

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 26, 2005

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, January 26, 2005 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh; with the following present: Chair Pro Tem Ben Sciortino; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Lucy Burtnett; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Dr. Doren Frederickson, Health Officer/ Medical Director, Health Department; Mr. Don Brace, County Clerk; Ms. Jo Sanders, Recycling Coordinator, Environmental Resources; Ms. Glenda Sublett, Office Specialist, Sheriff's Office; Ms. Diana Mansouri, Safety Corrdinator, Risk Management; Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Ms. Jennifer Magana, Assistant County Counselor, County Counselor's Office; Mr. John Nath, Director, Kansas Coliseum; Ms. Valerhy Harmon, Director, Transportation Brokerage, Department on Aging; Ms. Monica Cissell, Program Manager, Department on Aging; Mr. Tom Pletcher, Clinical Assistant Director of Mental Health, Comprehensive Community Care (COMCARE); Ms. Chris Morales, Systems Integration Coordinator, Department of Corrections; Ms. Aiko Allen, Division Director, Health Promotion and Disease Prevention, Health Department; Mr. David Spears, Director, Bureau of Public Works; Mr. Marvin Duncan, Director, Fleet Maintenance; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Mike Draper, Member, Sheriff's Civil Service Board.

Ms. Bridget Lemen, Weyerhaeuser Recycling, Wichita.

Mr. Worth Christy, President, All American Basketball League.

INVOCATION

The Invocation was led by Mr. Ashok Aurora of the Hindu Community, Wichita.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES: Regular Meeting, January 5, 2005
 Regular Meeting, January 12, 2005

The Clerk reported that Commissioner McGinn was absent at the Regular Meeting of January 5, 2005 and that all Commissioners were present at the Regular Meeting of January 12, 2005.

Chairman Unruh said, “Commissioners, you’ve had the opportunity to review the Minutes of these two meetings. What’s the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular meeting of January 5th, 2005.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Abstain
Commissioner Sciortino	Aye
Chairman Unruh	Aye

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular meeting of January 12th, 2005.

Commissioner Norton seconded the motion.

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

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

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

PROCLAMATION

A. PROCLAMATION DECLARING FEBRUARY 2005 AS "CHILDREN'S DENTAL HEALTH MONTH."

Chairman Unruh said, "Commissioners, I have a proclamation for your consideration."

PROCLAMATION

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

WHEREAS, dental caries is the single most common chronic disease of childhood, by the time students finish high school, about 80 percent have caries; and

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

WHEREAS, as a result of the Sedgwick County Assembly on Public Health, the Sedgwick County Health Department has created an oral health initiative promoting five ways to have a great smile;

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

WHEREAS, the Sedgwick County Health Department is dedicated to supporting good dental health habits for young people, as we celebrate our 18th anniversary of the Molardrama.

NOW, THEREFORE BE IT RESOLVED, that I, Dave Unruh, Chairman of the Board of

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Sedgwick County Commissioners, do hereby proclaim February 2005 as

‘Children’s Dental Health Month’

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

Commissioners, you’ve heard the proclamation. What’s the will of the Board?”

MOTION

Commissioner Norton moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Winters seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And we have Dr. Doren Frederickson here to accept the proclamation.”

Dr. Doren Frederickson, Health Officer/ Medical Director, Health Department, greeted the Commissioners and said, “Thank you for your support for this very important endeavor. I’ve got three main points here I’d like to just share with you. First, that we are having our Molardrama, and that’s not a melodrama, that’s a Molar-drama, referring to teeth, which is aimed at 2nd graders every year. It’s supported by outside grants and funding. Over 4,500 2nd graders will receive this next week and the event gives children an educational drama about the importance of taking care of their teeth and learning the basic rules of teeth and gums.

Each student receives a toothbrush, floss, toothpaste and a coupon for an apple. Christy Hillard, our dental manager would be here with me today, but she’s out doing screening at an elementary

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school, which she does for 8,000 children in Wichita schools each year.

The second point, children and pregnant women have been receiving dental instruction and dental support materials in our clinics all year long and thousands have received both counseling, screening for cavities or caries, and then they get to take home similar bags with toothbrushes, floss, toothpaste and information. These are again all supported by outside grants. We also give our patients magnets, we have English and Spanish and our materials are all in English and Spanish and these provide the crucial information.

My third point would be we're going to be having a forum with the dental society and the medical society, sponsored for doctors, nurses, dental hygienists and dentists and that's going to be February 18th, in Old Town and that will be providing continuing education for dentists and doctors and dental hygienists, so that will be an important endeavor.

We also acknowledge the efforts of the 32 volunteer dentists that treat cavities at the health department on a regular basis. Every Friday, we have our volunteer dentists and also the health promotion division, under Aiko Allen, who is here today. Are there any questions?"

Chairman Unruh said, "Any questions, Commissioners? I would just like to say, Dr. Frederickson, that we're . . . many people are not aware of how important dental health is to general, overall health and so this educational process, I think is beneficial not just for healthy teeth but for general health and teaching these lessons at an early age, through our Molardrama activity, I think is just an outstanding thing to do.

But we appreciate that we're bringing emphasis to this and appreciate your efforts in just trying to educate our citizens how important dental health is, so thanks for that effort. Commissioner Norton."

Commissioner Norton said, "Well, I'll just echo what the chairman has already said. I think we have found out, at the Health Assembly, and I think people in the industry already knew what we'd found out, is that dental health is so important to general health and that the earlier we can get into a child's life, like many other things, with education, health practices, the better kids will be because they'll learn that is a good habit that will carry them through the rest of their lives.

It washes over me that we have a crisis health care, you know, in the United States, and part of that is a dental crisis, that people put off dental kinds of things in their family and with their kids, because of economics, because of lack of health care, for a lot of reasons and that has profound

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applications later, because they put it off early in their lives. So, we hope that this will start people on the right path. Thanks.”

Chairman Unruh said, “Any other comment. Well, one other thing I’d say, be sure to express our gratitude to those 32 dentists who donate their time for the healthy benefit of our citizens and they don’t have to do it and we appreciate what they’re doing.”

Dr. Frederickson said, “Absolutely.”

Chairman Unruh said, “Okay, thank you Dr. Frederickson. Madam Clerk, call the next item.”

APPOINTMENT

B. RESOLUTION REAPPOINTING JAMES “MIKE” DRAPER (COMMISSIONER WINTERS’ APPOINTMENT) TO THE SHERIFF’S CIVIL SERVICE BOARD.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Commissioners, we’ve prepared this resolution of appointment . . . reappointment for a three-year term with the Sheriff’s Civil Service Board and I recommend you adopt it.”

Chairman Unruh said, “Okay, thank you.”

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton Aye

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Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And Mr. Draper is here today and if you’d like to step to the podium, and County Clerk Don Brace will swear you in.”

Mr. Don Brace, County Clerk, greeted the Commissioners and said, “Raise your right hand please.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of Sheriff’s Civil Service Board, so help me God.”

Mr. Mike Draper, Member, Sheriff’s Civil Service Board, greeted the Commissioners and said, “I will.”

Mr. Brace said, “Congratulations.”

Chairman Unruh said, “Mr. Draper, would you like to make a comment?”

Mr. Draper said, “Well, I want to thank Commissioner Winters for my reappointment and will do another four years and Commissioner Norton, see you quite a little bit at different functions we have, but thank you again for the appointment and I’ll see you in another four years.”

Commissioner Winters said, “Well, I just would like to again say thank you, Mike, for your participation on this board. This is a very important board, as we try to have the smoothest running Sheriff’s Department, with the Sheriff and all of the employees of the department. I called Sheriff Steed to ask about your service, and he just was highly recommending that you be reappointed for your work, said you’re always there, always attentive and understand the operation of the department, so we do appreciate your service on this board and best luck for the next four years.”

Mr. Draper said, “Thanks again.”

Commissioner Winters said, “Thank you.”

Chairman Unruh said, “Thank you very much, Mike. Madam Clerk, call the next item please.”

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AWARD

C. ADOPTION OF THE 2005 SAFETY SLOGAN FOR SEDGWICK COUNTY EMPLOYEES, “AVOID THE WORST, THINK SAFETY FIRST!” AND PRESENTATION OF AWARDS TO GLENDA SUBLETT, SHERIFF’S OFFICE, WINNER OF THE 2005 SAFETY SLOGAN CONTEST.

Ms. Diana Mansouri, Safety Coordinator, Risk Management, greeted the Commissioners and said, “I’m here this morning to request your approval and recommend adoption of the 2005 safety slogan, ‘Avoid the Worst, Think Safety First’. The slogan was submitted by Glenda Sublett, who works in the support bureau of the Sheriff’s Office.

We’d like to thank Lori Westphal and the County’s print shop for designing this year’s poster. I wish to thank the commission for its support, since 1994, for the safety slogan contest, which has been sponsored by the Risk Management Department. This contest does promote safety awareness among county employees.

This year, Risk Management received 87 safety slogans from employees. We’d like to thank Jeff Piper from the Division of Information and Operations, for setting up the on-line entry system. I would like to point out to you that this is the first year all county divisions have been represented in this contest, and we do look forward to their continued participation in the future.

A selection committee, comprised of representatives from all county divisions, reviewed all the entries and they worked very hard to narrow their selections down to one winning slogan. Upon your approval, we will distribute posters and notepads throughout the county, to serve as a reminder to all employees.

At this time, I would like to ask Glenda Sublett to come forward to receive her award, which includes among other items: a first aid kit, a framed safety slogan poster, a fire extinguisher and a smoke detector. Glenda.”

Chairman Unruh said, “Glenda, would you like to step up to the podium.”

Ms. Glenda Sublett, Office Specialist, Sheriff’s Department, greeted the Commissioners and said, “Thank you very much. I’d just like to thank everyone that came here today to support me in this and everyone who wanted to make it here but couldn’t. Thank you.”

Chairman Unruh said, “Thank you very much. Commissioners, is there any comment?”

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MOTION

Commissioner Sciortino moved to adopt the safety slogan and recognize Ms. Sublett.

Commissioner Norton seconded the motion.

Chairman Unruh said, “Any discussion? Well, I just want to, before we have a vote and you get away from here, I want to say that we appreciate the folks in our organization who are creative and we’re happy to recognize you as a winner this year.

You know, these slogans help promote awareness of workplace safety, which is good thing, I mean nobody wants to be hurt, but it’s also a financial thing. If we can reduce injuries in the workplace, well it makes us a more financially sound organization. So, you’ve done a good thing in helping Sedgwick County be good government. Any other comment? If not, Madam Clerk, please call the vote.”

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Diana and Glenda, thank you very much for being here. Madam Clerk, call the next item.”

NEW BUSINESS

D. CONTRACT WITH WEYERHAEUSER PROVIDING PAYMENT TO SEDGWICK

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**COUNTY FOR ITEMS COLLECTED AT SEDGWICK COUNTY RECYCLING
DROP-OFF BOXES**

OVERHEAD PRESENTATION

Ms. Jo Sanders, Recycling Coordinator, Environmental Resources, greeted the Commissioners and said, "Sedgwick County has 19 conveniently located drop-off recycling locations scattered throughout our community and the diagram on the wall shows those locations. We pay for this program through our solid waste fee and I am proud to say that there's a convenient location very near to you, because 87% of our single-family households are located within two and a half miles of one of these locations. If we want to increase that distance to three and a half miles, then we include 96% of our single-family households.

This program generates about 340 tons of recycled materials each and every month. Of that material, about 85% of the weight is in old newspaper. The remaining 15% comes from magazines, steel or tin cans and aluminum cans.

In 2004, the market for old newspapers stabilized and it appears that this trend is going to continue. Weyerhaeuser contacted us with an offer to share in the profit made from the sale of the old newspaper collected at these sites. The details of the agreement are in the contract in front of you, but if the price of old newspaper continues the way it is trending currently, what Weyerhaeuser is willing to pay us will cover approximately 25% of the cost of the entire program.

Weyerhaeuser is here today, Bridget Lemen and Gil Hoover. Bridget, Gil and I will do our best to answer any questions that you do have today, and after that I do ask that you approve the contract and authorize the Chair to sign."

Chairman Unruh said, "Okay, thank you Jo. Commissioners, are there any questions? Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. I think this is a good news kind of deal and I appreciate Weyerhaeuser coming forward with the offer to put this in a contract form. One of the things I think that citizens sometimes have difficulty remembering is that recyclable products are commodities and if anybody is familiar with the commodities market, it fluctuates, and there are times when things are good and there are times when things aren't so good.

And I appreciate, particularly, Weyerhaeuser and their work through all of the time that these drop-off boxes have been in place, their willingness to keep working with us the best we can to continue to take products, even when some of those times are not so good. So, I think it is, again, I'm very pleased that they've come forward and want to put it in a contract form that when prices are good,

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they're willing to get on a more formalized way of determining what kind of reimbursements they're going to make to Sedgwick County. So, I think they've been a great partner in this project and I appreciate their being here. I don't really have any questions, unless any other commissioners have something, but I'm certainly going to be supportive of this."

Chairman Unruh said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you . . . Jo, what were the . . . it's always been like on recycling, you know, we've always said like it's a three-legged stool, we have to figure out some use of it, and apparently with newsprint there is going to be a use, a new life for the old newspapers, but what were the, if you know it, the amount of fees that we have been paying to have those drop-off boxes located?"

Ms. Sanders said, "We have one contract for all 19 locations and monthly, our fee is \$13,521. That includes the rental of those 19 boxes, and then the actual transportation from the site to Weyerhaeuser and then back."

Commissioner Sciortino said, "So now we're getting to a point we're getting some of the costs augmented by the money, so that's good. Okay, that's all I need. Thanks."

Chairman Unruh said, "Okay, thank you. I have a question. Is this . . . or Bridget, perhaps you can answer, is this the first time we've had the opportunity to receive profits?"

Ms. Bridget Lemen, General Manager, Weyerhaeuser Company, greeted the Commissioners and said, "In 2004, historically, that was the first year that there was a rebate for the material. On the other hand, we have never charged tipping fees when the markets, as Tom alluded to, we've never charged a tipping fee when the markets weren't favorable."

Chairman Unruh said, "But the indication is now the market is now strong enough in this commodity that we can look for continued revenue to help offset our costs."

Ms. Lemen said, "That's correct."

Chairman Unruh said, "Okay. Well, one other question I guess, and just in general terms, I think . . . I mean, I'm very happy that you all are such a good team player and I know that it's part of your product that you all deal with and that you all need the resource also, so it's beneficial to both of us, I guess. But I think one of the things that I want to say is that people need to be aware that dealing

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in recyclable goods does have costs associated with it and it's just now at the point this commodity is returning some revenue. So the whole issue of recycling is a complicated thing and a lot of folks really want us to recycle urgently, and yet there are costs associated with it.

This covers approximately 25% of our costs in picking up those goods and get them to someone who can use them. So, a complicated process but the folks need to be aware that there's no free lunch and there's costs associated with this, but in spite of that, thank you very much for being a team player and rebating some of that revenue to us. Commissioner Sciortino."

Commissioner Sciortino said, "I was remiss too. I want to publicly thank you and acknowledge that Weyerhaeuser did this, as I understand it, totally voluntarily. You just decided, 'Yeah, you know, why don't we share in some of the good fortune' and it's seldom that we hear that, that someone will just voluntarily feel that they want to be a good corporate citizen and I want to acknowledge that publicly that we really do appreciate it.

And am I right in my assumption that of all the stuff that's gathered in these, you only get the newsprint. Is that correct, or do they put everything there?"

Ms. Lemen said, "We receive everything from the drop-off containers."

Commissioner Sciortino said, "What do you do with like the aluminum cans and those things?"

Ms. Lemen said, "The tin cans and the aluminum cans are separated and there's a market for each of those and then also the magazines are shipped to a mill. So we do recycle everything that comes to us. I think there's 1% of that material that is trash, but the vast majority of it is recycled."

Commissioner Sciortino said, "Is there any profit in aluminum and tin that we might be able to work on?"

Ms. Sanders said, "There's a enormous market for aluminum. However, we see very little aluminum entering these drop-off boxes. If somebody is going to collect it, they're going to sell it for their own. Those who do take it, it's scavenged out of the bins, and I have seen that personally myself."

Commissioner Sciortino said, "You'll never see a Sciortino can there. My wife . . . I mean, our garage gets full of aluminum cans and then she takes them all and that's some 'mad money' for her, so I was surprised that we were even collecting cans that way, but okay."

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Chairman Unruh said, "All right, thank you. Commissioner Winters."

Commissioner Winters said, "Well, I'd just make one additional comment, to follow along with Commissioner Sciortino, we are very fortunate to have Weyerhaeuser located in our community. Their principle business is paper, news is a big part of their operations and they may not always use the news in their facilities, but they are such a large market themselves for old newsprint, that having them in our community, in a new, modern facility that's already there working and operating I think it's a tremendous asset and as we move forward, in the total solid waste planning effort, which we . . . I think, most admit that it's not completed yet, we continue to work on this process, we're very fortunate to have a facility like Weyerhaeuser here and we appreciate doing business with you."

Chairman Unruh said, "Yes. One other question, Bridget. Who is our . . . who is your biggest market for the recycled paper? It seems like one time you told me it was China or something."

Ms. Lemen said, "For recycled paper it's Weyerhaeuser, because half of what we recycle at our facility is corrugated cardboard and that's one of the reasons that we're able to stay in the business, even through the down cycle, because our number one goal is to provide corrugated to our mill in Valian, Oklahoma. So we're able to weather those down cycles exactly because of that fact."

Right now, there are several markets for, if you're talking specifically about newspaper, there are several markets. We have a mill in NorPak in Longview, Washington that some newspaper is shipped there. We aren't currently shipping there. We ship to a Mexico market."

Chairman Unruh said, "Okay. Well, thank you. Commissioners?"

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Bridget and Gil, thanks for being here. Jo, thank you for the presentation. Clerk, call the next item.”

E. RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT IMPROVEMENTS TO EXISTING ROADS IN THE COUNTY; PROVIDING FOR ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF; AND PROVIDING FOR PUBLICATION AS REQUIRED BY LAW.

Mr. Chris Chronis, Chief Financial Officer, Division of Finance, greeted the Commissioners and said, “In our adopted Capital Improvement Program, in 2005, among other projects, we have included two road projects that are to be funded in part with the proceeds of a General Obligation Bond issue.

Those two road projects are the widening of 63rd Street South, between Buckner and Rock Road and the continuation of that project on 63rd Street South, from Rock Road to the Butler County line.

The two projects are, in total, those two projects are 15.3 million dollars. Of that total, \$4,000,000 is to come from bond proceeds. The resolution that’s before you today does four things. First, it makes the formal declaration that improvement of those roads is necessary and authorizes the staff to proceed with those projects. Secondly, it indicates your intent to sell bonds in the amount of \$4,000,000 plus issuance and financing costs to pay for a portion of the cost of those projects.

Third, it declares your intent to reimburse county cash balances for any expenditures on those projects that may have to be incurred prior to the sale of the bonds. And finally, it directs the County Clerk to advertise this resolution twice, after which a 90-day protest period will commence.

At the end of that 90-day period, if there hasn’t been a valid protest petition filed, then we have the legal authority to proceed with the sale of these . . . to proceed with the actions to sell these General Obligation Bonds.

We will be coming back to you at that time, closer to the bond sale, for the specific authorization to sell the bonds. These bonds are within all of the limits that are contained in the county’s debt policy. As you know, we have established a series of measures, benchmarks that identify effectively how much debt the county is allowed to issue. That is a more restrictive set of limitations than the statutory limitation that all county governments in Kansas are under. This debt

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is within all of those limits. If we proceed with this sale, these will be 20-year bonds. We estimate, based on current market conditions, that the average annual debt service will be about \$295,000. The expectation is that that will be repaid with property taxes, although that will be an annual budgetary decision. If it is repaid by property taxes, based on the current digest, the current assessed values in the community that would require a tax rate of nine one-hundredths of a mill. And that of course would come from our existing tax levy. If there are no questions, I recommend your approval of the resolution that's before you."

Chairman Unruh said, "Okay, thank you for that presentation, Chris. This is formalizing our plans that we've agreed upon, dotting the 'i's and crossing the 't's so that we can proceed and comply with all the legal and statutory requirements?"

Mr. Chronis said, "Yes, sir. This is one of the necessary steps to issue bonds for roads."

Chairman Unruh said, "And you indicated that we were complying with all of our in-house benchmarks to make sure we're in-bounds for good financial management. How many of those different benchmarks do we consider? Is there one, two, five?"

Mr. Chronis said, "We have five and in addition, we have a measure on repayment of debt. That is, our policy requires us to structure debt so that it is repaid within a certain number of years, in aggregate. The five limitations are first, the per capita direct debt that is the debt that's been issued by Sedgwick County. Secondly, the direct debt as a percentage of the full market value in the community, the appraised values in the community. Third, the per capita debt as a percentage of the total community debt, that is the debt that's been issued by Sedgwick County and all other governments in Sedgwick County. Fourth that total debt as a percentage of market value of property and finally, the annual debt service, as a percentage of our general obligation and debt service budgets."

Chairman Unruh said, "Okay. And by being in compliance with those benchmarks, it maintains our high rating with bonding companies and makes us a four-star candidate, or whatever the right terminology might be."

Mr. Chronis said, "It gives us a very good credit rating, yes. It helps us get a very good credit rating. Our rating right now is triple-A with Fitch and one notch below triple-A with the other two rating agencies, Moodys and Standard and Poors."

Chairman Unruh said, "Okay, thank you. Commissioners, are there any other questions of Mr.

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Chronis?”

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Norton seconded the motion.

Chairman Unruh said, “All right, thank you. Commissioner Winters.”

Commissioner Winters said, “Yes, I just would like to acknowledge that Joe Norton, with Gilmore and Bell, our bond counsel is here and we appreciate his assistance and guidance through all of these procedures, making sure that every ‘t’ is crossed and ‘i’ is dotted. Thank you.”

Chairman Unruh said, “Okay. Any other comment, Commissioners? If not, Madam Clerk, call the vote.”

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you, Chris and thank you, Joe. Madam Clerk, call the next item.”

- F. RELEASE OF LIABILITY WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC. TO USE A BUILDING AT 925 NORTH EMPORIA, WICHITA, FOR TRAINING PURPOSES.**

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Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, I want to withdraw this item. This is a building that we were going to be training in and there’s some problems with that in use of the dogs. We were going to use it for the Sheriff’s dog training, and because of the asbestos, that’s not going to be possible. So we don’t need to adopt this item under this agenda. We do have a similar one for the Fire Department which I will recommend we approve. So, I guess this would be an indefinite deferral.”

Chairman Unruh said, “Okay. Does that require action for us to withdraw it?”

Mr. Euson said, “I think you should have a Motion to defer indefinitely.”

MOTION

Commissioner Sciortino moved to defer Item F indefinitely.

Commissioner Winters seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Call the next item.”

G. AGREEMENT WITH CITY OF WICHITA, KANSAS PROVIDING JOINT FUNDING FOR THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT.

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Ms. Jennifer Magana, Assistant County Counselor, County Counselor's Office, greeted the Commissioners and said, "You have before you, the annual joint funding agreement with the City of Wichita to jointly fund the City of Wichita/ Sedgwick County Metropolitan Area Planning Department. I would recommend you approve agreement and authorize the Chairman to sign."

Chairman Unruh said, "Okay, thank you Jennifer. This has been . . . how many years have we been in this agreement?"

Ms. Magana said, "I can't exactly say, but I think this agreement is funded by a resolution back to '92. Before that, there's been a number of years where this department has been jointly funded. While the City of Wichita administers the department, the city and county jointly funded this department for a number of years."

Chairman Unruh said, "Okay. Well, this is one of those agreements where I think it's been working very well. We've got a good partnership with the City in dealing with planning issues, so I'm going to be supportive of this. Commissioner Sciortino."

Commissioner Sciortino said, "I don't know for sure, Jennifer, this is directed to you or Mr. Buchanan but does the county get involved in working with the Metropolitan Area Planning Department in coming up with their budget, just like we do other departments, 'No, we don't think you really need'. Do we get directly involved in that planning process, Mr. Buchanan?"

Mr. Buchanan said, "To Mr. Schlegel's delight, the budget folks from both the City of County sit down and hash out what we think the appropriate number is for the planning department."

Commissioner Sciortino said, "To his delight. Okay, good."

Chairman Unruh said, "With two authoritative folks sitting down, trying to hash it out, that just really makes the process a lot more delightful, doesn't it."

Commissioner Sciortino said, "And John, you agree that you're just delighted over this. Okay."

Chairman Unruh said, "Okay. Any other . . . Commissioner Winters."

Commissioner Winters said, "I'd just make a brief comment to say that I'm certainly going to agree that this is the way that we need to continue this operation and be supportive and I see that John Schlegel is here. John is relatively new to this community and would just make a comment from the bench that I believe that the planning department is working very efficiently and he has

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certainly brought some additional talents to the community and we're very appreciative of John's work at the Metropolitan Area Planning Department. He seems to be willing to work with everyone in the Sedgwick County organization, any department, and he is certainly helping us as we try to work with other county issues, as we go through the Comprehensive Plan, seems to be very open and very accommodating to what citizens, commissioners, and planning commissioners are thinking about. So as we take a moment to approve this agreement, it looks to me like things are working well. Thank you."

Chairman Unruh said, "Thank you. And I think we all agree with Commissioner Winters' sentiments. You came here and jumped right in the middle of a lot of fun issues, you're doing a great job, we appreciate it. Commissioner Norton."

Commissioner Norton said, "In past years, this has been an item of contention between the county and the city over some of it and there are some subtle changes and would you remunerate those as to what has changed from the past contracts we've had."

Ms. Magana said, "Over the years, the city and county . . . the county has asked for some participation in the review of the department director, and that's a slight change from over the history of the agreement."

Commissioner Norton said, "And actually, I think that was one of the critical talking points that we had between city and county is that, as we move forward and brought John Schlegel onboard and have, I think, upgraded the staff, we wanted to have a little more input into that position and the review and subsequent raise that goes with it, but certainly with the review of that individual, which we'd never had. As I remember, it fell strictly to the city manager, and because that position really works for the county too and has so much to do with the small city growth and the growth boundaries that push out into the county, we wanted a little more input, and I see that in the contract that's the one item that has really changed, and I think this is a much better contract because of that. Thank you, Mr. Chair."

Chairman Unruh said, "Thank you. All right, any other discussion? If not, I believe we're ready for a Motion."

MOTION

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

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Commissioner Sciortino seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, Jennifer. Next item."

H. AGREEMENT FOR USE OF KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "The agreement before you this morning for approval is our standard lease agreement that we utilize for major tenants: the Thunder, the Wichita Stealth, the Wichita Wings. This agreement is for the All American Professional Basketball League, which is looking to play its inaugural season at the Kansas Coliseum starting in November of 2005. It will mean an additional 30 events to our event calendar. It will certainly mean an increase in attendance on a yearly basis, increasing concession sales. We recommend approval of the agreement. We're certainly looking forward to starting this worthwhile venture."

Chairman Unruh said, "Thank you, John. Is there any comment or question of Mr. Nath? Commissioner Burtnett."

Commissioner Burtnett said, "I was noticing on Item 19, under the broadcast rights there was some verbiage crossed out. Is that . . .?"

Mr. Nath said, "That's really not an issue. They certainly have the right to broadcast the visiting games back to wherever the visiting team is from. That's really not an issue. We have taken care of any rights fees in the base rent, so that's fine."

Commissioner Burtnett said, "Okay."

Chairman Unruh said, "Okay, thank you. Commissioner Norton."

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Commissioner Norton said, "Well, this comes as such a surprise to me. I just want to let you know that I'd be very supportive of this. I think it's wonderful that we've kind of filled in the gaps and we've taken a little criticism lately because the numbers don't always look like other people want them to, and this is going to be a boost to those numbers at the Coliseum and we hope that the franchise is here for many, many more years to come."

Chairman Unruh said, "Okay, thank you. Commissioner Winters."

Commissioner Winters said, "All right. John, my only real question is just that you've done some due diligence background with this organization and everything appears, as far as you can tell, to be on the up and up and this is the kind of company that we would like to do business with and hold up the tradition of those current and past tenants that we've had good working relations with. This is a legitimate, squared away operation."

Mr. Nath said, "Absolutely. We're quite comfortable with our event partner, the All American Professional League. It has agreements in place, I think, with seven other cities right now with the hope of starting the season with 12."

We had talked to both this league and the MBA Developmental League that was looking to come into the Midwest. Both were presented with a proposal at the same time, and that's about as far as it went with the other league. And as far as I know, even though they did contact a whole lot of buildings in our area, in our region, in the Midwest, I think they changed direction, because nobody has come to an agreement, that I know of, with the other league. This league has signed agreements with many of the other buildings."

Commissioner Winters said, "Okay. And this is a one-year agreement?"

Mr. Nath said, "This is a one-year agreement, Commissioner. We still have a little . . . we're still not set in our future plans past this year. Hopefully, the sales tax will go through Topeka. Then we can start planning on what we're going to do for the remaining years. But obviously, our current clients get the first right of refusal."

Commissioner Winters said, "Will you have to do any major work at the Coliseum, or is this just like 'Come on in, we're ready to play basketball any evening'?"

Mr. Nath said, "Well, we actually did this two years ago, when W.S.U. played there. So, the court is in great shape, we're ready to play."

Commissioner Winters said, "So it's not going to take any major capital construction or any

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projects out there.”

Mr. Nath said, “No, sir.”

Commissioner Winters said, “Well, I’m going to be supportive of this. It was interesting and I know that different reporters can see things in a different way, but you know I was a little . . . perplexed maybe is the best word. Last Tuesday, on January 18th, where the headline in the Eagle was ‘Coliseum Crowds Fell by 21% in 2004’ and we all know, of course that was the year after W.S.U. stopped playing at the Coliseum and we never expected them to be a long-term client at the Coliseum. And then in yesterday’s paper, as another reporter viewed it, here is a new team that is going to have 31 home games putting itself in direct competition with Wichita State Basketball and Hockey Thunder, like this is a bad thing. Well, I don’t see that as a bad thing. Those two stories do not connect.

I think, John, that we appreciate your work in trying to, again, get the people in the door at the Kansas Coliseum and, as our numbers are down, this is the kind of thing that others in the community shouldn’t worry about as competition and we should all look about as bringing another event, another activity, another sports arena for people who want to watch that kind of event and I’m confident that W.S.U. is not shaking at all about whether this is going to be competition to them. They’re having a fantastic season. It looks like they’ll have a fantastic season next year and hopefully for many years to come. So I see this as one more opportunity to bring some events, new events, new attractions to the community.

And in thinking even about this headline of how things are down at the coliseum, I asked our Communications to just again look at this weekend, what’s happening in the next week or so here. We’ve got the boat show at Century II, we’ve got the pops classic concert, Thunder is playing hockey, the Wichita Dog Club Show is here in town, Sesame Street Live is going to be here, Friends is playing basketball, men’s Shockers are playing basketball, women’s basketball is here, and the Old Cowtown Museum is having their Grand Statehood Victorian Ball. So again, lots of things happening in this community and this is just going to be one more that we can add to the list, so I’m going to be very supportive of this.”

Chairman Unruh said, “And Commissioner Winters is going to be very busy this weekend, if he’s going to make all these events. But this whole entertainment and athletic competition environment is so volatile and so competitive that when we can get, I think, outstanding teams and outstanding opportunities in any of the venues in our area, we need to take advantage of them, so I’m going to being very supportive also. Commissioner Sciortino.”

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Commissioner Sciortino said, “Thank you. And I too was a little bit disappointed in the headline and the article about the competition and what have you. I still can’t figure out how a basketball event can compete with a Thunder event, because it’s not going to be held on the same day, I don’t think. And also, I think that people need to know that the Britt Brown Arena is a public building that the citizens of Sedgwick County have built and we have charged John Nath with trying to utilize that building as much as he can to bring in revenue to offset the cost of the public facility. So, I think you’re doing your job in renting out that facility and we’re going to get another entertainment program coming in for the benefit of the citizens of Sedgwick County. So I don’t see how that’s going to adversely affect the Thunder.

I agree with Commissioner Winters, with what W.S.U. is doing. I don’t think they’re concerned that all of the sudden all of their fans are going to stop going to W.S.U. games and now go to see a professional team. I would think that a basketball fan might just add that to his little calendar of events of things he wishes to see, so I applaud you for aggressively working towards trying to utilize that public facility to its maximum.”

Mr. Nath said, “Thank you, Commissioner. This is all about growth, this is all about providing a variety of options for people to spend their leisure time.”

Commissioner Sciortino said, “They didn’t recruit you to play, did they?”

Mr. Nath said, “I’ve got a disease, I can’t jump and I’m slow.”

Chairman Unruh said, “I understand. Thank you. Commissioner Norton.”

Commissioner Norton said, “Well, I agree with my colleagues. I mean, in Wichita we don’t quit building restaurants just because we already have restaurants. I mean, and yes there’s going to be a shift, there could be a shift, but you hope that it builds that entertainment cluster for everybody to enjoy, regionally.

The other thing, I think Wichita basketball players would love this, because if they can’t make it to the MBA, maybe some of our own local players can make it to some of these leagues that are start-up leagues that are stepping stones. So you know, there’s going to be a chance that some good W.S.U. players will be playing in this league over the years and will come back to this home area and play before home crowds and that builds a symmetry that promotes Wichita, as opposed to be

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negative. So, I'm going to be very supportive."

Chairman Unruh said, "Okay, thank you. John, before we get a motion and a vote here, is there anyone here that . . . representatives that you would want to introduce?"

Mr. Nath said, "Commissioners, Mr. Worth Christy, the president of the league, is here and if you would so indulge him, I'm sure he'd like to say a few things."

Chairman Unruh said, "Please. Just state your name, sir and welcome."

Mr. Worthy Christy, President, All American Basketball League, greeted the Commissioners and said, "I want to thank John and the commission for inviting us here. Wichita is one of the key cities that we wanted from day one to come into and we're thrilled to be invited in here. Kansas Coliseum will be the largest venue in our league and certainly one that we feel is one of the more important and we look forward to putting a very competitive ball club here that does include some Shockers and Jayhawks and Wildcats right here in Wichita."

Chairman Unruh said, "You said all the right names."

Commissioner Norton said, "I'm glad you got K-State in there right at the last or you would have lost a vote."

Ms. Christy said, "Wichita and then this county has kind of always been special to me. Back during the second world war, when I was, I guess, an infant, my dad was sent down here with the Martin Company from Omaha, and I guess he was down here for four or five months and my mother didn't hear from him, didn't hear from him. When he came back she said, 'Well, what were you doing?' he said, 'I don't know, but it was something big'. And then, when they dropped the atomic bomb, he realized that he had been a production foreman on the conversion of the Enola Gay, which took place here in Wichita. So, it goes back and when the team is announced, you'll find a little remembrance of that in the team name."

And then, I remember in 1982 I was stationed in Fairbanks, Alaska and was a baseball coach up there and he had a pitcher that . . . some guy by the name of Red Boucher wanted, to pitch with the Fairbanks' Gold Panner, so I squeezed a ride on the trip and came down to Wichita and I know they said, 'Take enough money for two games' and we stuck around for the semi-finals, so it was kind of a thrill. So we're pleased to be back in Wichita."

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Chairman Unruh said, "Well, we're glad to have you back and appreciate the fact that you want to invest in our community. Now the official press release, the rollout of all this information, will be this afternoon in this room, I think. Is that correct?"

Commissioner Sciortino said, "2:00."

Mr. Christy said, "Great, wonderful, invite everyone to attend."

Chairman Unruh said, "Thank you. Commissioners, we're ready for a motion."

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, John."

Mr. Nath said, "Thank you. We'll see you at 2:00."

Chairman Unruh said, "Very good. We'll be here. Madam Clerk, call the next item please."

I. DIVISION OF HUMAN SERVICES - DEPARTMENT ON AGING.

- 1. CONTRACTS (TWO) TO PROVIDE SENIOR CENTER SERVICES TO OLDER ADULTS.**

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- **CITY OF HAYSVILLE – HAYSVILLE SENIOR CENTER**
- **CITY OF PARK CITY – PARK CITY SENIOR CENTER**

Ms. Monica Cissell, Program Manager, Department on Aging, greeted the Commissioners and said, “Today, I am standing in for Annette Graham and I’ve got two 2005 Aging mill levy contract agreements for Haysville Senior Center and Park City Senior Center. These programs have proven to be very successful and are helping older adults to access needed services to increase their independence and to promote socialization. The recommended action is that you approve the two 2005 Aging mill levy contracts and authorize the Chairman to sign.”

Chairman Unruh said, “Okay, thank you. Commissioner Winters.”

Commissioner Winters said, “Monica, these are just part of that long list that we did a couple of weeks ago. Is that right?”

Ms. Cissell said, “Yes.”

Commissioner Winters said, “Okay, thank you.”

Chairman Unruh said, “Any other discussion or questions, Commissioners? What’s the will of the Board?”

MOTION

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

Commissioner Sciortino seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye

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Commissioner Sciortino Aye
Chairman Unruh Aye

Chairman Unruh said, "Next item, please."

**2. GRANT APPLICATION TO KANSAS DEPARTMENT OF
TRANSPORTATION FOR FUNDING OF THE TRANSPORTATION
BROKERAGE'S RURAL PROGRAM.**

Ms. Cissell said, "This is a grant application to the Kansas Department of Transportation for funding of the Sedgwick County Transportation Brokerage's rural program. This is a two-year grant renewal and it funds specialized transportation provided to rural Sedgwick County citizens residing in Andale, Bentley, Cheney, Clearwater, Colwich, Garden Plain, Goddard, Mount Hope, Peck, Sedgwick, Schulte and Viola. And also included in this application is a proposal to a volunteer transportation program, which will be piloted in Bentley, Mount Hope and Garden Plain.

The recommended action is that you approve the grant application and authorize the Chairman to sign all the necessary documents and I'll be glad to answer any questions you might have."

Chairman Unruh said, "This transportation service that we provide, it is free to the folks who use that service?"

Ms. Cissell said, "I have the Director of Transportation, and she probably could fill you in a little bit more about that, Valerhy Harmon."

Chairman Unruh said, "All right, thank you for being here, Valerhy."

Ms. Valerhy Harmon, Director, Transportation Brokerage, Department on Aging, greeted the Commissioners and said, "The service requires a \$2.00 fee for utilizing it."

Chairman Unruh said, "And how many rides . . . do we have a number, quantify how many?"

Mrs. Harmon said, "Yes, total for the two-year grant period, it's over 10,000 rides."

Chairman Unruh said, "Okay, thank you. I don't know who was first here. Commissioner Norton."

Commissioner Norton said, "I can go first if you want me to. Valerhy . . . Oh, Valerhy left. Monica, some of this has changed recently, with the urban boundary changes and we've dropped

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some of the cities that used to be in this. Does it look like this is going to change again soon and drop out some more of these? It seems like we're giving less services to some of the outlying areas, as opposed to more. I know Haysville was in this for a long time, dropped out and it falls in the urban area now and that really hurts Haysville, because there isn't any bus service down there really and it really hurts some seniors and some disabled that don't have the ability to connect with this brokerage service. Am I correct there?"

Ms. Cissell said, "I'm sure Valerhy could probably best answer that."

Ms. Harmon said, "We have. The brokerage has continued to provide service to the eight communities that were delineated as urban, it's just under another grant that's coming from a federal source, through Wichita Transit, to the brokerage."

Commissioner Norton said, "Okay, so everybody is still being served and none of that's changed yet, although it could if funding changes."

Ms. Harmon said, "Correct."

Commissioner Norton said, "Yes, okay. Thanks, Val."

Chairman Unruh said, "Okay, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "A couple of things. Val, you come on up, because I think we're going to just keep trying to go to the source here. What types of rides would qualify? I mean, if a senior just wants to go to Wichita to go to a beauty salon . . . I mean, but what types of rides? Is it just any kind of a ride?"

Ms. Harmon said, "This rural grant requires that we provide rides to the general public. There are no restrictions on trip purpose. We do tend to prioritize though. Those that we give rides to the most often, the most frequently are, for instance, dialysis- life-saving treatments and other types of medical appointments."

Commissioner Sciortino said, "Is there any restrictions? I mean, can anybody ask for a ride, young, old? It doesn't have to be seniors, just anybody can ask for a ride?"

Ms. Harmon said, "This is correct."

Commissioner Sciortino said, "Okay. How does an individual get one scheduled. I mean, do you have a phone number they can call, because I have a feeling that some people don't realize this. How do they go about getting more information on how they could avail themselves of this

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service?”

Ms. Harmon said, “We publicize this in many different ways. We had a new brochure developed last year in English and Spanish. We provide them to doctors’ offices. We do publications in newspapers and newsletters. A lot of it is word by mouth, too.”

Commissioner Sciortino said, “Okay, how about a phone number.”

Ms. Harmon said, “We have one central phone number, 660-5150. We also have an 800-number for those that live . . . that would be long distance and it’s one central number to call for a ride.”

Commissioner Sciortino said, “And do you happen to know that 800 number? If you don’t, that’s okay. I’m not trying to embarrass you, but I’m just trying to get the information out to the public because maybe a lot of people don’t realize that we have this service.”

Ms. Harmon said, “I believe it’s 383-7298.”

Commissioner Sciortino said, “Okay, thank you.”

Chairman Unruh said, “Well, I think this is an important component of us allowing folks to be able to stay at home and not have to be moved into some other living circumstance. I mean, they need mobility and transportation ability to get around, and that allows them to stay in-home and that’s economically and socially appropriate thing to do, as long as we can provide it, so I’m very supportive. Commissioner Sciortino.”

Commissioner Sciortino said, “I’m really interested in this and maybe to pick up on what Commissioner Norton had, and these monies come from the fed? Is that correct, or from the state?”

Ms. Harmon said, “A portion of it comes from the federal government, FTA, the Federal Transit Administration, and a portion comes from KDOT and then we have a local match department.”

Commissioner Sciortino said, “Okay, and I don’t know how much all of that adds up to, but has anyone thought about taking availability of that money, maybe going to Wichita and saying ‘Hey, can you extend bus service down here and we’ll give you the money that we would be getting for this toward you and now they could have regular, normal, real bus service. Is that anything that we’re looking at?’”

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Ms. Harmon said, "That was looked at at the time when the changes took place and Wichita Transit had determined at that time that they opted for Sedgwick County to provide that service."

Commissioner Sciortino said, "Okay, and what is the vehicle that's used? Do we send a cab or is it a van, or what is it?"

Ms. Harmon said, "We contract with six providers and two of those are taxi cab services. The others are either private transportation providers or social service agencies that have vehicles."

Commissioner Sciortino said, "Okay. And how much . . . what is the lead time that your agency is asking these people . . . like if I want a ride this afternoon at one o'clock, am I too late to call now, or what is the lead time that you want?"

Ms. Harmon said, "It varies by the program. If we're talking about the brokerage as a whole, because we provide transportation in Wichita as well and this is for the rural grant."

Commissioner Sciortino said, "I'm talking about the rural grant."

Ms. Harmon said, "In the rural areas we do ask for two days notice, 48 hours. We do make exceptions on emergency basis."

Commissioner Sciortino said, "All right, thank you."

Chairman Unruh said, "Thank you. Are there any other questions, Commissioners?"

MOTION

Commissioner Norton moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve

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establishment of budget authority at the time the grant award documents are executed.

Commissioner Burtnett seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Monica and Valehry, thank you very much for being here. Call the next item please.”

J. DIVISION OF HUMAN SERVICES – COMCARE.

1. CONTRACT WITH REGIONAL PREVENTION CENTER TO PROVIDE SUBSTANCE ABUSE PREVENTION EDUCATION AND INFORMATION, AND REFERRAL SERVICES.

Mr. Tom Pletcher, Clinical Assistant Director of Mental Health, Comprehensive Community Care, greeted the Commissioners and said, “The first item before you is a renewal of a contract with the Regional Prevention Center that provides \$15,000 of county liquor tax funding. The purpose of the contract is to provide the Regional Prevention Center the financial support that they need to, one: increase the positive contributions of youth in the community, to promote the guiding principles of Wichita’s Promise and to the Communities that Care prevention models and to increase the public’s understanding of risk focused prevention. We would recommend that you approve the renewal of this contract.”

Chairman Unruh said, “Thank you. Any questions?”

Commissioner Winters said, “Just one. Tom, I’m going to be supportive of this, but I’ve kind of lost track of who the director is over at the Regional Prevention Center. Do you know that person’s name?”

Mr. Pletcher said, “No, I don’t know that off hand.”

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Commissioner Winters said, “Okay, if you could get . . .”

Commissioner Norton said, “It’s Danny Walters, I believe, is it not? Is he not the new. . .?”

Commissioner Winters said, “Well, I’m not sure. I’d thought they had had some changes, but I just wasn’t aware. Tom, maybe if you could just get that name and e-mail me who that person is now, I’d appreciate it.”

Chairman Unruh said, “Any other questions? What is the will of the Board?”

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item.”

- 2. CONTRACT WITH WICHITA PSYCHIATRIC CONSULTANTS TO PROVIDE IN-PATIENT PSYCHIATRIC SERVICES FOR COMCARE CLIENTS HOSPITALIZED AT VIA CHRISTI’S GOOD SHEPHERD CAMPUS.**

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Mr. Pletcher said, “This is a renewal of the contract with Wichita Psychiatric Consultants to provide in-patient rounding and related care to COMCARE clients who are psychiatrically hospitalized at Via Christi Good Shepard campus. The rate for 2005 remains the same as last year. The responsibilities for this psychiatric provider group provide all the customary duties performed by physicians who round on patients in the hospital.

COMCARE typically has between 25 and 30 patients in the in-patient setting on any given day. The contract provides rounding coverage 365 days a year. We would recommend that you approve the continuation of this contract.”

MOTION

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

Commissioner Winters seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item.”

3. AMENDMENT TO AGREEMENT WITH FAMILY CONSULTATION SERVICE OF WICHITA, INC., EXPANDING THERAPY SERVICES TO YOUTH IN SCHOOLS.

Mr. Pletcher said, “The document before you is an amendment to our agreement with Family

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Consultation Service, which allows FCS to maintain its status as a community mental health center and therefore be eligible to receive a portion of a certified match and state aid that comes to this community.

This amendment adds \$100,000 in certified match so that they can expand therapy services provided by Family Consultation Services to youth in area schools. We would recommend that you approve this amendment.”

Chairman Unruh said, “Are there any questions?”

Commissioner Winters said, “Just one, Mr. Chairman. Family Consultation Service is someone that we’ve done long term business with, is that not right?”

Mr. Pletcher said, “That’s correct.”

Commissioner Winters said, “And this is a continuation of that.”

Mr. Pletcher said, “That’s correct.”

Commissioner Winters said, “That’s all.”

Chairman Unruh said, “Okay, thank you. Any other questions? What’s the will of the Board?”

MOTION

Commissioner Winters moved to approve the Amendment to Agreement and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye

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Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, Tom, appreciate the presentation. Call the next item, please."

DIVISION OF HUMAN SERVICES - DEPARTMENT OF CORRECTIONS

K. GRANT APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY FOR STATE FISCAL YEAR 2006 CORE PROGRAM FUNDING.

Ms. Chris Morales, Systems Integration Coordinator, Department of Corrections, greeted the Commissioners and said, "As you know, this is the time of year that we submit our community funding grant applications to the Kansas Juvenile Justice Authority. Today we're here with the CORE program grant application for state fiscal year 2006.

The CORE programs include: the Juvenile Intake and Assessment Center, Juvenile Case Management program and Juvenile Intensive Supervision program. It is anticipated that the award for these programs will remain the same at the current funding level, which is \$2,596,851. If the award were to change at the end of the legislative session, we will be back to you with a revised budget proposal.

Team Justice, your juvenile corrections advisory board, has approved this application at their January meeting and we are asking you to also approve it and authorize the Chair to sign. Be happy to answer any questions you have."

Chairman Unruh said, "Commissioners, are there any questions of Chris?"

Commissioner Winters said, "Mr. Chairman, if I could, I would just say Chris, this is again a continuation of the core services that we provide with funding through the State of Kansas and so it appears that there's no changes in this? The money seems to be the same. We're going to continue on with these juvenile justice programs, as we have in the past."

Ms. Morales said, "Yes, that is correct."

Commissioner Winters said, "Okay."

Chairman Unruh said, "Okay, thank you. Any other questions?"

MOTION

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

Commissioner Winters seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you, Chris. Call the next item.”

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

L. LETTER OF AGREEMENT WITH SUNFLOWER FOUNDATION FOR USE OF KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT TOBACCO USE PREVENTION PROGRAM FUNDING.

Ms. Aiko Allen, Division Director, Health Promotion and Disease Prevention, Health Department, greeted the Commissioners and said, “I’m here to talk with you about a KDHE contract, through Sunflower Foundation, for a campaign that we hope to coordinate, deliver and develop to increase public awareness of the health effects associated with environmental tobacco smoke.

Our health promotion program at the Health Department coordinates health education information in four areas: initiation of tobacco use among young people, promoting quitting among young people and adults, eliminating non-smoker’s exposure to environmental tobacco smoke and identifying and eliminating the disparities related to tobacco use and its effects among different population groups and we would recommend acceptance of this award.”

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Chairman Unruh said, “Okay, thank you. Are there any questions or comments? I’ll just say that this is a good public awareness effort. Just in our family we’re not smokers and so we think that everybody, the world is going along fine but there’s still a health problem out there or health issue and so these sort of efforts, I think, are helpful.

The other day, my wife and I were at a restaurant and someone next to us was smoking and we didn’t realize what a difference it makes, you know, when you’re not used to it and all of the sudden you’re around environmental smoke. So, I think it’s a good program, something we should be doing. Are there any other comments or questions?”

MOTION

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

Commissioner Burtnett seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you, Aiko. Madam Clerk, call the next item.”

M. DECLINATION BY DONALD R. SEIWERT OF ELECTION TO THE OFFICE OF VIOLA TOWNSHIP TRUSTEE.

Mr. Euson said, “Commissioners, Mr. Seiwert was elected in 2002 to a four-year term as the clerk of Viola Township and in 2004 he was written in to the position of trustee. The law says that if he accepts the position of trustee, he vacates the office of the clerk. He wants to continue as clerk, and

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so he does not want to accept the trustee's position and he has declined to accept it. We thought we ought to put this on the commissioner's agenda, to receive and file, just as a formal recognition of that, so that when you do fill that position, you'll have this of record. So, I recommend you receive and file."

Chairman Unruh said, "Okay, thank you. Commissioner Winters."

Commissioner Winters said, "Mr. Chairman, I guess I'll be the one that 'receives and files' as this Viola Township is in my district and I will start the process of finding a replacement for Mr. Seiwert, who was elected and already held a position on the board. I think he's doing an excellent job and, as you can see, when people didn't see his name on the ballot, they wrote his name in because they wanted to keep him there."

MOTION

Commissioner Winters moved to receive and file.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Okay, thank you Rich. Next item please."

N. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JANUARY 20, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of the 20th resulted in six items for consideration today.

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**1) IP PHONES- DIVISION OF INFORMATION & OPERATIONS
FUNDING: VOIP RESERVE**

The first item, voice-over IP phones for the Division of Information and Operations. Recommend the low bid from Insight Public Sector in the amount of \$34,608.08.

**2) GAS CHROMATOGRAPH/ AUTO SAMPLER/ MASS SPECTROMETER & DATA SYSTEM FORENSIC SCIENCE CENTER
FUNDING: BYRNE GRANT**

The second item, a gas chromatograph, auto sampler, mass spectrometer and data system for the Forensic Science Center. Recommendation is low bid meeting specifications from Quantum Analytics in the amount of \$80,388.

**3) CRANE REPAIR- FLEET MANAGEMENT
FUNDING: VEHICLE ACQUISITION**

Item three, crane repair for Fleet Management. Recommend the low proposal from Jayhawk Crane in the amount of \$39,685.

**4) BANKING SERVICES- FINANCE
FUNDING: FINANCE**

Item four, banking services for the Division of Finance. Recommend to exercise a two-year option to renew the contract with UMB Bank for an estimated annual cost of \$120,755.

**5) BOILER- FACILITIES MAINTENANCE
FUNDING: FACILITIES MAINTENANCE**

Item five is a boiler for the Adult Detention Facility on behalf of Facilities Maintenance. Recommend the low bid from Midwest Sales, PVI Industries in the amount of \$63,092.

**6) LICENSE & MAINTENANCE AGREEMENT- DIVISION OF INFORMATION & OPERATIONS
FUNDING: SYSTEMS & SECURITY**

And the sixth item is license and maintenance agreement for the VM/ MVS software for Division of Information and Operations. And the recommendation is to accept the expenditure with Computer

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Associates International for \$86,825 per year for a total two-year cost of \$173,650.

Would be happy to answer any questions and I recommend approval of these items.”

Chairman Unruh said, “Okay, thank you Iris. Commissioner Norton.”

Commissioner Norton said, “Well, I know what a gas chromatograph, auto sampler and mass spectrometer are, but I think maybe my colleagues might need some explanation. What is that?”

Ms. Baker said, “I can’t answer that, Forensic Science Center isn’t here, but it works . . . the forensic analysis they do, in molecular . . . and I’m sure you can probably answer that better than I could.”

Commissioner Norton said, “Well, that’s \$80,000 we’re spending on something I can’t even pronounce, I just wanted to be sure . . . kind of knew what it was.”

Ms. Baker said, “Very unique piece of equipment.”

Chairman Unruh said, “Okay, well thank you, Commissioner.”

Commissioner Winters said, “Somebody send Commissioner Norton a note.”

Ms. Baker said, “I will do that.”

Chairman Unruh said, “Commissioner Winters.”

Commissioner Winters said, “David, on the crane repair, is this the crane that your bridge crew who does our own construction in-house uses? Is that what this is?”

Mr. David Spears, Director, Bureau of Public Works, said, “That’s correct, yes sir. It’s the crane that we use . . . that our people use, in-house, to build about ten timber bridges a year.”

Commissioner Winters said, “Then I assume that you’ve worked with Fleet and determined it’s better to overhaul this crane than to buy a new one? I suppose this is considerably cheaper than that.”

Mr. Spears said, “This is considerably cheaper. It’s one of those deals where . . . I don’t know how best to say this. It’s not the thing you really want to do, but you’re almost forced into it because of

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the price of a new crane and I think Marv is here today, if he would want to address that also.”

Commissioner Winters said, “All right. I assume this is not a high-use piece of equipment, but one you have to have if you’re going to build a bridge.”

Mr. Spears said, “That’s correct.”

Commissioner Winters said, “I’m satisfied with that. I just wanted to make sure I knew what it was. Thank you.”

Chairman Unruh said, “Marvin, do you have anything to add to Mr. Spears’ explanation?”

Mr. Marvin Duncan, Director, Fleet Maintenance, said, “No, sir.”

Chairman Unruh said, “Any other questions, Commissioners? If not, we’re ready for a motion.”

MOTION

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

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you, Iris. Next item please.”

CONSENT AGENDA

O. CONSENT AGENDA.

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1. **Easement for Right-of-Way for Sedgwick County project on the east side of 199th Street West. District #3.**
2. **Temporary Construction Easement for Sedgwick County Project 616-3 through 36; widening of 13th Street North between K-96 and 159th Street East. CIP# R-253. District #1.**
3. **Annual Report for the Sedgwick County Foreign-Trade Zone Project for the 2003-2004 Federal Fiscal Year.**
4. **Addendum to Contract for Audit Services with Allen, Gibbs, and Houlik, L.C.**
5. **Case Numbers ZON2001-00067 and CON2001-00059 – Extension of time to complete platting requirement for a zone change from “RR” rural residential to “SF-20” single family and a conditional use for an on-site community alternative sewer system, generally located north of 47th Street South and west of Greenwich Road. District #5.**
6. **Letters of termination (five) to agencies providing services for youth with HealthWave Insurance.**
 - Higher Ground
 - Sumner Mental Health Center
 - Family Consultation Service
 - Wichita Child Guidance Center
 - South Central Mental Health Counseling Center
7. **Order dated January 19, 2005 to correct tax roll for change of assessment.**
8. **General Bills Check Register(s) for the week of January 19 – 25, 2005.**

Mr. Buchanan said, “You have the consent agenda before you and I would recommend you approve it.”

Chairman Unruh said, “Okay. We have a question. Commissioner Norton.”

Commissioner Norton said, “Explain item six, letters of termination to those five organizations, those are organizations we deal with all the time and HealthWave is a pretty important avenue for young people to get health care. What are we doing there?”

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Mr. Buchanan said, “These six contractors are being terminated under the HealthWave Insurance program, because the state . . . we’ve restructured how that’s going to be provided, so we need to cancel the contracts under the current provision and regroup and re-enter contracts under the new provisions of the HealthWave Insurance. It was a change at the state level about how this was going to be . . . how HealthWave services were going to be provided, different agency is doing it, managing it. These are our subcontractors. We’re canceling those contracts and we’ll re-enter contracts with them.”

Commissioner Norton said, “So this is kind of a first step of a several step process. That’s all I have.”

Chairman Unruh said, “Okay. Any other questions?”

MOTION

Commissioner Norton moved to approve the consent agenda as presented.

Commissioner Burtnett seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you. Let’s see, we need to have a Fire District meeting now, so I will adjourn . . . recess, I beg your pardon, I knew that wasn’t the right word when I said it. We will recess this meeting.”

The Board of Sedgwick County Commissioners recessed into Fire District Meeting at 10:20 a.m. and returned at 10:24 a.m.

Chairman Unruh said, “Commissioners, we need to go into Executive Session, but before we do that, now is the time for comments on community activity or community news, if you have something. Commissioner Sciortino.”

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P. OTHER

Commissioner Sciortino said, “Yeah, as Commissioner Winters said, there’s a lot of activity going on this weekend, but one that is not maybe . . . well, it couldn’t be construed as entertainment, but the Oaklawn community, on their own, are having a tree limb pick-up, clean-up day Saturday. They’re soliciting volunteers. They ask the volunteers to show up around 8:00 at the Oaklawn Center. That is 2937 Oaklawn Drive. They’re going to be going through the neighborhoods picking up the limbs. They have a disposal place that they’ve already located. They will serve lunch to the volunteers and if anybody would just like to help, we would greatly appreciate it.”

Chairman Unruh said, “Okay, thank you. Well, any other community news? Well, before we have a Motion for the exec meeting, I want to say now, say it again perhaps at the end of the meeting, we are going to be starting an hour later next week, so those of you who are watching on television and for the commissioners, we want to remind you that our start time next week is at 10 a.m. rather than at 9 a.m.

So with that, we need a Motion to go into Executive meeting.”

EXECUTIVE SESSION

MOTION

Commissioner Sciortino moved to recess into executive session for 40 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation and legal advise and personnel matters of non-elected personnel and that the Board of County Commissioners return to this room from executive session no sooner than 11:10 a.m.

Commissioner Winters seconded the motion.

There was no discussion, the vote was called.

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner McGinn	Aye
Commissioner Sciortino	Aye
Chairman Winters	Aye

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Chairman Unruh said, "We're recessed into Executive Session."

The Board of Sedgwick County Commissioners recessed into executive session at 10:26 am and returned at 11:52 a.m.

Chairman Unruh said, "I want to state that, according to state law, no binding action was taken while we were in Executive Session. And first of all, Mr. Euson, do you have anything to report or say?"

Mr. Euson said, "No, I do not."

Chairman Unruh said, "Okay. Well, I would like to say that the Board of County Commissioners, while we were in Executive Session, discussed adjustment to the County Manager's position and we have considered a market adjustment to his compensation, after reviewing compensation to the chief executives in other counties and other cities in our area, we came to the conclusion that the County Manager's compensation was not currently at a competitive rate and was out of balance with the market.

Routinely, our Division of Human Resources reviews positions to assure that we are competitive and that we are within the market, and so when positions come out of balance, we make those adjustments. It's been a process that we've been involved in for several years and it's been throughout the county organization.

After making that review, we have come to the conclusion that we want to increase the manager's salary by six and a half percent to a total of \$159,200. We have been pleased with the manager's . . ."

Commissioner Sciortino said, "\$152,955."

Chairman Unruh said, "I beg your pardon, I said that wrong, thank you commissioners, \$152,900, I had it written down wrong. We have been pleased with Mr. Buchanan's performance. He's had a lot of pressure, a lot of big issues that he's had to deal with. There's significant challenges ahead, including the downtown arena, workforce development, fire station relocation and then continuing all the public services that we currently offer."

MOTION

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Chairman Unruh moved to that the Board amend Section 3 of the employment agreement dated February 13th, 1991 between the Board of Sedgwick County Commissioners and William P. Buchanan to read as follows: in return for services rendered hereunder employer agrees to increase employee's current annual salary by 6.5% to a total amount of \$152,900, payable in installments every two weeks, effective with a pay period beginning February 6th, 2005. I further move that this Board direct the County Counselor to prepare the necessary contract amendment and authorize the Chairman to sign.

Commissioner Sciortino seconded the motion.

Chairman Unruh said, "Is there any discussion relative to this Motion?"

Commissioner Sciortino said, "Yeah, I have one. I think it's important to say that this is a one-time salary adjustment, based on the marketplace demands and it has nothing to do with his performance or his evaluation or anything about . . . it's an adjustment based on the marketplace that has gotten out of wack and if it's effective February 6th, his compensation for . . . I'm confused about it, since we're not making it retroactive to January 1st, it won't be the full year, 152,955. It will be whatever . . . that's his annual compensation, but this year he won't receive it all, since we started February 6th. That's kind of a moot point, but I think he understands it."

Commissioner Winters said, "That's the way it's stated, it is annual."

Chairman Unruh said, "As an annual salary, correct. All right, thank you Commissioner. Any more? All right, Commissioner Norton."

Commissioner Norton said, "Well, I just on the record wanted to be sure that constituents knew that we worked long and hard on this. This is not something that we tackled today for 15 minutes. This has been an ongoing process for several months, as we tried to analyze the marketplace, tried to analyze what the job of county manager is in a county that's growing and taking on larger responsibilities. I think we asked a lot of tough questions, to make sure that we took prudent action when it comes to salary increases for our Chief Executive Officer and I'm

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going to be supportive of that today, but that there was, I think, grave discussions about where we're going with this salary and how we came to those conclusions and it was not done in a frivolous manner, over a 15 minute period, but over a longer introspective time. That's all I have, Mr. Chair."

Chairman Unruh said, "Okay, thank you Commissioner. Any other comments? Seeing no more comments, Madam Clerk would you call the vote."

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Mr. Buchanan said, "Mr. Chairman, thank you very much."

Chairman Unruh said, "You're very welcome, sir. Is there anything else to come before the Board this morning? If not, we are adjourned."

Q. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:59 a.m.

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

Regular Meeting, January 26, 2005

DAVID M. UNRUH, Chairman,
First District

BEN SCIORTINO, Chair Pro Tem
Fifth District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

LUCY BURTNETT, Commissioner
Fourth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2005