislature, and she did it well. She was born during the Great Depression and she left this world during the great recession. Anyway, she accomplished being the first African American woman to serve and there are many people who are going to miss her.”

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**Chairman Peterjohn** said, “As a person who was up in Topeka and worked with Representative Gilbert when she served in the legislature, I heartily second those comments. Seeing no further comments under ‘other,’ I will now entertain a motion to adjourn.”

**MOTION**

Chairman Peterjohn moved to adjourn.

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

**Chairman Peterjohn** said, “We’re adjourned.”

**I. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 10:47 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

\_\_\_\_\_  
**GWEN WELSHIMER**, Commissioner  
Fifth District

ATTEST:

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

APPROVED:

March 10, 2010