

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

June 30, 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, June 30, 2010, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Karl Peterjohn, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Irene Hart, Director, Community Development; Ms. Bev Dunning, Director, Extension Service; Ms. Dorsha Kirksey, Director, Housing; Mr. Bob Lamkey, Director, Public Safety; Ms. Chris Morales, Project Manager, Corrections; Col. Richard Powell, Chief Deputy, Sheriff's Office; Mr. Ron Holt, Assistant County Manager; Mr. Pete Giroux, Principal Budget Analyst, Finance; Ms. Cindy Burbach, Director of Health Protection and Promotion, Health Department; Ms. Marilyn Cook, Executive Director, COMCARE, Ms. Annette Graham, Executive Director, Aging; Ms. Iris Baker, Director, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Angela Lovelace, Deputy County Clerk.

GUESTS

Ms. Pat Deshler, Corresponding Secretary, Wichita Kennel Club
Mr. Allen Bell, Urban Development Director, City of Wichita
Mr. Joe Norton, Gilmore and Bell
Mr. Chuck Bouilly, George K. Baum & Company

INVOCATION

Observed by a moment of silence.

FLAG SALUTE

ROLL CALL

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

Chairman Peterjohn said, "Next item."

CONSIDERATION OF MINUTES

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All Commissioners were present

MOTION

Commissioner Welshimer moved to accept the Minutes as read of the Regular Meeting of June 16, 2010 as read.

Chairman Peterjohn seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item."

APPOINTMENTS

- A. RESOLUTION REAPPOINTING JEAN A. HOGAN, LMSW, AND RILEY WILLIAMS (ALL COMMISSIONER'S AT LARGE APPOINTMENT) TO THE SEDGWICK COUNTY JUVENILE CORRECTIONS ADVISORY BOARD.**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "These reappointments are two of six at-large appointments you have on this board. These are for three-year terms and I would recommend you adopt the resolution."

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, "We have a motion and second. Seeing no further discussion, please call the vote."

VOTE

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

Chairman Peterjohn said, “Before we take up the next item, I am going to make a motion that we bring up an Off-Agenda Item concerning the Byrne Grant.”

MOTION

Chairman Peterjohn moved to take an Off-Agenda Item.

Commissioner Welshimer seconded the motion.

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

VOTE

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

OFF AGENDA ITEM

Chairman Peterjohn said, “We are now going to take up the Byrne grant item. I am going to recognize the County Manager, Mr. Buchanan.”

Mr. Willimam P. Buchanan, County Manager, greeted the Commissioners and said, “Thank you, Mr. Chairman. Last week we presented to you approval of the Byrne Grant, commonly referred to as the Byrne Grant of Justice Assistance; it’s referred to as either Byrne or JAG (Justice Assistance Grant) grant. The grant requires, as you know, both the city and county to sign a memorandum of understanding that identifies how the grant is to be used, and how the grant is going to be split. At

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the Commission meeting last week, we passed a grant submittal for a split of 50/50 based on previous years' submitting the grant at that distribution level. That had been the practice for the past several years. Last year, you will recall, we split the grant 70/30 with the city. The city taking 70 percent, the county taking 30 percent, because we had received a large federal stimulus grant for public safety, and really felt that needs would be addressed elsewhere. This year the City of Wichita proposed again a 70/30 split; 70 percent for them, and 30 for us, following last year's pattern. After last week's meeting, I discovered the city was not about to alter their position, that our proposed 50/50 split was not going to be acceptable, and I proposed several different solutions to that problem, including binding arbitration.

“As of Monday, I had received no response from the city, but in an effort not to lose half a million dollars in federal money, and in the spirit of public safety, I suggested a lesser share for the county for 2010. That suggestion has been accepted by the city, and the proposal before you today is a 60/40 split. I still believe the interpretation of the grant distribution allows us a greater share, but simply to disagree helps no one. And therefore I would recommend that we approve this process. The city and I agreed to work together to determine the distribution of the grant funds in the future, and we will work on that in the next several weeks. If you recall, the JAG grant is used for law enforcement and court programs, prevention and education, correction programs, drug treatment and planning evaluation and technology. The total amount available is \$537,000. The city's share would be 60 percent of that; \$322,000, the county's would be \$214,000. Those monies have changed, that formula changed since you saw this last week.

“We will use our money for the Department of Corrections, Sheriff's Office, Regional Forensic Science Center, Courthouse Security, District Attorney and 18th [Judicial] District. Those requests were, in total, \$856,000. Obviously we don't have that, so we had to pare those down. What we did is recommend the Department of Corrections, this is lower than last week's; last week's included three employees, this includes only two. That gets us to the \$214,000. The other numbers, the Sheriff's Office, Forensic Science Center, security, District Attorney and Judicial District are all the same. The two full-time positions of Intensive Supervisor's Office replaces the funding from the state. You recall that the state has reduced those numbers significantly. So if there are any questions, I would be happy to answer those, but I would recommend that we submit the Byrne Grant at this proposed level.”

Chairman Peterjohn said, “Questions? Commissioner Parks.”

Commissioner Parks said, “I, too, agree with the Manager that the verbiage and the wording in the grant would show that we should be well suited with the 50/50, but I am going to be supportive of this in light of the time factor, and the giving up, the potential of giving up of the federal money, and at least we not forget that the Edward J. Byrne was named after an officer that gave their life in

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the line of duty. Thank you.”

Chairman Peterjohn said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you. Mr. Manager, for the years preceding last year's 70/30 split, what was the split or what was the division?”

Mr. Buchanan said, “It was 50/50.”

Commissioner Unruh said, “It has been 50/50 historically?”

Mr. Buchanan said, “We went back to 1995. I didn't go back further than that.”

Commissioner Unruh said, “Okay, last year's was an aberration because we were recipient of extra funding. Does this indicate that this is what we're going to do going forward with...”

Mr. Buchanan said, “No. City Manager Layton had proposed that we think about a methodology in the future, how we're going to do this grant, and we had a little conversation this morning about that. I totally agree. I think if we can take a look at the different methodologies of approving that, I think we will fare way better than 50/50.”

Commissioner Unruh said, “Well, I am in favor of having a process that establishes this before we kind of get to standoff positions, so I think we can get there, and I just didn't know whether this indicated a split in all of partnering with the City of Wichita, is this what it would be in all of our relations, but I guess we'll wait and see how that develops through the negotiation.”

Mr. Buchanan said, “Yes, sir.”

Commissioner Unruh said, “However, I will be supportive. That's all I have.”

Chairman Peterjohn said, “Thank you. Question that I have, I believe you said that your first discussion had been 70/30, in terms of formal proposal. I thought the city had come in with a different percentage initially”

Mr. Buchanan said, “The initial percentage was something like 97 to 3 percent.”

Chairman Peterjohn said, “Ninety-seven to three percent?”

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Mr. Buchanan said, "It was..."

Chairman Peterjohn said, "It was very one-sided, in terms of the initial allocation. Well, I mentioned this because I know there is a major effort in my view, on the part of both elected and staff people here at the county, to try to have a good working and equitable relationship. And I am not enthusiastic about splitting this 60/40, but I am going to go along, because I think the purpose, and the time being such an important factor, I think it's significant that we need to move, and an old engineering phrase I remember is, don't let the perfect be the enemy of the good, and while 60/40 is, I think we could better and should, in terms of from an equity point of view, I think we need to move and move quickly, so I will be supportive of this motion today when we get around to making it. Commissioner Norton."

Commissioner Norton said, "Well I teach a lot of classes, and I teach one on how to negotiate and come to win-win situations, and so many times people dig their heels in and think that they have to win the day, and I think in some cases this is how this started out. I'm proud we could work hard at strengthening the relationship that will have to go on for many, many years from now. And maybe winning this one battle is not quite as important as regaining some collaborative situations with the city. That's going to be very important in the future. I am sure there are those out there that'll think, well, we blinked first, so we lose. I see it as an investment in a relationship that needs to be strong and vibrant in our community. The city and the county work hard to provide that core deliverable of public safety. And on this particular issue, stepping back and investing in a win-win situation is more important, I think, than saying we got our way, and I'm hopeful and I will challenge the city to look inside themselves and find those times when they need to invest in the relationship and back away from a tough situation. And we need to move this forward, I'll be supportive of it today, and I'm glad, Bill, that you continue to work on it, slog around in this public dialogue with bureaucrats, and come up with some solution that didn't lose this public safety money for our community. Because right now it is important and I am glad we're at this point today. Thanks very much. That's all I have, Mr. Chair."

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

Commissioner Welshimer said, "Well, I regret the situation, but I'm going to support it, and agree with everything that's been said."

Chairman Peterjohn said, "Commissioner Parks?"

Commissioner Parks said, "Since the term has been used a couple times, the city, I wanted to make sure that the smaller cities if they are watching, or the people in those smaller towns know

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that there is a formula between Sedgwick County and the City of Wichita, it is a metro [metropolitan] formula, and your departments can, and I do know that you can be successful in these Byrne grants with your own city, but it is a different, they have a different set of rules, so next year if your department has one of those, it would be 100 percent on them to go out and facilitate that. Thanks.”

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

MOTION

Commissioner Unruh moved to approve the revised grant application.

Commissioner Welshimer seconded the motion.

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

Mr. Buchanan said, “Mr. Chairman, if it would please the Commission, I would make one more point. I don't want to leave anything on the table that would imply or indicate that the City Manager and I do not have a good working relationship. It is a solid, professional relationship, absolutely good working relationship, and that's why we're here today.”

Chairman Peterjohn said, “With that said, I see no further discussion. Please call the vote.”

VOTE

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

Chairman Peterjohn said, “Next item.”

NEW BUSINESS

B. DIVISION OF COMMUNITY DEVELOPMENT

1. AUTHORIZE AND APPROVE THE AMENDED INTER-LOCAL AGREEMENT REGARDING THE CITY OF WICHITA NEIGHBORHOOD

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REVITALIZATION PLAN.

Ms. Irene Hart, Director, Community Development, greeted the Commissioners and said, “This is another example of one of those areas where units of local government do cooperate, and cooperate successfully. The inter-local agreement that's before you today is among the City of Wichita, USD (Unified School District) 259 and Sedgwick County, and it's regarding the City of Wichita's Neighborhood Revitalization Act plan, and I'd like to call it the NRA plan so I don't have to keep saying that over and over again. State statutes provide for a five-year NRA plan. The City of Wichita was the first community in Sedgwick County to implement this statute. Five other cities have had plans, or are developing plans, so it's not an unusual event. Wichita's first plan was in 1998, with revisions and updates that were effective in 2003 and 2008. Briefly, an NRA plan is developed by a city, designating a specific part of their town in need of revitalization. Usually it's an area of economic decline, but, for example, Haysville designated a commercial area that was destroyed by the tornado. So each community can develop a Neighborhood Revitalization Act plan to accomplish their own specific goals, whether it be residential revitalization, commercial revitalization or what have you. Once an area is designated and the plan is adopted, an incentive is provided for improving properties in that designated area.

“The incentive is in the form of a property tax rebate on the improvements, which increase the value of the property. And to give you an example, if there is a house located, if I own a house in an NRA area, and it is worth \$50,000, if I go out and put a new roof on it, that probably won't increase the value. But if I put a roof, siding, added a garage, remodeled the bathroom, added a couple of bedrooms, that would increase the value of that particular property. The rebate, then, is based on the increased taxes that are paid for the increase in property value due to those improvements. So it would be, if my house was then valued at \$70,000, the taxes I paid on that increased value between \$50,000 and \$70,000, those would be the increment that's rebated to me. Generally the plans are for five-year periods, so I can make the application and expect some kind of rebate for a five-year period. More information about the plan can be found on their city website at www.wichita.gov.”

Ms. Hart continued, “Sedgwick County staff are heavily involved in the administration of any city's NRA plan by doing the property appraisal, the tax collection identification, keeping track of eligible participants and their payment of property taxes, so the correct amount can be rebated to each city. The city then sends the rebate check to each individual property owner. Over time, we've learned how to better manage, and operate and fine-tune the program. The City of Wichita, the school district and county staff have worked hard to develop language in the inter-local agreement that meets the needs of each jurisdiction. The language has been incorporated in the amended inter-local agreement that's presented today for your consideration. In summary, those amendments,

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there's five of them, first it approves the City of Wichita plan that becomes effective July 1 of 2008 and will expire June 30th of 2013, and it provides how to resolve pending applications that were accepted since the expiration of the last plan. Secondly, it specifies that any property owner joining the program after a certain date must remain current on their property taxes or they'll be permanently removed from the program. Makes no sense to rebate property taxes if you don't pay your property taxes.

“The statute provides for a five percent administrative fee and Sedgwick County will receive the full five percent. Under previous plans, when a plan was approved, the three governing bodies were locked into that plan for five years. These amendments now provide for the opportunity to leave the program with a 12 month notice. So if Sedgwick County determined they no longer wanted to participate, they could notify the other two units of local government and exit the plan 12 months later. And finally, it specifies the mechanism for adjusting the rebate if the property decreases in value during the program period. The City of Wichita approved these amendments on May 18th. The school district approved them June 14th. Allen Bell from the City of Wichita, who currently administers the program for the City of Wichita, is here to answer any questions you might have on their specific plan, and I'll try to answer any questions you might have otherwise.”

Chairman Peterjohn said, “Thank you. Questions or comments for either Ms. Hart or Mr. Bell? Commissioner Welshimer.”

Commissioner Welshimer said, “Irene, I received, at my request, I asked you for a list of how many properties had taken advantage of this, and it was considerable, mostly residential. One question I have, do any of the other cities within Sedgwick County have a revitalization plan that we participate in?”

Ms. Hart said, “The City of Sedgwick has a current one. Haysville and Clearwater’s plans have expired. The City of Maize and the City of Mount Hope are working on new ones.”

Commissioner Welshimer said, “Okay. Thank you.”

Chairman Peterjohn said, “Further questions? What is the will of the Commission?”

MOTION

Commissioner Welshimer moved to approve the amended Inter-local Agreement.

Commissioner Parks seconded the motion.

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Chairman Peterjohn said, "We've got a motion and a second. I'm going to throw out a question here, because the presentation that I have from staff on this indicated there had been a gap, in terms of the way the program had operated because, I guess, the delay with the school district. If someone made a change during this interim period, could they come on the program at that period in time when the school district wasn't on board? How did that operate in that kind of in-between period?"

Ms. Hart said, "Allen, you may want to answer the question, but my belief is that they continued to take applications, but they were held pending the inter-local agreement. Alan Bell would have more information."

Mr. Allen Bell, Urban Development Director, City of Wichita, greeted the Commissioners and said, "Irene is exactly right. We've continued to accept applications, but we've not paid any rebates on those applications pending resolution of the issues with the inter-local agreement."

Chairman Peterjohn said, "And for the most recent year you've got available, what was the total sum of rebates?"

Mr. Bell said, "For 2009, total amount for all jurisdictions is \$264,000 roughly. Of that, \$77,000 for Sedgwick County."

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

Commissioner Parks said, "Well this, I had quite a discussion with staff on this, and in general I don't like long-term tax abatements on things, but this is a five-year program, and it's a chance to beautify, if you will, or upgrade housing areas that are needing it."

Ms. Hart said, "Yes, sir."

Commissioner Parks said, "A lot of those are in my district in northeast part of Wichita, and I would also encourage smaller counties that qualify to get in on the program also. Thank you."

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

VOTE

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

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Chairman Peterjohn said, "Next item."

2. COUNTY EXTENSION QUARTERLY REPORT.

Ms. Bev Dunning, Director, Extension Service, greeted the Commissioners and said, "I'm here to give a quarterly report, and as I've told you in the past, we do storytelling, and today I'm telling you the story of got to go outside, g2g, and I think that Kristi is handing you out some flyers. We have those written in English as well as Spanish, depending on which you'd like to read. Summer is a time to play, and children are out of school, and parents are ready to enjoy family time. The weather is warm and inviting, so why are we inside watching television, playing video games or surfing on the internet? Research tells us that children who are allowed to play outside have reduced symptoms of Attention Deficit Disorder, they pay more attention in school and they have twice as many friends as children who spend most of their time indoors. Children and adults are more calm, focused and stress-free when they spend time out in the nature. Sedgwick County is full of spots, even inside the Wichita city limits, that can provide a nature connection.

"In April of 2009, former Governor Kathleen Sibelius formed the Kansas Coalition for Children in Nature to promote outdoor learning. Those experiences and environmental education were for young people in Kansas. Well, in response to this call, Sedgwick County Extension, and here again we're working with other groups, the City of Wichita, Kansas Department of Wildlife and Parks, collaborated to implement an outdoor play program, and we called it g2g; got to go; got to go outside. This outdoor play program promotes connecting to nature while increasing family time and physical activity. The goal of g2g Outside is to teach families about the benefits of balancing indoor technology with unstructured and inexpensive play time in the great outdoors."

"The program began in the summer of 2009, just a year ago, and it has expanded, this summer, through the generous funding of the Kansas Health Foundation Recognition Grant program, which allowed us to hire a summer intern to work with the g2g program. g2g Outside is kicking off, then, its second year this summer, and it's Sedgwick County's only outdoor play program that brings information to parents on a blog, contest and interactive play dates. So far this summer we've had over 110 people attend the first four events, and we anticipate numbers to grow as the word spreads throughout the community. Our website has received 10,500 hits since April of '09 regarding this, and 120 subscribe to our daily tweets on Twitter. So, see, we're using all kinds of interactive things, both indoors and outdoors to promote the program.

"The program seeks to educate parents with young children during their formative years, increasing the potential for long-term behavior change and appreciation for the environment. Today's youth

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have grown up with technology and they are susceptible to overexposure to electronic entertainment. Well, this program provides opportunities for children to participate in the fundamental outdoor activities, while capitalizing on their familiarity with the internet through the use of g2g Outside blog, Twitter and Facebook accounts, and you'll see those addresses on the third page inside the flyer that we've given you so you can check on it too, if you wish. g2g Outside was developed with thoughtful consideration of the nation's current economic challenge; all events are free and open to all children and all families of all ages. It raises awareness of inexpensive options of outdoor recreation in the community. The initiative educates families while engaging them in active exploration of natural resources, such as the local parks, lakes and trails. And finally, the program seeks to rejuvenate the excitement that kids feel when they've got to go outside for discovery and fun. And next week our activity is to go outside to the Sedgwick County Fair, and we hope you all join us there, too. Do you have any questions about this program?"

Chairman Peterjohn said, "Questions?"

Commissioner Welshimer said, "Well, I just have one comment."

Ms. Dunning said, "Sure."

Chairman Peterjohn said, "Commissioner Welshimer."

Commissioner Welshimer said, "I think it's interesting the relationship you're making there with outdoor activity and good mental health."

Ms. Dunning said, "Right."

Commissioner Welshimer said, "That's interesting."

Ms. Dunning said, "Yes, and..."

Commissioner Welshimer said, "It is a situation where most of us are not outside very much anymore."

Ms. Dunning said, "Right. It is a good way of developing family life with parents and children doing things together."

Commissioner Welshimer said, "Great. Thank you."

Chairman Peterjohn said, "Well, the only comment I'm going to say is, in light of your comments,

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it is interesting that you've got a website listed here on the back.”

Ms. Dunning said, “Oh we have a website, and a blog and Twitter. But, you know, that's how you advertise it to young families in today's times. That's how you get participants.”

Chairman Peterjohn said, “Well, what is the will of the Commission?”

MOTION

Commissioner Welshimer moved to receive and file.

Commissioner Unruh seconded the motion.

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

VOTE

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

Ms. Dunning said, “Thank you for the privilege.”

Chairman Peterjohn said, “Next item.”

- 3. A RESOLUTION AUTHORIZING AND PROVIDING FOR A LOCAL RESIDENTIAL HOUSING FINANCE PLAN; AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,500,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE RESIDUAL REVENUE CAPITAL APPRECIATION BONDS, SERIES 2010, OF SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE AND OTHER DOCUMENTS RELATED THERETO AND IN CONNECTION THEREWITH; APPROVING THE FORM AND AUTHORIZING THE EXECUTION, DELIVERY AND SALE OF SAID BONDS; AND AUTHORIZING THE OFFICERS, EMPLOYEES AND REPRESENTATIVES OF SEDGWICK COUNTY, KANSAS, TO DO AND**

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PERFORM ALL THINGS NECESSARY, APPROPRIATE AND INCIDENTAL THERETO UNDER THE AUTHORITY OF THE ACT.

Ms. Dorsha Kirksey, Director, Housing, greeted the Commissioners and said, “Sedgwick County, Kansas and Shawnee County, Kansas have successfully and effectively co-issued the Kansas Local Government Statewide Housing Program, which is a single-family mortgage revenue bond program for low and moderate income homebuyers throughout the State of Kansas, on behalf of the State of Kansas for nearly 25 years. In December of 2009, this Commission approved Sedgwick County's participation in the Treasury Department's Initiative for State and Local Housing Finance Agencies, or HFAs. In this initiative, the Treasury agreed to lock in the long-term fixed rate on the bonds they purchased for up to 60 percent of the HFAs bond issued to allow housing finance agencies to produce a mortgage rate that is below current market interest rates. This initiative also requires that 40 percent of HFAs bond issued be market bonds. This Agenda item is to approve and authorize the delivery of all necessary documents related to that 40 percent of market bonds. I request that you approve the resolution and authorize the Chair to sign. Mr. Chuck Bouilly with George K. Baum & Company, our bond underwriter, is present to help answer any questions you may have, and I'd be glad to attempt to answer any questions you may have also.”

Chairman Peterjohn said, “Questions?”

MOTION

Commissioner Welshimer moved to adopt the Resolution and authorize the Chairman to sign all related documents.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, “Ms. Kirksey, I just want to, the figure we have here is \$2.5 million, and this would be for the rest of this year? There wouldn't be any more additional exposure? I mention this because of the challenges that have been facing the housing market, not only in Sedgwick County, but nationally during the last couple of years.”

Ms. Kirkesy said, “I will say, yes, that is our plan, that we would not come back before you unless we have so many homebuyers out there that we need to come back and issue some more bonds to help some more homebuyers before December 31st of this year.”

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Mr. Joe Norton, Gillmore & Bell, greeted the Commissioners and said, “There are companion items. I think the Agenda maybe got reversed. The item you have consideration now is the \$2.5 million second mortgage revenue bonds provides some down payment and closing cost assistance to those parties which are eligible for the loans. The following item is \$200 million which will roll out about \$20 million of new money and about \$30 million of federal bond money to do a \$50 million loan program, so the items probably got reversed on the Agenda. They are both necessary to work with each other. The first is the down payment assistance program, the second actual funding of the loans.”

Chairman Peterjohn said, “I appreciate the clarification. Commissioner Welshimer.”

Commissioner Welshimer said, “Well, I think in this loan process, in the past, what you are making second mortgage now, in the past was not to be paid back; it was forgivable, and now that amount is being used as a second mortgage. So it still helps someone get into a home, but it's not, you know, they are still going to have to pay this back. But they don't have to stay in the property, are they still required to stay in the property five years, three years?”

Mr. Norton said, “I think if they have a shorter period of time, then there are some rebate amounts and so forth that are involved in the forgiveness of the loan. This is actually a repayment of that amount. So if you don't qualify for the program any longer, there are some penalties, but assuming you stay qualified for the program, I think, there is no forgiveness issue like there was before on the...”

Commissioner Welshimer said, “Okay. So if they sold within three years or four years, then they wouldn't be obligated to pay anything back because it was a second mortgage, not a...”

Chairman Peterjohn said, “If you could come up to the podium, please.”

Mr. Norton said, “I don't believe that statement is correct. In other words, this is a loan, a second loan made at the time they do the first mortgage loan, and they are obligated to make those payments. If they do something that doesn't qualify them for the program, not only the second mortgage, but the first mortgage has some repercussions. So they must stay in the program and repay the money back.”

Commissioner Welshimer said, “And how many years, do you know?”

Mr. Norton said, “I think these are 30 year loans. Chuck, do you want to answer that?”

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Mr. Chuck Bouly, George K. Baum & Company, greeted the Commissioners and said, "This is a tag team here."

Chairman Peterjohn said, "That's fine. Just introduce yourself for the record, please."

Mr. Bouly said, "I'm Chuck Bouly with George K. Baum, underwriter for the bonds for the program for a number of years. The second mortgage will be a 20 year amortization, the first mortgage is 30 year amortization, but they will be packaged so they'll make one payment to the servicer, so it will just feel like one mortgage payment, there won't be two separate payments."

Commissioner Welshimer said, "But the buyers can sell the home after a certain period of time?"

Mr. Bouly said, "That's correct."

Commissioner Welshimer said, "And that's the number of years I'm trying to get to, but that may be something you're not..."

Mr. Bouly said, "It's structured as under the old programs, where the longer you own the home, the less you have to rebate back. But since this is not a grant, like we've done in the past because we were able to fund the four percent within the program..."

Commissioner Welshimer said, "From which to rebate?"

Mr. Bouly said, "...there is no penalty for that, yes."

Commissioner Welshimer said, "Okay. Alright, thank you."

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "This is for our Legal staff, but do we have, Mr. Euson, any problem passing one before the other here, in the order that they are presented?"

Mr. Euson said, "Well, it might be better to pass the second one first, but I think, unless you have some qualms about passing the second item, you could go ahead and pass this one first."

Commissioner Parks said, "Okay."

Chairman Peterjohn said, "A question I'd like to throw out, and whoever, Mr. Bouly, Mr. Norton, or Ms. Kirksey, can you give a quick summary, in terms of what the price limitation on the homes would be, in terms of how high the prices could be and what the income level, what's the

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maximum income level that people could qualify for this program?”

Ms. Kirksey said, “Let us get that information for you real quick.”

Mr. Bouly said, “Okay, the maximum purchase price limits, all areas, this is Kansas, in non-target areas is \$124,945. In the target area it is \$298,155. The homebuyer income limits in the Wichita MSA [Metropolitan Statistical Area], which is Sedgwick, Butler, and Harvey County, for non-target areas, one and two-person home is \$63,700; for a three plus person home; \$73,255. Target areas, which are federally designated target areas, one and two-person homes, the income limit is \$76,440, and for three or more person family is \$89,180.”

Chairman Peterjohn said, “And the income level of the people who are buying, is there any limitation on that?”

Mr. Bouly said, “That's what those are.”

Chairman Peterjohn said, “Oh, the latter...”

Mr. Bouly said, “Those are the income limits.”

Chairman Peterjohn said, “I'm sorry, I misunderstood. I thought that was the home prices.”

Mr. Bouly said, “No, the home prices were the first...”

Chairman Peterjohn said, “The first two numbers.”

Mr. Bouly said, “Yes.”

Chairman Peterjohn said, “Okay. I'm sorry.”

Mr. Bouly said, “And these basically will all be FHA (Federal Housing Authority), VA (Veteran's Administration) loans; they'll have to qualify just like you or I would have to qualify. The difference is that, over the years, we've discovered that first-time homebuyers really benefit from the down payment assistance, where the mortgage rate is not as much an issue as the down payment assistance.”

Chairman Peterjohn said, “I appreciate the clarification. I misunderstood when you said the MSA, I thought, why are our homes so much less? And I appreciate that that's the income level rather than the house price.”

Mr. Bouly said, “Yes.”

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Chairman Peterjohn said, “I am going to be supportive of this and the following motion. But having said that, the housing market has been challenged and in very difficult shape in the collapse of, what is commonly called Freddie Mac and Fannie Mae at the federal level, has caused terrible problems in that whole sector of the economy. And it is very unfortunate that we had to go through that, because I think it is precipitated our other financial problems, and that's why I've been particularly careful, in terms of these two programs. Because at the county level, I think the first word of politics is do no harm, sort of a political Hippocratic Oath, and I want to make sure when we proceed on this program or any other that we're going to be doing, contributing something positive in that regard. Seeing no further discussion from the bench, please call the vote.”

VOTE

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

Chairman Peterjohn said, “Next item.”

- 4. A RESOLUTION RELATING TO THE LOCAL RESIDENTIAL HOUSING FINANCE PLAN AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE \$200,000,000 AGGREGATE PRINCIPAL AMOUNT OF SINGLE FAMILY MORTGAGE REVENUE BONDS (MORTGAGE-BACKED SECURITIES PROGRAM), 2009 SERIES A, OF SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS, PREVIOUSLY AUTHORIZED; AND AUTHORIZING THE OFFICERS, EMPLOYEES AND REPRESENTATIVES OF SEDGWICK COUNTY, KANSAS, TO DO AND PERFORM ALL THINGS NECESSARY, APPROPRIATE AND INCIDENTAL THERETO UNDER THE AUTHORITY OF THE ACT.**

Ms. Kirksey said, “This item, as we discussed, is for that first mortgage part of the Treasury Department's Initiative for State and Local Finance Agencies for a total of \$200 million. I request that you approve the resolution and authorize the Chair to sign. I'll answer any questions you may have.”

MOTION

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Commissioner Welshimer moved to adopt the Resolution and authorize the Chairman to sign all related documents.

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, “We’ve got a motion and a second, any questions? Further comments? I’ll only say that my comments on the previous item stand for this one, too. Seeing no further discussion, please call the vote.”

VOTE

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

Ms. Kirksey said, “Thank you.”

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

C. DIVISION OF PUBLIC SAFETY

1. AMBULANCE GARAGE LEASE WITH WESLEY MEDICAL CENTER.

Mr. Bob Lamkey, Director, Public Safety, greeted the Commissioners and said, “In a nutshell, what this is, this is a \$1 a year land lease to Wesley Medical Center to allow them to construct an ambulance garage on property that the county has acquired for building an EMS (Emergency Medical Services) station near Central and Chautauqua. A good question is, well why should we do this? It seems to be pretty beneficial. Some 20 years ago, EMS was posted adjacent to Wesley Medical Center, and because of their expansion, was required to move. During that period of time, Wesley leased a facility at 21st and Woodlawn to house our ambulances and crews, and two ambulances of their own, and they have paid the rent on that facility and all utilities for that period of time. So that's really a considerable benefit to the county, and so this lease consists of one parcel of land. The tenant will be responsible for all utilities and maintenance of the facility that they will build. The initial term of the lease is 30 years with some extensions. There's no rent associated with the lease. Parcel will return to the tax rolls and the tenant will be responsible for all property taxes. It is my recommendation that you approve the lease.”

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MOTION

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

Chairman Peterjohn seconded the motion.

Chairman Peterjohn said, "Any further discussion? Commissioner Norton."

Commissioner Norton said, "Bob, they are going to build a garage right next to our EMS center; is that correct?"

Mr. Lamkey said, "Correct. Right behind it."

Commissioner Norton said, "Okay. Will that be compatible with the architecture and the building design of what we build?"

Mr. Lamkey said, "Yes, and in fact, the way this process will work is that the design is already completed for that facility. We will go out for bid, presuming we have approval here, for an option to add that to our package. In other words, it's going to go out to the marketplace that says Sedgwick County is paying for this, and Wesley is paying for this, and there is an option for them to accept that or not. The design is done and it is compatible with our facility."

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

Chairman Peterjohn said, "Well, I'm going to add for the record that I want to thank Wesley. They have been a great corporate citizen, and a great contributor to the community, and this is a wonderful example of how they've been very helpful. And it is important for providing assistance to people who are in distress, and I am going to be supporting this motion. Seeing no further discussion, please call the vote."

VOTE

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

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Mr. Lamkey said, “Thank you very much, Commissioners.”

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

2. **KANSAS JUVENILE JUSTICE AUTHORITY (JJA) SFY11 CONTRACTS WHICH CONTINUE SERVICES CONTAINED IN THE JUVENILE JUSTICE STRATEGIC PLAN.**

Ms. Chris Morales, Project Manager, Corrections, greeted the Commissioners and said, “This past April you approved our Juvenile Justice Community Funding Plan Grant application for state fiscal year 2011. The Kansas Juvenile Justice Authority has now approved this application, and I am here today to request your approval on three of the contracts that will provide for the continuation of existing services. The three prevention contracts we have are with Youthville for the Functional Family Therapy Program in the amount of \$189,037. We have a contract with the District Attorney’s Office for the Juvenile Intervention program. This is for \$394,646, and a piece of this is subcontracted to Episcopal Social Services.”

“You can see the amount there; \$62,491, and that is for conference facilitation services. I will mention that within the District Attorney’s Office they did restructure their Juvenile Diversion Program, and the three components that we currently have; the Family Group Conferencing, Truancy Prevention Program and Diversion Immediate Intervention have all been folded into one, and that’s what you’re seeing here. The new name is Juvenile Intervention Program. And finally we have a contract with Kansas Legal Services for our Detention Advocacy Service Program in the amount of \$167,348. We will also have one additional contract, and that is with Wichita State University, and this is to continue our agreement with them for professional consultation services, and we plan on bringing that to you at a later date. The three contracts here are for \$751,031; this is in contracted prevention programming. In addition to this, we do have two other pieces; one is administrative structure within the Department of Corrections, and that is about \$86,000, and we also have \$25,216 reserved to partially fund the Weekend Alternative Detention Program. I believe on July 7th you’ll be hearing about the additional funding for the Weekend Alternative Detention Program in a different grant award. But today we are asking you to approve these three contracts that will allow us to continue services for state fiscal year 2011 and authorize the Chairman to sign.”

Chairman Peterjohn said, “Any questions? What is the will of the Commission?”

MOTION

Commissioner Unruh moved to approve the contracts and authorize the Chair to sign each

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contract.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, “We have a motion and second. Just to state for the record, our Juvenile Justice Advisory Board has reviewed this and approved it earlier. Seeing no further discussion, please call the vote.”

VOTE

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

Chairman Peterjohn said, “Next item.”

D. APPROVAL OF AN OFFICE OF COMMUNITY ORIENTATED POLICING SERVICES (COPS) GRANT APPLICATION TITLED “COPS 2010 – CHILD SEXUAL PREDATOR PROGRAM (CSPP)”. FUNDING IN THE AMOUNT OF \$499,248 HAS BEEN ALLOCATED FOR SEDGWICK COUNTY’S APPLICATION WHICH WOULD ALLOW DEDICATED PERSONNEL TO LOCATE, IDENTIFY, ARREST AND PROSECUTE CHILD SEXUAL PREDATORS AND EXPLOITERS AS WELL AS ENFORCE STATE SEX OFFENDER REGISTRATION LAWS.

Colonel Richard Powell, Chief Deputy, Sheriff’s Office, greeted the Commissioners and said, “You have before you this morning a request from the Sheriff’s Office seeking your approval of an Office of Community Oriented Policing Services, also known as COPS grant application entitled COPS, 2010, Child Sexual Predator Program. The funding being requested amounts to a total of \$499,248, which has been allocated by the Department of Justice for Sedgwick County’s application, which would allow for the addition of two dedicated detectives; one from the Wichita Police Department and one from the Sedgwick County Sheriff’s Office to locate, identify, arrest and prosecute child sexual predators and exploiters, as well as enforce state offender registration laws. This is a grant that funds these two positions. All of their associated salaries, benefits, cars, computer equipment, training and other associated expenses related to the duties of the office for a period of 24 months that require no matching funds. If the application is approved and submitted, there will be a portion of the funding that will be passed on to the City of Wichita to reimburse the city for their expenses related to their employee and the associated costs, and there will be an inter-local agreement with the city that will be developed to pass through those funds to cover those

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expenses.

“A little bit of history, that the Sedgwick County Sheriff's Office and the Wichita Police Department currently partner in addressing crimes against children in two different endeavors. We have one which is the Exploited Missing Children's Unit (EMCU), which has been in existence for some 25 years, and secondly, we have the Kansas Internet Crimes Against Children's group, also known as ICAC, which is one of 60 plus regional ICAC operating units throughout the United States, which in Kansas has been in existence for approximately 10 years. These two units investigate crimes related to the physical and sexual abuse of children, as well as online crimes against children. The investigators assigned to these units identify both the victims and the perpetrators of the types of crimes that we have previously mentioned. These units currently work with prosecutors at both the local, state and federal levels to ensure adequate prosecution of the perpetrators and violators. Kansas ICAC, the ICAC group that we have the joint venture with the Wichita Police Department, actually has some 25 other affiliate ICAC units throughout the state, comprised of other local, county and tribal law enforcement agencies that assist in investigations across the state.”

“ICAC affiliates, again, include a variety of agencies, and the regional group itself also has working relationships with other state ICAC affiliates across the country and also federal agencies across the United States. The Sheriff's Office currently has a dedicated Offender Registration Unit, I am sure you are well aware of, that currently tracks over 1,300 registered sexual offenders within Sedgwick County. Of those 1,300 some registered sexual offenders, approximately 169 of those have convictions directly related to child pornography, electronic solicitation and/or exploitation of children. This unit of four Sheriff's Office personnel keeps very busy simply keeping tabs on those offenders already part of the registration process, or those that are new offenders coming in for the first time. Our goal, if the grant is awarded, is to dedicate two additional new detectives to the tracking, arresting and prosecuting of child sexual predator offenders. These detectives will work directly with the regional ICAC office structure and allow a greater ability to address those predators, both within Sedgwick County and across the State of Kansas through our affiliate agencies that we work with.

“The detectives we're requesting will be assigned exclusively to the ICAC unit, and will also coordinate their activities through the Offender Registration Unit, the Kansas State Parole Board, the United States Marshals Service, the parent EMCU unit and, of course, other ICAC affiliates across the state and also across the country. They will be analyzing the data of offenders that we currently have cases working on, and will ensure that they are making ties, if we can, to any possible trends, correlations between multiple crimes and things like that. They will also be checking on current offenders to ensure they are following the state's statutory requirements for registration, and that they are registering on a proper basis as they are supposed to be doing. I've

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provided to you, as part of your packets, detailed budget breakdown of what we anticipate all the expenditures to be for the two-year period, and we'll gladly stand for any questions that you may have. If there are none, the Sheriff's Office would recommend that you approve the grant application and submit it."

Chairman Peterjohn said, "Questions or comments? Commissioner Parks."

Commissioner Parks said, "If an affiliate or police department within the County of Sedgwick is not an affiliate of ICAC, you will still cooperate with them?"

Col. Powell said, "Absolutely. Part of the mission of the ICAC unit is to provide that technical support and expertise with the investigators to support any law enforcement agency within the state, whether it be somebody within the boundaries of Sedgwick County, or any other agencies throughout the state where we would assign those tasks out to our affiliate agencies that work with us."

Commissioner Parks said, "I anticipated that being the answer, but I wanted it for the record so..."

Col. Powell said, "Yes, sir."

Commissioner Parks said, "...they all know that they can use your staff on that, and I appreciate that."

Col. Powell said, "Yes, sir."

MOTION

Commissioner Parks moved to approve the grant application and authorize the Chairman or his designee to submit the application through the COPS Office website and accept a grant award agreement containing substantially the same terms and conditions as the application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Unruh

Aye

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

Col. Powell said, "Thank you, Commissioners."

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

E. KEEP THE PAVILIONS AT THE KANSAS COLISEUM COMPLEX OPEN FOR PRIVATE AND COMMUNITY EVENTS THRU THE YEAR 2016.

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "At your regular weekly Board of County Commissioners staff meeting on June 22nd, we shared with you a report on an assessment of the Kansas Coliseum pavilions that had been recently completed by the Hartman Arena folks led by Eric Blockie, who is the Vice President and General Manager out there. We also reminded you of the information that we had gathered from users about a year ago in follow-up to the improvements that had been made at the pavilions to see what else could and should be done with capital improvements out at the pavilions. As a part of those discussions, we ask your input and direction on moving forward with keeping the pavilions open, and we are here today, Commissioners, with a formal request that we keep the pavilions at the Kansas Coliseum complex open for private and community events through the year 2016. You already made the decision that, certainly, they would stay open through 2011. This would be a five-year period beyond that time. Of course, during that five-year period, the future of the Coliseum would be easily determined by what the outcome and results would be during that five-year period. We're convinced that it is a very workable facility, and would give us plenty of time to work with the users to make sure that we get all out of that facility we can. I might just mention with your approval, we would begin immediately to look at what needs to be tweaked, what needs to be taken a further look at in the operations and would have, for your review, a complete future operations plan to be presented on or before October 1st."

MOTION

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Commissioner Parks moved to approve the request.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, "We've got a motion and a second. I was going to say it precedes; I was going to say any questions or comments for Mr. Holt? Commissioner Norton."

Commissioner Norton said, "Ron, does this anticipate that we'll draw down funds from the arena fund if there's a subsidy necessary, or will the new business plan rework that and try to trim that subsidy up to a different level?"

Mr. Holt said, "Yes, sir. The new business plan would do all we could to reduce that subsidy, but if there was one required, that subsidy would come from the arena funds in accordance with the arena vote."

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

Chairman Peterjohn said, "I would like to add, for the record, I plan to be supportive of this motion, but in the bigger picture of things, I want to see the pavilions at the Kansas Coliseum, which I think is actually the next item, the Kansas Pavilions rebranding as the next item, and we've got another item after that, too. I think ultimately, operationally, the pavilions should be able to operate at least on an operational basis that would be break even or very close to break even. I know that has not happened in the immediate past but I think, with some improvements, I think that can be achieved. And I know it's an important, the pavilions provide a resource important for the community. I've been out to several events this spring to kind of see how they are doing and how they are operating, and even though there's some challenges that they face, operationally, I believe that when we get the right structure put in place that we can proceed. In the past I have tried to bring the meetings open, and if there's anyone out in the audience who would like to speak on this item, I would like to recognize them. And please come up to the podium and state your name and address for the record."

Ms. Pat Deshler, Corresponding Secretary, Wichita Kennel Club, greeted the Commissioners and said, "We'd like to put our two cents in before you get too far into the voting procedure. Excuse me, I didn't give you my address. I live in Kechi, 7520 Oak Tree Lane. I represent the Wichita Kennel Club, who has a club building at 3448 N. Emporia. I'm Corresponding Secretary for that group. We are very pleased that you're looking at an extension and a guarantee of the pavilions being open. I think that rebranding thing may help a lot with some of the confusion, and I'm pleased that you're recognizing that it is a public service project to keep these open, because there are many activities that couldn't go on in Wichita, and wouldn't go on in Wichita,

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if they weren't available.

“We would like to you see you do a 10 year. Whether you do a 5 year for sure and a 10 year; we have so many of the people who attend our shows, some way or other, are monitoring what you're doing that are really concerned. Almost every place we do, we go to the dog shows, do you have your building? Are you losing your building, et cetera, et cetera. So if we could have the assurance of an even longer than that 5 year period, it would be great for our needs. We also have people who want to have, bring outside groups in to our area for specialty shows and this and that, and they are already looking further than 5 years ahead and asking if those dates might be possible. So it would be conducive to our being able to continue to bring outside groups in if we had some sort of an assurance that it would go past the 5 years, if at all possible. And then I wanted to talk with you a little bit about the parking fees.”

“As some of you are aware, Wichita Kennel Club, when we did our, oh my gosh they're going to close everything down proactive discussions, one of the things we brought up and have suggested to you are parking fees. And currently, the way the parking is handled at our show, is that we paid security \$2,859 and change last year to sell the parking passes for the overnight parking for the rigs, and the people who were over in Weidemann [RV Park], and the C lot [Parking Lot C] and the lot that is south of PAII (Pavilion II). We paid, we kept \$5 of parking fee a day from that amount, and we paid in to the Coliseum \$1,845 in parking fees after we had kept our share. But we paid \$2,800 to have that administered. So if you all are taking over the parking fees, we are hopeful that those figures can somehow or other be adjusted so that we don't get hit both ways. We also are concerned about our exhibitors and our volunteers. We have a large number of people who day-park there, who come in and are staying at the various hotels and motels, and are our volunteers. And we probably, we feed, on a volunteer basis, probably 300 or 400 people a day, so we have a lot of people who come out there and work for us at no fee for our show, so we don't want to hit him with a \$5 a day or whatever your parking fee is. So our concern is that there be built into whatever you all do an exemption for exhibitors and workers for the events that are held out there. And that's about it. You've asked me in the past when I've been here about some of our monies that we've paid into the Coliseum. I have a copy of what we paid last April, and I'll be happy to answer any questions you might have.”

Chairman Peterjohn said, “Questions, and if you have anything you want to provide for the record, if you bring it up to the Clerk...”

Ms. Deshler said, “As far as what we paid?”

Chairman Peterjohn said, “In terms of any information related to your comments today.”

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Ms. Deshler said, “Not really, but I could provide you something. I didn't know you would ask for that. You all have received an e-mail from me. And I believe you have some other contacts, some of our other members.”

Chairman Peterjohn said, “We have, well I will say, I have received communications but believe me, we get, this Commissioner anyway, gets an awful lot of e-mails. I'm not even going to say I receive the most of any of the Commissioners up here, but if you have some other items that might be helpful with your testimony, we'd be happy to...”

Ms. Deshler said, “Okay. We can provide you with whatever you'd like to have.”

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

Ms. Deshler said, “Thank you.”

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

VOTE

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

F. RE-BRAND THE PAVILIONS AT THE KANSAS COLISEUM COMPLEX AS “THE KANSAS PAVILIONS”.

Mr. Holt said, “This item also was a recommendation that we talked about at your staff meeting on Tuesday, June 22nd. It comes out of the assessment that we had for the complex and from, I think, Commissioner Parks has been most vocal that maybe there's confusion in the name. What we're recommending today is to rebrand the pavilions at the Kansas Coliseum complex as the Kansas Pavilions, and to begin immediately to do the kinds of things we need to make sure that that name becomes the public persona for the ongoing operations at the Kansas Coliseum pavilions. We would recommend you approve the request and I'd be happy to answer any questions that you might have.”

MOTION

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Commissioner Parks moved to approve the request.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “We’ve got a motion and a second. Any questions or comments? I’m going to have to work hard to make the Kansas Pavilions the way I described it, but I think it’s important. I know other organizations in this community have rebranded and changed their name to clarify, and I think that’s been a major problem. And I know there are groups such as, that have been holding events at what will soon become the Kansas Pavilions, that have struggled because it was sometimes unclear and there was confusion between what was actually the Britt Brown Arena closure and the operation of the rest of what had been the Kansas Coliseum complex including the pavilions. So I will be supporting this motion. Commissioner Parks.”

Commissioner Parks said, “I think this will eliminate some of the confusion. A lot of times if you put that, I’ve been to quite a few speeches over the last three and a half years and you put that big brown building up and before a group and you say what is this? They say that’s the Kansas Coliseum. It was much more than that, and I think that we’re in the right direction here, and I think this gives us an opportunity now to go out and really toot our horn about the pavilions and what we have, in terms of availability, and the things that we will be able to expand out there and the programs we’re expanding. The former motion about the events and the calendar year through 2016, a lot of those things can be worked out with the dog shows, the horse shows, cattle shows, other things out there, and if you read the original plaque on that building, on the Britt Brown building, it says for an agricultural facility. And I think that we need to make sure that the Kansas Department of Commerce and the people in the region know that it’s now the Kansas Pavilions and we can be proud of it. Thank you.”

Chairman Peterjohn said, “Thank you. Further comments or questions? Seeing none, please call the vote.”

VOTE

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

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

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

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G. AMEND THE 2010 CAPITAL IMPROVEMENT PROGRAM CIP TO INCLUDE PAVILION IMPROVEMENTS.

Mr. Pete Giroux, Principal Budget Analyst, Finance, greeted the Commissioners and said, “As Mr. Holt commented, Culture, Entertainment and Recreation has requested two CIP (Capital Improvement Program) amendments to accomplish projects at the Kansas Pavilions. Because they support the same objective, I'd recommend you consider them together. The first of the two projects is the construction of a restroom and shower facility. The proposed facility would contain two showers and a toilet enclosure on each side of the facility. Those, of course, meet ADA (Americans with Disabilities Act) requirements, and the facility will be a year-round facility, both heated and air conditioned. The second project is an overlay of Parking Lots B, B1 and C, and Public Works has visited the site, refreshed their estimate and continue to recommend use of Novachip, which of course is a thin but very highly durable overlay, about half inch thick. This project would include the loop road that's adjacent to these lots, and it can be added to the existing Novachip contract that Public Works already has for 2010, so that should speed completion of it. Total cost estimated at \$432,129 and the proposed fund source is from the arena operations reserve. CIP Committee has reviewed this and both staff and the committee recommend approval. Do you have any questions?”

Chairman Peterjohn said, “Questions?”

MOTION

Commissioner Parks moved to approve the amendment to the CIP.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “We’ve got a motion and a second. I'm going to make a comment

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that the restroom additions, I think they should have been done before I became a Commissioner since this had been part of the having adequate facilities on this, was part of the original upgrading of the pavilions that should have been included, because there had been showers out there and they weren't in place. So I'm going to be supportive of this. I'm also going to state, I have seen other units of government looking at putting in a restroom and similar sorts of facilities. I think of some that I've seen from the federal government and the price tag on this, while it is substantial, is substantially less than what I've seen other governments including. And I think it's, compared to a lot of the other prices that I've seen out there, is a good quote, and I'm hopeful that they're going to be able to get the parking lot improvements completed before we lose the construction season for this type of roadwork during the summer. So I plan to support this motion. Seeing no further discussion, please call the vote.”

VOTE

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

H. HEALTH DEPARTMENT

- 1. APPROVE AGREEMENT BETWEEN THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) AND THE SEDGWICK COUNTY HEALTH DEPARTMENT TO BILL FOR LABORATORY ANALYSIS SERVICES FOR QUANTIFERON-TB GOLD (QFT) BLOOD TESTS. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON MAY 27, 2010.**

Ms. Cindy Burbach, Director of Health Protection and Promotion, Health Department, greeted the Commissioners and said, “I'm standing in for Claudia Blackburn and with me is Preston Gearing, our TB (Tuberculosis) Control Coordinator. The item that you see before you has to do with an agreement between KDHE (Kansas Department of Health and Environment) and the Sedgwick County Health Department for billing for lab analysis of Quantiferon TB testing. This is new. We've had Quantiferon, we've used it for about the last couple of years, and we have been sending the specimens to KDHE lab and they've been doing them for us. In 2009, supplemental funding was added to the base budget to pay for this testing. KDHE simply didn't have the business angle complete so that they could bill us for it, and now they have to have an agreement to say they can bill us because we have the money to pay them for it. Does that make sense? We would appreciate any questions, and we'd appreciate you approving the agreement.”

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Chairman Peterjohn said, “Questions? Comments? Let me throw out one. I'm interested, does this, using this Quantiferon-TB Gold QFT, when it says, ‘described as a more precise standard,’ will this change the number of false negatives or false positives that are coming up from traditional TB...”

Ms. Burbach said, “That's the rationale that justified its use in the beginning. Skin tests have notoriously been rife with false positives, because for people who have been in other countries, people who have had BCG (Bacille Calmette-Guerin TB) vaccine in the past, they will end up with a positive result on a skin test. Then they need to be x-rayed and then determine whether they need treatment or not. This test that was discovered in the last few years we use, as most people in the rest of the country, after a positive skin test as another level of testing. So we still use the skin test; it's cheaper, to screen the first level, and then the folks who are positive on the skin test, we diagnose them with the blood sample that's the QFT.”

Chairman Peterjohn said, “Excuse me, Ms. Burbach. You went through it very quickly, and I would appreciate if you could repeat. If you have a certain type of vaccination you can get a false positive?”

Ms. Burbach said, “BCG, I forget what that even stands for, is used still in other parts of the world, that is a vaccine for children and many...”

Chairman Peterjohn said, “For Tuberculosis?”

Ms. Burbach said, “Yes, yes. It's not used in this country and there's good reasons why. But in other parts of the country, especially where people received it as children...”

Chairman Peterjohn said, “You mean other parts of the world?”

Ms. Burbach said, “I'm sorry, yes, thank you, other parts of the world, they received it as children, they will keep a false positive TB skin test, maybe for their whole life.”

Chairman Peterjohn said, “I appreciate you mentioning that, because that's been my case, in my family anyway, personal, because I was surprised to discover that children overseas are inoculated

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for Tuberculosis, and I thought, I'm surprised we don't have that available here, although it's not as frequent. And frankly, in some of the ways people live in other parts of the world, some people are going to be more congested and in closer quarters, I think, would be the way to describe it, and that may make it easier to transmit a disease like Tuberculosis.”

Ms. Burbach said, “It does not last past childhood, though. In other words, if you had the vaccine as a child, just like other kinds of vaccines in this country, the immunity level will wane after childhood.”

Chairman Peterjohn said, “After childhood.”

Ms. Burbach said, “Right now we're under some really significant analysis to see exactly the savings of x-rays and other kinds of monetary and clinical ways that we are saving because of the use of this.”

Chairman Peterjohn said, “Any further questions? What's the will of the Commission?”

MOTION

Commissioner Welshimer moved to approve the Agreement and authorize the Chair to sign the Agreement and any related documents.

Chairman Peterjohn seconded the motion.

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

VOTE

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

2. CONTRACTUAL AGREEMENT BETWEEN KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) AND SEDGWICK COUNTY HEALTH DEPARTMENT TO SUPPORT PROVISION OF TUBERCULOSIS (TB) SERVICES TO THE INDIGENT POPULATION.

Ms. Burbach said, “Suggesting that you approve the agreement with KDHE to receive what we

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call the Indigent Services Grant for TB. Between \$12,000 and \$14,000 every year is allotted for us to bill. It's a fee for service grant, they don't just give us the money, but we bill against it for pre-approved services for those who are unable to pay for things that we have to pay for, for their TB diagnostics and treatment. The biggest proportion of this grant is used, \$10,000 is set aside for x-rays which are received at KU Med school (University of Kansas Medical School) for diagnosis of our potential TB cases. This grant is generally seen as adequate for the work that we do for those who are unable to pay, who don't have insurance or Medicaid, that would normally cover things like x-rays and lab work. Do you have any questions on this one?"

Chairman Peterjohn said, "I do have a question. Is the number of folks, in terms of the indigent population varying much? You said the amount of the grant is not changing much, between \$12,000 and \$14,000. I was curious if the number of people coming in, either seeking or discovered needing treatment is changing significantly over the last few years."

Ms. Burbach said, "I would say that the proportion of our TB caseload that is indigent versus can pay is not really changing a lot. There's always going to be some of both categories. The number of cases in our caseload does change from year to year, and in fact, this year, right now we're sitting on 11 cases of active TB year-to-date. And this time last year, or I should say the entire year last year, was 10 cases all year. So we are up this year, and the need for this grant will vary drastically as to how many x-rays that we have to take, and if you heard my explanation of Quantiferon, we may not have to take as many x-rays of folks if we're using Quantiferon, and that's exactly what we're trying to assess right now. The number of contacts a person has, if you can imagine if we have an active case of TB diagnosed who has been living alone for the last five years and does not go out in public, is maybe elderly, doesn't have a work environment, then those people are not going to have a lot of contacts, so there's going to be less cost to using this kind of a grant for investigation and examination of their contacts. Where a person who is in a work situation, in a school situation, they're going to be a lot more expensive, if you will, to examine their contacts and what not. So it waxes and wanes."

Commissioner Parks said, "I'll be supportive of this. And I've talked with Ms. Blackburn about this before; the numbers, not names or identifiers, but the numbers of illegals that will be getting the service. And I'm not saying that they shouldn't get the service, in fact, on the contrary, I think vaccination for illegals is good so they don't spread it amongst our population, but I just think it's important to show and have these numbers available on how many illegal or politically correct, I guess, non-documented or non-citizens that we have."

Ms. Burbach said, "Actually, we don't collect that information on our TB cases or their contacts. We do collect and keep information on foreign born, because that really affects the difference in their risk factor. If people are foreign born, that come from countries where TB is a lot more

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endemic, then that's going to affect their risk factor. We haven't seen in other research in the country that their documentation status affects their risk factors for TB. It's more the foreign-born status and that we do keep. We can easily get you data on how much foreign born there is. Generally, around the country, we're about the same proportion of foreign born TB as other places in the country, which is a little over 50 percent.”

Commissioner Parks said, “Thank you.”

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

MOTION

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

Commissioner Unruh seconded the motion.

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

VOTE

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

Chairman Peterjohn said, “Next item.”

I. DIVISION OF HUMAN SERVICES

1. AGREEMENT WITH EPISCOPAL SOCIAL SERVICES FOR TRANSITIONAL HOUSING PROJECT PAYEE SERVICES.

Ms. Marilyn Cook, Executive Director, COMCARE, greeted the Commissioners and said, “This is a renewal of an agreement with Episcopal Social Services to provide payee and banking services to individuals living in our Transitional Housing Project. As part of this agreement, Episcopal [Social] Services’ staff work with our residents in the Transitional Housing Project to assess their family and financial situations, to assist in developing a personal budget and plan for them and to provide one-

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on-one assistance with budgeting and money management when that is needed. They also update the treatment team by attending team meetings. We are recommending that you approve the agreement and authorize the Chairman to sign and authorize the budget authority.”

Chairman Peterjohn said, “Any questions or comments for Ms. Cook? Let me ask, there would be no property tax money involved with this agreement, in terms of the grant that they would receive from HUD (United States Department of Housing and Urban Development)?”

Ms. Cook said, “That's correct.”

Chairman Peterjohn said, “So there's no obligation for us to provide any match?”

Ms. Cook said, “That's correct.”

MOTION

Commissioner Unruh moved to approve the Agreement and authorize the Chairman to sign and authorize budget authority.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Peterjohn said, “Next item.”

- 2. AGREEMENTS WITH MOUNT HOPE COMMUNITY DEVELOPMENT, CITY OF BENTLEY, GARDEN PLAIN SENIOR CLUB, AND CITY OF CLEARWATER TO PROVIDE RIDE COORDINATION SERVICES FOR THE TRANSPORTATION PROGRAM'S VOLUNTEER TRANSPORTATION PROGRAM.**

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- **Afford-A-Care, Inc.**
- **All Saints Home Care, Inc**
- **Associated Homecare**
- **Care 2000 Home Care**
- **Catholic Charities Adult Day Services**
- **Home Buddy**
- **Home Healthcare Connection**
- **Home Technology Solutions**
- **Loving Hearts Home Care**
- **Mount Hope Home Health Services**
- **ProActive Home Care, Inc.**
- **Progressive Home Health & Hospice**
- **Southwind-ResCare Home Care**
- **Right At Home**
- **Saint Raphael Direct Care**
- **Saint Raphael Home Care**
- **Trust Home Care**

Ms. Annette Graham, Executive Director Aging, greeted the Commissioners and said, “A one-year grant application to the Kansas Department of Transportation that included funding for a volunteer transportation program was approved by the County Commissioners on January 20, 2010. Funding has subsequently been awarded for this program. This program, the transportation will be provided under the RSVP by RSVP volunteers. The volunteers use their private vehicles and they are insured through the RSVP program. The first agreements for this volunteer program were initiated by our department in 2005. The term for this agreement is July 1st through June 30th, 2011. The senior centers that we have agreements with are Mount Hope, Bentley, Garden Plain and Clearwater. They are reimbursed \$7 for each round trip they coordinate, and the transportation is provided by the volunteers. The program budget for all four centers is \$10,010.

“Now, this program we work with these centers, they agree to work with us and we have the agreements and that is what is included in this item. We have, since 2007, we have really been seeing a drastic increase in the population served, but the funding has been sufficient to provide for this. And what this really does is help provide a number of rides at a much lower cost than we can do through our other programs. It also brings much-needed revenue into the senior centers. The average cost for a ride is \$24 per one way. Those rides do cost more the farther they're out, so as you can see, for a \$7 trip, that is a much lower cost, so this has been a very beneficial program and one that has really served seniors in our rural community here in Sedgwick County. So I bring before you this contract, the agreement, and would be happy to answer any questions and request

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that you approve the four agreements and authorize the Chair to sign.”

Chairman Peterjohn said, “Questions or comments for Ms. Graham? Seeing none, what's the will of the Commission?”

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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

3. APPROVAL OF 11 CONTRACTS FOR LEVEL 1 CLIENT ASSESSMENT REFERRAL AND EVALUATE (CARE) ASSESSORS.

- **Vivian Batt, MSW**
- **Chris Cappitelli, RN**
- **Gayle Cloud, RN**
- **William Gault, M.ED**
- **Wilma Loganbill, RN**
- **Jody Lujan, BA**
- **Julie Morrison, MSW**
- **Julie Olivas, MSW**
- **Cynthia Rowlette, BSW**
- **Nola Stucky, BSW**
- **Aileen Vaughn, RN**

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Ms. Graham said, “Central Plains Area Agency on Aging (CPAAA) has had an agreement with the Department of Aging since 1995 for the purpose of managing the state and federal required Client Assessment Referral Evaluation (CARE) program. The CARE program includes individual assessment, provision of information and community-based services and referrals to services, data collection and appropriate placement in long-term care facilities for persons seeking nursing home placement in Harvey, Sedgwick and Butler Counties.”

“Information about nursing home placement and referrals made by our assessors successfully help divert 21.9 percent of those assessed last year from nursing home placements to help them arrange for and access services to be provided in their homes. This was an increase of 1.25 percent over the previous year, which is pretty astonishing considering all of the Medicaid cuts and the other impacts to services resulting from the funding losses. These 11 contracts you have before you are with professionals, including social workers and nurses, all of whom have many years of experience providing assessment, information and referral for older adults. They provide functional assessments for people over the age of 18 seeking nursing home placement, including the individuals diagnosed with a mental illness, a developmental disability or a mental retardation. All assessors are required to have six hours of care training annually. The contract amount for the Level One Assessment is \$35 per assessment, plus mileage. The contract period is for one year with a month-to-month continuation pending a new contract. Last year we provided 2,116 assessments through this contract. The average age of the individual assessed was 82; 65 percent were female, 35 percent were male and 41 percent of those that were assessed were living at home.

“Under this program, everyone that's seeking nursing home placement in a Medicaid qualified facility is required to have an assessment prior to going into a nursing home, with the goal to be help provide information about options to help increase the diversion rate, also to gather data about what are the obstacles and barriers that people see when they're seeking nursing home placement. Are there some other services that we need to have available in the community that would help them retain community placement? The contracts you have are with Vivian Batt, Chris Capitelli, Gayle Cloud, William Gaunt, Wilma Loganbill, Judy Lujan, Judy Morrison, Julie Olivas, Cynthia Rowlette, Nola Stucky and Aileen Vaughn. This program is fully funded through the Kansas Department on Aging. There is no match requirement and all of the costs are covered for this program. I would request that you approve the CARE Assessor contracts and authorize the Chairman to sign, and would be happy to answer any questions.”

MOTION

Commissioner Parks moved to approve the CARE Assessor Contracts and authorize the Chairman to sign.

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Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item."

4. FY2011 SENIOR CARE ACT (SCA) IN-HOME CARE CONTRACTS.

Ms. Graham said, "The Central Plains Area Agency on Aging will enter into a Senior Care Act in-home care contract with local home health agencies to provide service to residents of Kansas 60 years and older who have functional limitations which restrict their ability to live in their homes. These are individuals who are assessed and determined to be eligible for nursing home placement but choose to remain in their home with services. The program was established by the Kansas Legislature to assist older Kansans who have functional limitations and who do not qualify for Medicaid. These are people who are just above Medicaid, they're pre-Medicaid individuals, and this really is a service to help stay off of Medicaid, and out of nursing homes and in the community where they choose to live.

"This program provides in-home services to persons who contribute to the cost of services based on their ability to pay. There's a sliding fee scale that looks at both their income and liquid assets, and then that co-pay is assessed for service needs. Participating clients can access care through case management. For anybody that's eligible, there's a case manager that does an assessment to determine their functional eligibility and to set up a plan of care. The services provided under this program include attendant care, homemaker services, respite care, personal emergency response, case management and installation and custom care items. We are bringing this before you, and with a budget of \$1,136,362, of which \$66,827 is matching funds.

"The match is composed of match monies from Butler, Harvey and Sedgwick Counties' mill levy. The estimated match from Butler County is \$8,500. Estimated match from Harvey County is \$1,000

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and estimated match from Sedgwick County is \$57,327. I say estimated because it is based on actual usage, so it's based on the numbers of clients that are served over the term of the year and the co-pay, so that's how it's figured for each. And we charge those co-pays, and those match monies are charged monthly to the other two counties.”

Ms. Graham continued, “The grant is funded, as I said, from the Senior Care Act budget from the state, and the providers we're contracting with for this year include Afford-a-Care, All Saints, Associated Home Care, Care 2000, Catholic Catholic Charities Adult Day, Home Buddy, Home Health Care Connections, Home Technology, Loving Hearts, Mount Hope Home Health, Procative Home Care, Progressive Home Care, Southwind Rescare Home Care, Right at Home, St. Rafael Direct, St. Rafael Home Care, and Trust Home Care. I just want to give you a little kind of, this is a story about some of the people that receive this service. A recent example is an 89 year old woman who has congestive heart failure and arthritis. She lives alone. She does have a 69 year old son who helps provide her care. He provides as much as he can, but he does still work, and so he does need some help to help keep her in the home, such as bathing and some meal preparation. So these are some of the services that provided to help this woman stay in her home. As I said, she is eligible for nursing home placement, but these services, with our help, she's able to stay in the home, and he's able to keep his job and stay a valuable and contributing member of the community. So I would request that you approve the contract with these 11 providers and authorize the Chair to sign.”

Chairman Peterjohn said, “Thank you. Questions or comments? I'm going to throw out a question, because I've made it a point of trying to emphasize that Sedgwick County tax dollars stay here in Sedgwick County, and since we do have this aspect of this program involving two of our neighboring counties, I want to just clarify for the record that this, we will be keeping Sedgwick County tax dollars here in Sedgwick County and they will not be going, not being spent elsewhere as part of this program?”

Ms. Graham said, “Yes, the match money that we pay out of Sedgwick County mill levy only pays for clients that reside in Sedgwick County, and every month we do receive billings and know who is on the services at all times. So for those people that are in Butler or Harvey County that charge for the match money is charged to them every month and they pay us that funding every month. And then at one time in the year we pay the Kansas Department on Aging. We pay them the match money. Only the mill levy for Sedgwick County pays for those individuals that reside in Sedgwick County.”

Chairman Peterjohn said, “Any further comments or questions for Ms. Graham? If not, what is the will of the Commission?”

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MOTION

Commissioner Welshimer moved to approve the FY2011 SCA Contracts and authorize the Chair to sign.

Chairman Peterjohn seconded the motion.

Chairman Peterjohn said, "Seeing no further discussion, Commissioner Parks."

Commissioner Parks said, "Well, I don't know if I need to do this for Legal, but for full ethical disclosure, I did have a communication with All Saints about this several months ago, but none of those adversely or positively affected my decision on this. Thank you."

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

VOTE

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

Chairman Peterjohn said, "Before we take up the next item, I'm going to recognize the County Manager to bring up a motion for an Off-Agenda Item at this time."

Mr. Buchanan said, "Thank you, Mr. Chairman. Commissioners, we need to take an Off-Agenda Item regarding an affiliate agreement with Breakthrough Club. I would recommend you would approve taking an Off-Agenda Item at this time."

MOTION

Commissioner Welshimer moved to take an Off-Agenda Item.

Commissioner Unruh seconded the motion.

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

VOTE

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

OFF-AGENDA ITEM

Mr. Buchanan said, “Commissioners, Marilyn Cook is most familiar with this issue and I’ve asked her to take the lead on this effort”

Chairman Peterjohn said, “The Chair recognizes Ms. Cook.”

Ms. Cook said, “Thank you. COMCARE has agreements with five community organizations to provide services using COMCARE’s Medicaid provider number. We have a process in place to routinely monitor these contracts. Several years ago, our Medicaid state plan changed, as well as what services can be provided under the plan. The Breakthrough Club uses what they call a clubhouse model, or what is known as a clubhouse model and philosophy, in which members, along with the staff, help direct their treatment process. And while this is a very valuable service to Breakthrough members and to our community, it’s been determined that the clubhouse model the Breakthrough Club uses doesn’t fit the current Medicaid plan. We’re therefore ending one of our contracts with Breakthrough Club, and will begin working on a transition plan to ensure that the club members continue to get the support and the services that they need. We’ll continue our relationship with Breakthrough Club to find a viable solution, and I want you to know we have a good working relationship with Breakthrough Club, and that they offer a needed and valuable service to the community, serving over 300 individuals in this clubhouse. We are recommending that you approve this action and authorize the Chairman to sign the letter of termination.”

MOTION

Commissioner Welshimer moved to approve the termination of the contract with Breakthrough Club and authorize the Chairman to sign a letter of termination.

Commissioner Unruh seconded the motion.

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Chairman Peterjohn said, "We have a motion and a second. Questions or comments? Question I have is, you mentioned that we have two contracts with Breakthrough Club, but only one of these would be, we would only be eliminating one of the two?"

Ms. Cook said, "Yes."

Chairman Peterjohn said, "Can you tell me how much those contracts are for and for how long a period of time?"

Ms. Cook said, "All of our contracts with our community providers are for one year. The contract we are retaining is for a little over, I didn't bring it with me but a little over \$169,000. It is not tied to Medicaid and Medicaid billing. And this affiliation agreement is a fee for service agreement with a not to exceed amount, and I'm sorry, I don't have that amount with me, but I'll get that to you."

Chairman Peterjohn said, "I'd very much appreciate it. Thank you. Commissioner Unruh?"

Commissioner Unruh said, "Thank you, Mr. Chairman. I just want to make a comment that reinforces what Marilyn said about the Breakthrough Club in our community. They do provide a good service. I have visited the facility and chatted with some of their clients there and I look forward to a resolution as we go forward."

Ms. Cook said, "We've already begun that process."

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "In dealing with Medicare, I'm pleased that the checks and balances system caught this and we're rectifying some of it now. Thank you."

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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VOTE

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

- 2. APPROVAL OF AN ESTIMATE FROM SEDGWICK COUNTY ELECTRIC FOR RELOCATION OF ELECTRICAL LINES FOR SEDGWICK COUNTY PROJECT 636-7-4560; BRIDGE PROJECT ON 71ST STREET SOUTH BETWEEN 295TH & 311TH STREETS WEST. CIP# B-438. DISTRICT 3.**

Mr. Spears said, "Item J-2 is also for a bridge project on 71st Street South. This one, located between 295th and 311th Streets West, designated as B-438 in the CIP. Again, we're responsible for the portion of line located in the private easement as an estimate cost of \$18,373.70. I recommend you approve the estimate."

MOTION

Commissioner Norton moved to approve the Estimate.

Chairman Peterjohn seconded the motion.

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

VOTE

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

- 3. APPROVAL OF THE FORCE ACCOUNT CONSTRUCTION ENGINEERING INSPECTION SERVICES AGREEMENT FOR SEDGWICK COUNTY PROJECT 803-S ½ Q THRU U: 135TH STREET WEST FROM US-54 TO K-42. CIP# R-303. DISTRICT 3.**

Mr. Spears said, "Item J-3 is a force account agreement with the Kansas Department of

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Transportation (KDOT) to reimburse Sedgwick County for engineering inspection services performed during construction of the road project on 135th Street West between US-54 and K-42. This project is designated as R-303 in the Capital Improvement Program and will have 80 percent reimbursement. The maximum amount of federal funds the county can receive is \$157,533.60. Recommend that you approve the agreement and authorize the Chairman to sign.”

MOTION

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

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “We’ve got a motion and a second. Just a quick question. You've mentioned the maximum amount that we can be paid for providing inspection services on this project. How often do we end up providing inspection services overall? Is this unusual or is this fairly frequent with this type of an agreement?”

Mr. Spears said, “We do this with every KDOT project that we have. Our inspectors are qualified, and trained and certified, and a lot of counties hire consultants to do it, but we do it ourselves and then we're reimbursed. If the dollars come in over that amount, we can actually get paid for exactly the time that we spend on it. So the contract says that, but there have been times when we've gone back and got full reimbursement over the maximum amount.”

Chairman Peterjohn said, “Thank you. Seeing no further discussion, please call the vote.”

VOTE

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

Mr. Spears said, “Thank you.”

Chairman Peterjohn said, “Next item.”

K. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON JUNE 24, 2010.

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Ms. Iris Baker, Director, Purchasing, greeted the Commissioners and said, “The meeting of June 24th results in 8 items for consideration today. First item;

- 1. TABLES FOR THE NATIONAL CENTER FOR AVIATION TRAINING’S
CATIA & COMPUTER LABS - FACILITIES DEPARTMENT
FUNDING – NCAT FURNITURE FIXTURES & EQUIPMENT**

“Recommendation is to accept the proposal from Midwest Single Source option 1 for an initial purchase of \$39,443.65 and establish contract pricing for one year. Item 2;

- 2. BOOKSTORE SHELVING AND INSTALLATION FOR THE NATIONAL
CENTER FOR AVIATION TRAINING - FACILITIES DEPARTMENT
FUNDING – NCAT FURNITURE FIXTURES & EQUIPMENT**

“Recommendation is to accept the proposal from Scott Rice Office Interiors in the amount of \$29,475.66 and establish contract pricing for one year. Item 3,

- 3. AUTOMOTIVE PAINT PRODUCTS FOR FLEET BODY SHOP - FLEET
MANAGEMENT
FUNDING – FLEET MANAGEMENT**

“Recommendation is to accept the overall low proposal from Wholesale Auto Paint and establish contract pricing for one year with two one-year options to renew. Item 4;

- 4. MEDICAL BILLING SERVICES - EMERGENCY MEDICAL SERVICES
FUNDING - EMERGENCY MEDICAL SERVICES**

“Recommendation is to accept the proposal from Intermedix Advanced Data Processing Inc. and establish contract pricing for two years with three one-year options to renew. Item 5;

- 5. DIGITAL X-RAY MACHINE - FORENSIC SCIENCE CENTER
FUNDING – RECOVERY JAG '09 – SCIENCE LAB EQUIPMENT**

“Recommendation is to accept the low bid from Merry X-Ray in the amount of \$85,393. Item 6;

- 6. IN-HOME TELEHEALTH SERVICES - SEDGWICK COUNTY
DEPARTMENT ON AGING
FUNDING - DEPARTMENT ON AGING**

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“Recommendation is to accept the solicitation from Windsor Place At-Home Care and establish contract pricing. Item 7;

**7. QUALITY IMPROVEMENT SPECIALIST SERVICES - SEDGWICK COUNTY HEALTH DEPARTMENT
FUNDING – GRANT FROM THE SUNFLOWER FOUNDATION**

“Recommendation is to accept the proposal option 2 from Public Health Foundation in the amount of \$13,220. And item 8;

**8. EMPLOYEE MEDICAL AND PHARMACY BENEFITS - HUMAN RESOURCES
FUNDING - BENEFITS**

“Recommendation is to accept the proposal from Preferred Health Systems for first-year cost of \$25,950,000 and execute a five-year contract with two one-year options to renew. Be happy to answer any questions and I recommend approval of these items.”

Chairman Peterjohn said, “Any questions or comments for Ms. Baker? Commissioner Norton.”

Commissioner Norton said, “Well, when we talk about the healthcare benefits, it's coming up on Bid Board today, but I think we've had two or three briefings of, not only the staff meeting but also individually. I think we've looked over the proposals. It's a very complicated process to get to this. I don't know that we can talk to every detail today, but I want to make sure the public knows that \$25 million plus is a lot of money, we understand that, and we've looked into this issue at a critical time in a budget process to make sure that we understand what the benefits will be to our employees and try to keep it at the lowest costs we could in the budgetary realm. We may have questions that dig into details, but it is a pretty complicated subject. I don't know that we'll ever get to every detail that we've already discussed throughout the last few weeks. That's all I have.”

Chairman Peterjohn said, “Thank you. I would very much agree, in terms of the, we've got tremendous complexity with this, and with 3,000, approximately 3,000 full-time employees and their families in many cases being covered. It's a big, big challenge and we're facing an increase, despite the fact that we're trying to take some steps to keep some of these costs under control and

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taking extra efforts, we've just completed the Chairman's Challenge, in terms of an effort to promote physical activity. And whether it's indoors or outdoors, I think it's very important that this very substantial cost, with being well into eight figures, is given fully and due attention among the eight items we have consideration for Bid Board today. What's the will of the Commission?"

MOTION

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

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "This is probably the time to say it, but I see we have more furniture and other things going into the National Center for Aviation Training. As we wind down this equipment, I'm going to be maybe scrutinizing these a little bit more, in that I'd like to see some use out there and start getting this revenue neutral in that facility and I'm just going to be happy when we can be revenue neutral with that facility. So thank you."

Chairman Peterjohn said, "Commissioner Welshimer."

Commissioner Welshimer said, "Well, I'd like to, I have a question for the County Manager. I'd like to see the NIAR (National Institute for Aviation Research) people come in and give us a report on what their plans are for NCAT."

Mr. Buchanan said, "Be happy to invite them."

Commissioner Welshimer said, "Thank you."

Chairman Peterjohn said, "I'd like to, on Item 7, throw out a question since we were looking at, the most expensive option included some travel. If I can get an understanding of why that seems to be the recommendation from the Bid Board."

Ms. Baker said, "Part of the discussion at Bid Board had to do with the type of training and the protocol for the training that was offered in all the options on the table. The committee evaluating these options determined that was going to be a more thorough approach and provide better training to the Health Department. So that was the reason for going with that higher cost option."

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Chairman Peterjohn said, "I appreciate the explanation. Seeing no further discussion, please call the vote."

VOTE

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

Chairman Peterjohn said, "Next item."

L. CONSENT AGENDA

- 1. Approval of Public Official Bond of Robert Hinshaw, Sedgwick County Sheriff, in accordance with the provisions of K.S.A. 19-801a, for the faithful performance of the duties of his Office.**
- 2. Approval of Public Official Bond of David C. Spears, Sedgwick County Engineer, in accordance with the provisions of K.S.A. 68-505, for the faithful performance of his duties.**
- 3. Approval of Public Official Bond of Ron Estes, Sedgwick County Treasurer, in accordance with the provisions of K.S.A. 19-501/502, for the faithful performance of the duties of his Office.**
- 4. General Bill Check Register of June 16, 2010 – June 22, 2010.**

Mr. Buchanan said, "Commissioners, you have the Consent Agenda before you. I would recommend you approve it."

MOTION

Commissioner Unruh moved to approve the Consent Agenda.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item."

M. OTHER

Chairman Peterjohn said, "I'm going to begin by pointing out that, as was mentioned at the very beginning of this meeting, we've got the Sedgwick County Fair coming up within the next couple of weeks; July 7th it kicks off, and I think that's going to be a great opportunity for particularly the agricultural folks. Because we're in full swing Saturday mornings, if you're looking for fresh produce at the Extension Office at 21st and Ridge Road. That's available every Saturday. But with the fair coming up, we're going to be having some positive events there. I'd also mention Exploration Place has got a traveling exhibit that's, I think, boys of most ages would be fascinated with, in terms of the human body, in terms of gross sort of things, but that's out there as an event to do.

"I'm going to give a quick rundown of some of the numbers; we had 1,520 people in the Sedgwick County Jail this morning, and we had 92 people booked in the last 24 hours. What's interesting, in terms of breaking those down, 459 were listed as maximum security under our system, 456 medium, so you add those two together it's a little over 900. We had over 525 that were minimum and the rest in the unclassified category. We had 243 people out of county, which is fairly similar to the number we had between 2005 and 2008. If you add in the folks who are in the Community Corrections program, we're still looking at 3,000 people overall in that portion of the corrections, the people involved with the judiciary at this point in time."

"I continue to provide these numbers because I want a broader understanding. We had some interesting discussions about the Byrne Grant, and since Sedgwick County is completely responsible for the jail, and detention and related programs in which we have quite a few, I'm going to mention just a couple here that are at the top of my head: Mental Health Court, Drug, Court, Day Reporting and Pretrial Services. There is an awful lot of folks who are involved in the judicial system here locally and that comes up, so I provide this overview because I think it's very important. And the fact that I think the county really stepped out of their way and I appreciate the

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efforts of county staff, from the County Manager on down, trying to work through and get an agreement in place with the Byrne Grant situation.

“We had an item that came up earlier today with discussions about illegals, and illegal or foreign born. I have asked questions concerning the jail, in terms of the number of people, the very same questions about illegals. I'm frustrated that we don't have the information, but frankly, the reason I didn't support Commissioner Parks when he made that vote was that we do have the numbers for foreign born. I think it's an adequate substitute. It's not a perfect substitute, but to move the discussion forward, in terms of how much additional costs are being provided because the federal government cannot maintain border security in this country, we have a reasonable substitute, I think, in place with those foreign born numbers and I think that that needs to become part of the public discussion, and I'm going to try, going forward, to make that part of the discussion in place.

“And there is going to be a meeting over at City Hall, two meetings; one concerning fireworks, and I noticed that there seems to be larger fireworks tents. I guess that's a good sign from the economy, in terms of larger tents selling fireworks, but I would like to clarify for the record that each city as well as the county and the unincorporated areas, can set and establish their own rules on when fireworks can be discharged, and when on those days they can be discharged. I think it's important for the citizens out there, if they go out and purchase fireworks, they know what their rules are. And if they aren't following those rules, they are susceptible to receiving a citation for being in violation of municipal ordinances, or in unincorporated areas in Sedgwick County from county staff, concerning the illegal discharge of fireworks. We have a very narrow window of time, both in terms of what days you can discharge the fireworks and which hours during those days you can discharge them.”

Chairman Peterjohn continued, “The second item I would mention is the county has spent a tremendous amount of taxpayer funds to go through the recertification process that's being driven by a federal mandate. There's going to be a meeting later on today at City Hall to go over where we stand with that event. I am frustrated to a degree because I know the importance of having good flood control in place. We had that earlier this month where it served, once again, served our community well. But because other parts of the country haven't been as successful as we are in that regard, we've been at the front of this federal guinea pig on this, and I'm hoping that we can get this

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in place, and people, citizens, homes and businesses will not have to get flood insurance, and that we can put this behind us, in terms of having the levies recertified and be able to move forward on other issues. The City of Wichita is putting over \$5 million into this project. Sedgwick County is putting a similar amount, and this is a major investment of taxpayer funds. It's an important investment, in terms of making sure that we can keep the Big Ditch serving its functions, Wichita Valley Center Floodway. Having said that, I really don't like the fact that the federal government keeps putting these burdens in place on us. That's all I have today. Commissioner Parks.”

Commissioner Parks said, “Well, several festivities are going on in my district, one of them being the July 3rd Park City parade and festival. That will be an all-day event culminating with the large commercial fireworks display and all that. I’m going to say most of that is free. There may be some entrepreneurs that are selling things that won't be free. Fireworks, while we're talking about fireworks a little bit, people do tend to their livestock in the country, so please observe those hours that are set out by the Fire Department and the days of discharge.

“81 Speedway will be moving some of their activities this weekend to the Hutch Nationals. That's always a great regional event. As many as seven states would be represented with racecars at the fairgrounds and that's a big event there. One goal that I had when elected here was to keep the pavilions open, keep the promise of the pavilions open, improve those, and that happened today. Hopefully we can get the media outlets and the Google, Yahoo, KDOT, GPS (Geographical Positioning Systems) to now, instead of having Kansas Coliseum on their sites to be able to put the Kansas Pavilions in there and be able to get that done with all the technology we have now, we should be able to have that rebranding. I think it's an exciting time to go forward and improve. See if we can get 360 days worth of activities in that building. That's all I had.”

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

Commissioner Welshimer said, “Well, Derby is having a parade on July 3rd. They do that every year. I had an interesting Saturday. We think back when we had the Greensboro tornado and our Emergency Services were one of the first responders to Greensburg. We were without communication there, no cell phones, no electricity and the ham radio operators went out there and set up on top of trucks and wherever they could and provided that communication on a volunteer basis. Well, there are several clubs of ham radio operators, they all got together on Saturday out at the Boeing park and shared the new type of technology that they have and are going to digital. Actually, they use batteries to charge their communications, and they were charging their batteries

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with a new solar system. It was very interesting, and they're very excited about it, and most willing to share that technology with everyone. But I think they're a group of heroes that we don't think about very often, and they ask nothing in return. Then, I don't know if you noticed the change in my hair color, and that was an error, and I have to live with it for a few days. So other than that, the week was fine. Thank you.”

Chairman Peterjohn said, “Commissioner Norton.”

Commissioner Norton said, “I don't know if you've noticed the change in my hair color. And boy, is it an error. There was an article in the paper today about funeral services for the indigent and that's an issue that's gotten thrown on our plate. And I've had a few phone calls, I don't know if other Commissioners have, but that's something that our Public Safety Director will be dealing with, our Forensic Science Center and Coroner will be dealing with as we try to understand how we take care of unclaimed individuals that have passed away and indigent folks. So that is an issue we're going to have to deal with. It should come up soon, but I did want to comment on it because there was an article in the paper today.

“I would like to thank 15 county employees for coming out last Friday and helping build on a Habitat [for Humanity] project. Seven homes were built in seven days, and seven families now have affordable and adequate housing along Hydraulic and 43rd Street in Sedgwick County. Sedgwick County was a part of helping pick up some hammers, and some brooms, and some saws and put in sweat equity into making homes available for a community. Finally, I'd like to wish everybody a very happy and safe 4th of July; 234 years passed since the signing of the [Declaration of] Independence and we should all celebrate that safely. We do have a new fireworks ordinance out in the unincorporated areas, and we hope that that's going to add to the value of folks in the unincorporated areas. But they will stay safe as they use fireworks, and also, understand that they have neighbors that may have a different thought process about fireworks and take that into consideration when they're using them, so happy 4th of July in Sedgwick County.”

Chairman Peterjohn said, “I think we can second that support for a safe celebration, the Declaration of Independence. I'm going to point out that I misspoke earlier, in terms of the levy certification meeting. It's July 14th, Bastille Day, instead of later on today. Teach me, trying to multitask on going through e-mail when we took a little break here. Seeing no further items, I'm going to make a motion we adjourn.”

MOTION

Chairman Peterjohn moved to adjourn.

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Commissioner Welshimer seconded the motion.

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

VOTE

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

N. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:16a.m.

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

KARL PETERJOHN, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

APPROVED:

July 28, 2010