

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

June 22, 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, June 22, 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; Mr. Don Brace, County Clerk; Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C.; Ms. Misha Jacob, Management Intern, County Manager's Office; Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Lieutenant Roy Mitchell, Sheriff's Office; Sheriff Gary Steed, Sheriff's Office; Dr. Timothy Rohrig, Director, Forensic Science Laboratories, Regional Forensic Science Center; Mr. Mark Masterson, Director, Department of Corrections; Ms. Megan Campbell, Senior Attorney, Office of Court Trustee, Eighteenth Judicial District; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Dr. Deloris Craig-Moreland, Member, Community Corrections Advisory Board.
Mr. Bill N. Fox, Member, Community Corrections Advisory Board.
Mr. Theron Black, Member, Sedgwick County Advisory Council on Aging.
Ms. Betsy Kelly, Member, Sedgwick County Advisory Council on Aging.
Ms. Kathleen Gideon, Member, Sedgwick County Board of Zoning Appeals.
Mr. Richard Schodorf, Member, Sales Tax Oversight Committee.
Mr. Bruce Armstrong, Member, Sales Tax Oversight Committee.

INVOCATION

The Invocation was led by Reverend William Mulford of Grace Presbyterian Church, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, June 8, 2005

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The Clerk reported that all Commissioners were present at the Regular Meeting of June 8th, 2005.

Chairman Unruh said, "Commissioners, you've had the opportunity to review the Minutes of June 8th. Are there any additions or corrections?"

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of June 8th, 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 | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Next item please."

APPOINTMENTS

A. RESIGNATIONS.

1. RESIGNATION OF BETH GARRISON (COMMISSIONER WINTERS' APPOINTMENT) FROM THE WICHITA AIRPORT ADVISORY BOARD.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Commissioners, Beth Garrison has tendered her resignation from the Airport Advisory Board and we ask that you accept the resignation."

MOTION

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Commissioner Norton moved to accept the resignation.

Commissioner Winters seconded the Motion.

Commissioner Winters said, “And Mr. Chairman, I would like to make a comment if I could.”

Chairman Unruh said, “Please do.”

Commissioner Winters said, “In seconding that, I would like to just recognize Beth for her contributions. She has assisted Sedgwick County on several projects, even going back as far as she was on a task force to analyze voting machines. The current voting machines that we’re using now, she served on the Sedgwick County Building Commission. She was part of the Coliseum task force. So, she has given her time and efforts to many projects that Sedgwick County has been involved in and I certainly want to thank her for her service on the Airport Advisory Board.”

Chairman Unruh said, “All right, thank you. Is there any other comment or discussion? Seeing none, we have a Motion and a Second, so call the vote please.”

VOTE

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

Chairman Unruh said, “Next item.”

2. RESIGNATION OF DR. DELORES CRAIG-MORELAND (BOARD OF COUNTY COMMISSIONERS’ APPOINTMENT) FROM THE COMMUNITY CORRECTIONS ADVISORY BOARD.

Mr. Euson said, “Commissioners, Dr. Delores Craig-Moreland has tendered her resignation as a commission appointment to this board and later on, in the appointment section, we see an appointment as an education representative, but in this position we’ve asked her to tender her resignation.”

MOTION

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Commissioner Norton moved to accept the resignation.

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. RESIGNATION OF DR. PAUL CROMWELL (BOARD OF COUNTY COMMISSIONERS' EDUCATION APPOINTMENT) FROM THE COMMUNITY CORRECTIONS ADVISORY BOARD.

Mr. Euson said, "Again Commissioners, we would ask that you accept Dr. Cromwell's resignation."

MOTION

Commissioner Sciortino moved to accept the resignation.

Commissioner Norton seconded the Motion.

Chairman Unruh said, "Thank you. Is there any comment?"

Commissioner Winters said, "Yes, I'd like to make a comment. Mr. Chairman, back when we first started the juvenile justice process of reform, with new legislation that came in in the late '90s, Dr. Cromwell was very helpful to Sedgwick County and a committee of citizens that worked on

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that, so I know he has served in various portions for a while, but I certainly want to thank him back for those very earliest first years of '89, '90, when things were kind of struggling along. I think the university, along with Dr. Craig, really gave us some stability and some legitimacy in the state's eyes and really for developing good programs, so I appreciate all the work he's done."

Chairman Unruh said, "Well thank you, and I would second that also for his work on the Criminal Justice Coordinating Council. He's been an active citizen on behalf of all the citizens of Sedgwick County, so appreciate that. Is there any other comments? We have a Motion and a Second, so call the vote please."

VOTE

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

Chairman Unruh said, "Next item please."

B. APPOINTMENTS.

1. RESOLUTION APPOINTING DR. DELORIS CRAIG-MORELAND (BOARD OF COUNTY COMMISSIONERS' EDUCATION APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.

Mr. Euson said, "Commissioners, this resolution would appoint Dr. Deloris Craig-Moreland to the position that Dr. Cromwell just resigned from and this will expire February of 2007 and I would ask that you adopt the resolution."

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

MOTION

Commissioner Winters moved to adopt the Resolution.

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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, “And Dr. Craig- Moreland is here and County Clerk Don Brace will go through the procedure of swearing her in.”

Mr. Don Brace, County Clerk, 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 the Office of Sedgwick County Community Corrections Advisory Board, so help me God.”

Dr. Deloris Craig-Moreland, Member, Community Corrections Advisory Board, said, “I do.”

Mr. Brace said, “Congratulations.”

Chairman Unruh said, “Well Dr. Craig, you were not going to get away from us, if you resign one, we’re putting you back on another one, immediately. Would you like to make a comment?”

Dr. Craig-Moreland said, “Oh, just that I enjoy very much the opportunities to be involved in Sedgwick County activities and appreciate the opportunity. Thank you.”

Chairman Unruh said, “Well thank you. We’re thankful for your willingness to serve. Madam Clerk, call the next item please.”

2. RESOLUTION NOMINATING DWIGHT GREENLEE (COMMISSIONER WINTERS’ RECOMMENDATION) TO THE WICHITA AIRPORT ADVISORY BOARD.

Mr. Euson said, “Commissioners, you have five representatives on the Wichita Airport Advisory

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Board, and it's time to make nominations for those, all of whom serve a two-year term July 1 through June 30, and this one is to fill a vacancy that you had created earlier, and I would recommend that you adopt the resolution."

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

MOTION

Commissioner Winters moved to adopt the Resolution.

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 |

Commissioner Winters said, "Mr. Chairman, I don't believe Mr. Greenlee is here."

Chairman Unruh said, "Okay, all right, well we'll go through that process at another time then I guess. Please call the next item."

3. RESOLUTION APPOINTING BILL N. FOX (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.

Mr. Euson said, "Commissioners, this would appoint Bill Fox to the at-large appointment that was created by a vacancy earlier and Bill Fox has served as the City's representative to this board and he

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will now serve as the County representative and I would recommend that you adopt the resolution.”

Chairman Unruh said, “Okay, thank you. Commissioners, discussion?”

MOTION

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

Chairman Unruh said, “And Mr. Fox is here, so Mr. Brace, would you do the honors please.”

Mr. Brace said, “Bill, we’ve done this many times. 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 the Office of Sedgwick County Community Corrections Advisory Board, so help me God.”

Mr. Bill N. Fox, Member, Sedgwick County Community Corrections Advisory Board, said, “I do.”

Mr. Brace said, “Congratulations, Bill.”

Mr. Fox said, “Thank you very much. I consider this a real honor and the Community Corrections Advisory Board is a great group and we’ve got a great director. Thank you.”

Chairman Unruh said, “Thank you, Bill. We appreciate your willingness to serve. Madam Clerk, call the next item.”

4. RESOLUTION REAPPOINTING JANET VALENTE PAPE (BOARD OF

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**COUNTY COMMISSIONERS' APPOINTMENT) TO THE COMMUNITY
CORRECTIONS ADVISORY BOARD.**

Mr. Euson said, "Commissioners, this reappointment is for a term to expire in April, 2007 and I recommend you adopt the resolution."

Chairman Unruh said, "Thank you. Is there any comment or discussion from commissioners?"

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

Chairman Unruh said, "And Janet is not present this morning. So Madam Clerk, please call the next item."

**5. RESOLUTION REAPPOINTING THERON BLACK (COMMISSIONER
NORTON'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY
COUNCIL ON AGING.**

Mr. Euson said, "Commissioners, the Advisory Council on Aging members are four-year terms and this is a reappointment to expire in 2009. I recommend that you adopt the resolution."

MOTION

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Commissioner Norton moved to adopt the Resolution.

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

Chairman Unruh said, "And Theron is here, so we'll have him sworn in."

Mr. Brace said, "Please raise your right hand."

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Sedgwick County Advisory Council on Aging, so help me God."

Mr. Theron Black, Member, Sedgwick County Advisory Council on Aging, said, "I do."

Mr. Brace said, "Congratulations."

Mr. Black said, "I personally want to express my appreciate to the commission for their support of the activities we engage in and certainly there's plenty of additional things that we could do, but you know, funds sometimes are a little short. I wish we could get the same cooperation out of the state legislature that we can get out of the commission. Thank you."

Chairman Unruh said, "Thank you, Theron. We appreciate your service on this Aging Council. Madam Clerk, call the next item."

6. RESOLUTION REAPPOINTING BETSY KELLY (COMMISSIONER NORTON'S APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.

Mr. Euson said, "Commissioners, this is a reappointment to expire in February of 2009 and I would recommend you adopt this resolution."

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MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Winters 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, “And Betsy is here. Maybe she would like to stand up.”

Mr. Brace said, “One thing about this job, I meet old friends. Betsy and I go back about 25 years ago.”

Commissioner Norton said, “That’s o-l-e, not o-l-d, right.”

Mr. Brace said, “Right. Hi, Betsy. 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 the Office of Sedgwick County Community Advisory Council on Aging, so help me God.”

Ms. Betsy Kelly, Member, Sedgwick County Advisory Board on Aging, said, “I do.”

Mr. Brace said, “Congratulations.”

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Ms. Kelly said, "Thank you, Commissioners. Thanks."

Chairman Unruh said, "Thank you, Betsy. Appreciate your willingness to serve. Madam Clerk, call the next item."

7. RESOLUTION REAPPOINTING KATHLEEN GIDEON (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.

Mr. Euson said, "Commissioners, by statute, the Board of Zoning Appeals members serve three-year terms and this reappointment for another term."

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Burtnett 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 Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Mr. Clerk, would you please swear in Ms. Gideon."

Mr. Brace said, "Please raise your right hand. Thank you."

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Sedgwick County Community Board of Zoning Appeals, so help me God."

Ms. Kathleen Gideon, Member, Sedgwick County Board of Zoning Appeals, said, "I do."

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Mr. Brace said, "Congratulations."

Ms. Gideon said, "Thank you for asking me again. It is a privilege and a true education. Thank you."

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

**8. RESOLUTION APPOINTING DENNIS GRUENBACHER
(COMMISSIONER BURTNETT'S APPOINTMENT) TO THE SEDGWICK
COUNTY BOARD OF ZONING APPEALS.**

Mr. Euson said, "Commissioners, we have prepared this resolution for a term to expire April, 2010 and I recommend you adopt it."

Chairman Unruh said, "Thank you. Is there any comment or discussion on this?"

MOTION

Commissioner Burtnett moved to adopt the Resolution.

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 Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Is Dennis present? Okay, thank you very much. We appreciate all those who have served and who are willing to serve to help county government do the good work of government and provide services to our constituency. So, appreciate you all. At this time

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Commissioners, I would like to take an off-agenda item, actually two off-agenda items and I think we can probably do this with just one motion for off-agenda.”

MOTION

Commissioner Winters moved to consider two off agenda items.

Commissioner Sciortino 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 Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, “Madam Clerk, will you call the first off agenda item.”

NOTICE OF PUBLIC HEARING FOR JULY 6, 2005 AT 9:00 A.M. REGARDING PROPOSED STATEMENT OF COSTS AND ASSESSMENT ROLL FOR PRAIRIE CROSSING 2ND ADDITION ROAD IMPROVEMENTS IN THE COUNTY.

POWERPOINT PRESENTATION

Mr. Joe Norton, Bond Counsel, Gilmore & Bell P.C., greeted the Commissioners and said, “First thank you for agreeing to take this item up off-agenda today.

For your consideration, our final cost statements for Prairie Crossings 2nd Addition street improvements. That’s a project that the county has previously authorized. It is now complete and time to spread those assessments for 100% of the costs to the property within the benefit district.

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The project is located just south of Central and west of 151st Street West.

On the screen before you is the final statement of costs prepared by Public Works, showing the costs is \$211,349.22, which is less than the initial estimate of \$224,000. There are 13 properties within the benefit district. The petition requesting the project asked they be assessed equally, which would be \$16,257.63 per lot.

The scheduled events would be that, assuming you take action this morning, we would publish notice of the hearing and mail notice of the hearing to all property owners affected. The hearing would be on July 6th. If action is taken then to assess the property owners, they would receive additional notification on the 8th and have 30 days in which to pay in assessments in full, or if not, then they would be spread on the property tax rolls for 15 years, with interest at the rate charged by the county, not with bonds this time. This project would be financed by a state revolving fund loan, administered by the Kansas Department of Transportation.

And the county has already done one of these in the past and this would be a second one, very favorable interest rate and avoiding some issuance cost on the bonds. So basically, the requested action is to approve these costs, set July 6th at 9 a.m. as a date and time for public hearing and authorize the notice of that hearing to be disseminated.”

MOTION

Commissioner Norton moved to approve the Statement of Costs, Assessment Roll and Notice of Public Hearing, establish July 6, 2005 at 9:00 a.m. as the date and time for a public hearing; and authorize the Notice to be published and mailed as required by law.

Commissioner Burnett seconded the Motion.

Chairman Unruh said, “We have a Motion and a Second. Is there any question or discussion? Joe, I just wanted to make clear one thing. Even though this is coming out of a state fund, there is an interest rate, it’s just very favorable.”

Mr. Norton said, “That’s correct.”

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Chairman Unruh said, "Okay, thank you. Any other discussion? Seeing none, call the vote."

VOTE

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

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

SELECTION AND CERTIFICATION OF ONE VOTING DELEGATE FOR ELECTION OF THE KANSAS REPRESENTATIVE TO THE GOVERNING BOARD OF THE NATIONAL ASSOCIATION OF COUNTIES.

Chairman Unruh said, "Commissioners, as you are aware, we are a member of the Kansas Association of Counties and by virtue of that membership, we have a vote for the Kansas delegate to the Governing Board of NACo and that process requires us to select one of us to be the voting delegate. And so we need to do that and then we have to have the vote cast here in the next few weeks. So we need nominations I guess, or a Motion."

Commissioner Winters said, "Well, if there's no other questions or comment, I would just suggest we have the Chairman be our voting delegate and if there's any other comments."

MOTION

Commissioner Winters moved to selection Chairman Unruh as the voting delegate for the National Association of Counties election of a Kansas Director.

Commissioner Sciortino 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 |

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|------------------------|-----|
| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Thank you. We can now return to our regular agenda and Madam Clerk, would you call the next item please."

NEW BUSINESS

C. RESOLUTION ESTABLISHING A SALES TAX OVERSIGHT COMMITTEE.

Ms. Misha Jacob, Management Intern, County Manager's Office, greeted the Commissioners and said, "I believe you have before you a resolution establishing the Arena Sales Tax Oversight Committee. The purpose of this committee is to insure the citizens of Sedgwick County that all money collected under the terms of the special 1% sales tax increase are spent specifically on the arena project.

The committee itself will be responsible for reviewing and monitoring project progress, generated revenue and all expenditures. Membership of this committee consists of 10 total members. The members will serve from the date of their appointment, which is today, until the 30th day following the public opening of the arena.

Any vacancies that occur during this time period will be filled by your designation. All findings of this committee will be reported to you at least once every six months. The conclusions will support that all money usages are in compliance with the purposes approved by the voters. All reports will be officially filed with the county clerk.

The meetings, a tentative schedule has not yet been set. The first meeting is expected to take place within a month of this appointment. At that time, the committee will designate a chairperson and then the committee itself will then decide, at the first meeting, how often they chose to meet. It will most likely be more frequent at first, and then follow a more regular schedule.

Meetings can be held, officially, at any place in the county, as long as the public is notified of the location. Quorum for these meetings is half of the membership, plus one, which will be six members. If you have any questions, I'll try to answer those. If not, I suggest that you adopt this resolution."

Chairman Unruh said, "Okay, thank you. We do have a question. Commissioner Sciortino."

Commissioner Sciortino said, "Actually Misha, it's of the Manager. If I could make this just in

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my old proverbial Kansas kitchen English, this oversight committee, Bill if I understand it correctly, it's like balancing a checkbook. Is that correct? When you get ready to do your work, you verify how much money was deposited into the account and verify what checks were written and to whom and to what amount and then you have an ending balance and then when you start again . . . is that a good analogy, it's like balancing your checkbook?"

Mr. William P. Buchanan, County Manager, said, "That's one analogy, yes, and that is a good analogy."

Commissioner Sciortino said, "Okay. Is there another? I'm trying to get it across to the public. Is there a better analogy to make?"

Mr. Buchanan said, "I can't think of one right at this moment."

Commissioner Sciortino said, "Okay, thank you."

Commissioner Norton said, "Well, certainly part of it too will be making sure we're not writing checks for things that are outside the arena. That the balances are right, but it's not being spent for superfluous things that don't have anything to do . . ."

Commissioner Sciortino said, "Right, it's only being spent for those things that the taxpayers voted on and approved of. Right, okay. Well, I think that's important because the county really goes that extra yard to try to conduct its business publicly and openly and in the public eye and I think this will be another example of how we try to conduct our business here at the county, and I think the public will appreciate us letting them look over our shoulder, because this whole idea about 'trust me' doesn't cut too much water with the taxpayers. Thank you. That's all I had."

Chairman Unruh said, "Well, Misha, you verbalized this in such a way that you said that we would get reports at least every six months?"

Ms. Jacobs said, "That is correct."

Chairman Unruh said, "I mean, you stated it that way, because early on there's nothing to report

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on, but later on we might get monthly reports. Is that . . .?”

Ms. Jacobs said, “That is correct.”

Chairman Unruh said, “Okay, very good. Well, I just wanted to say that I appreciate these folks being willing to serve and I know that my appointees came early, when we were establishing the strategy, to say they’re willing to serve in whatever way would be helpful and although this is kind of a dollars and sense, grind it out type committee and some have expressed, ‘It such would be fun to be on the other committee’ but they said we’ll be happy to serve wherever it is helpful to the community and I appreciate that willingness. It is responsibility and it does take time and so we’re thankful for folks willing to step up and do the job.

Well, Commissioners, is there any other comments?”

MOTION

Commissioner Norton moved to adopt the Resolution.

Commissioner Burtnett seconded the Motion.

Chairman Unruh said, “Thank you. Is there any discussion on the Motion?”

Commissioner Norton said, “The only discussion I’d have, we do have two appointees here and I’d like to bring them up and recognize them, once we’ve passed the resolution. Of course, we hadn’t said that we really want them on the thing yet until we vote. I think we better do that first.”

Chairman Unruh said, “That’s a good idea. Let’s get them officially in. Okay, commissioners, any other discussion? Seeing none, call the vote.”

VOTE

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

Chairman Unruh said, “Thank you. Now those new appointees that are here.

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Commissioner Norton said, "Mayor Armstrong and Richard Schodorf are the two that I recognize anyway."

Chairman Unruh said, "Okay. Well, we're happy that you're here. Would either of you like to make a comment? This is an opportunity . . ."

Commissioner Sciortino said, "You're not asking an attorney if he wants to talk, and a mayor. We'll be here all day."

Chairman Unruh said, "Well, we're willing to risk it. We know these guys."

Mr. Richard Schodorf, member, Sales Tax Oversight Committee, said, "And that's all I'm going to say is I thank you very much for this honor, to be part of this project is very gratifying and I think this is something that's going to . . . a chance my kids get a chance to see and it's going to make this community a lot better and I thank the commission and especially Commissioner Sciortino for your forming this committee and for doing this project. Thank you."

Commissioner Sciortino said, "Thank you that you're serving."

Chairman Unruh said, "Mr. Mayor."

Mr. Bruce Armstrong, Member, Sales Tax Oversight Committee, said, "I'd like to again second what everybody has said. I think it's a very important committee to the county and to the area itself and the arena, I think, is also very important to our economic development here. And I commend you for setting up this oversight committee. Thank you for the appointment."

Chairman Unruh said, "Thank you, Bruce. Okay, thank you Misha. We're ready for the next item."

D. RESOLUTION IMPOSING SOLID WASTE FEES FOR 2006.

Mr. Chris Chronis, Chief Financial Officer, Division of Finance, greeted the Commissioners and said, "The state law authorizes the county to impose solid waste fees to pay for specified solid waste programs. And if you chose to do so, you're required to adopt the fee prior to July 1st of a year for a fee to be effective in the following year. And so the action that's before you today is to adopt solid waste fees that would be effective in 2006.

Those fees will appear on Ad Valorem tax bills that will be issued to every property owner in the county later this year, and the fee will be paid in the same manner as property taxes are paid, in two

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installments. The fees that are contained in the resolution before you are intended to produce a total of \$675,000 in 2006 that will help to fund a solid waste program that is expected to cost a total of about \$1,600,000 in 2006. The balance of the funding for that program will come from other operating income of the Solid Waste program, various regulatory fees that we receive and from existing fund balances.

The fees that are necessary to support the program next year, and to provide the necessary revenue are established at \$3.57 for every dwelling unit, every residential dwelling unit in the county and a based, non-residential fee of \$3.82 that will apply to every developed, non-residential property in the county.

The non-residential fees are sorted into tiers, based on the waste generation characteristics of the property and the range of fees for non-residential properties that are key to that base rate will be \$2.86 up to \$5.73. And then, for the highest tier, which consists primarily of the shopping malls, that have many tenants, the fee is the base rate, \$3.82, times the number of tenants.

Again, those fees will appear on property tax bills that are issued in November and December of this year and will be paid in two installments, in December and then again in May of 2006. If you have no questions about this, I would recommend you approve the resolution that's before you."

Chairman Unruh said, "Commissioners, are there any comment or discussion? I would just want to point out that these fees being based on the relative costs of the programs that we're planning, even though the rate is fluctuating over the last few years, we're still 20% less than we were in 2003, so we're trying to do a good job of managing those fees. Is there any other comment? What's the will of the Board?"

MOTION

Commissioner Winters moved to adopt the Resolution.

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 |

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Chairman Unruh

Aye

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

E. GRANT AWARD FROM DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, IN THE AMOUNT OF \$390,000 TO CONTINUE FUNDING THE EXPLOITED AND MISSING CHILDREN'S UNIT, INTERNET CRIMES AGAINST CHILDREN.

Sheriff Gary Steed, Sheriff's Office, greeted the Commissioners and said, "I'm here to request approval for a grant, a federal grant to fund our Internet Crimes Against Children task force. It's a grant in the amount of \$390,000 to fund us through June of '06. The grant pays for two detectives, one from the Sheriff's Office and one from the Wichita Police Department that work over in our EMCU, Exploited and Missing Children Unit task force and they investigate Internet crimes specifically, Internet crimes against children. Pays for the detectives, it pays for the supplies and such that they use, along with the technologies. As you know, in computers, the technology is constantly changing, constantly needing updating, and so it helps us keep up with that.

It also provides for training, not just for the task force, but for public training, community education, on Internet safety, especially for kids and educates parents and it does that throughout the state, not just here in Wichita and Sedgwick County.

It's a little bit unique this year in that the funding includes \$20,000 in pass-through grants that we will be passing on to smaller law enforcement agencies in Kansas to assist in Internet Crimes Against Children.

As you know . . . perhaps you don't know, most locations, the Internet Crimes Against Children task forces are state agencies, or agencies with larger jurisdictions. Locally, we are a local agency and we don't have a lot of jurisdiction in Garden City or Hays or some of the smaller unit. They don't have the resources to investigate these type of crimes, and so they rely on our Internet Crimes Task Force. This allows those agencies to have jurisdiction and have assistance and have equipment from us so that they can do their own investigations and thus take some of the load off of our local task force.

I'm ready to answer questions and I would request that you accept the grant award and authorize the project director, Lieutenant Roy Mitchell, to sign all necessary documents, including the cooperative agreement documents and approve establishment of budget authority at the time the grant award documents are executed."

MOTION

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Commissioner Norton moved to approve the Grant Award and authorize the Project Director, Lieutenant Roy Mitchell, to sign all necessary documents, including the Cooperative Agreement; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Burtnett seconded the Motion.

Chairman Unruh said, "Discussion? I have a question. Is this the entire budget for Exploited and Missing . . .?"

Sheriff Steed said, "No, this is just the ICAC portion of that and we have other detectives and other folks over there. It's a budget that we share with SRS and the Wichita Police Department and Sedgwick County and we all contribute a third to the budget and it's administered through the Sheriff's Office, through Sedgwick County."

Chairman Unruh said, "Okay, thank you. Well, it's . . . I mean, this is a profound evil, when people do crimes against children and I'm glad we're doing what we can to try to mitigate the situation. What are the number of children that we have, that fall in this category?"

Sheriff Steed said, "You know, I don't have the statistics off the top of my head. I see Lieutenant Roy Mitchell, whose commander and perhaps he might have some type of numbers or some type of thoughts. He's a little more directly involved with those type of numbers."

Lieutenant Roy Mitchell, Sheriff's Office, greeted the Commissioners and said, "Locally, we're increasing about 25%. Last year, we had roughly 25 to 26 children locally that were victimized on-line. And aside from that, there's the unknown decoy that our detectives go on-line and that's probably another 15 or 20 cases a year where we have people traveling into our community to meet our children to have sex, and they just don't figure out till they get here that the person they're meeting is really one of our detectives. So, probably 25 or 30 that we know of, probably a lot more than that that we don't, but we're working diligently to focus some education and arrests will help take care of this."

Chairman Unruh said, "Okay, thank you. Well, one is too many, so we appreciate your work. Commissioner Norton."

Commissioner Norton said, "Well, I tell you, this unit does such great work and it's just a shame that our society has to deal with such pervasive and predatory actions by our citizens. But they do great work and I'm going to be very supportive of this."

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Chairman Unruh said, "Okay, thank you. Is there any other discussion, Commissioners? Seeing none, we have a Motion and a Second, so please call the vote."

VOTE

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

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

F. GRANT APPLICATION TO NATIONAL INSTITUTE OF JUSTICE FOR A DNA CAPACITY ENHANCEMENT GRANT.

Dr. Timothy Rohrig, Director, Forensic Science Laboratories, Regional Forensic Science Center, greeted the Commissioners and said, "Before you today, you have a grant application to the National Institute of Justice to allow us to buy some additional scientific equipment to enhance the capacity of our DNA laboratory. The grant is in the amount of \$54,075. It's a no-match grant that is 100% federal dollars. This will allow us to buy a piece of equipment called Real Time PCR and also an evidence drying cabinet. I would stand ready to answer any questions you may have and recommend that you approve the grant award and authorize the Chairman or his designee to sign the grant application."

Chairman Unruh said, "Okay, thank you Dr. Rohrig. Is there any discussion or questions about this item?"

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MOTION

Commissioner Sciortino moved to approve the Grant Application and authorize the Chairman or his designee to submit on-line; authorize the Chairman to sign 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 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, Dr. Rohrig. Next item please."

DIVISION OF PUBLIC SAFETY – DEPARTMENT OF CORRECTIONS

G. GRANT APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY FOR FUNDING OF A DISPROPORTIONATE MINORITY CONTACT PILOT PROJECT.

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, "Congress has mandated the states to address the high number of minority youth who become involved in the juvenile justice system. The Kansas Advisory Group on Juvenile Justice and Delinquency Prevention has formed a statewide task force to begin to address this issue more thoroughly in Kansas.

The task force is called the Disproportionate Minority Contact Committee, or DMC Committee. Sedgwick County members include myself, Representative Melody Miller, Deputy Chief of Police Terry Moses and Dr. Anita Raghuavan.

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The state committee developed a three-year pilot project to study and begin to identify solutions. The project began this year in three pilot communities: Sedgwick, Finney and Riley Counties.

Project activities focused on training, planning and analysis of data needs and capabilities. And this project mandates collections of data in ways that are not presently collected and so it requires a lot of setting up of the computer systems, to pull information from different data bases across nine different decision points in the Juvenile Justice System. So that's a significant piece of work that has to get set up and is underway and is continually being refined.

Each of the pilot communities has organized a structure to carry out there initiative and are receiving approximately \$50,000 each year for three years from the federal Title II funding. It is a non-competitive application, but we must submit it. In Sedgwick County, activities this year are focused on data collection, analysis and community engagement in neighborhoods with high numbers or minority youth coming into the system.

Preliminary analysis in our community shows that African Americans are the minority group most disproportionately seen in the juvenile justice system, followed by Hispanics. Our primary focus targets these two groups and communities to increase planning and prevention efforts. Before you this morning is our funding application for year two that begins October 1st. We're eligible to receive \$52,917. Our plan is to continue this work to define the data collection, continue work with the W.S.U. Self-Help Network, who helps us organize in these neighborhoods and develop groups that can help identify solutions.

Media to support neighborhood mobilization activities, travel for a team to attend the national DMC conference, where we hear about what's working in other places, and this is going on all over the country. And \$22,000 to pay for the legal portion of the detention advocacy service program. The program has been in operation since January, 2000 and provides specialized legal representation and case management services to minority and low-income youth detained in juvenile detention. The program provides the court with pre-trial release options.

Funding for this portion of the program is recommended here, out of these funds, to help address the short fall in state funding of the Juvenile Justice graduated sanctions budget. I'll be happy to answer any questions."

Chairman Unruh said, "Thank you, Mark. Commissioners, are there any comment or questions for clarification?"

Commissioner Sciortino said, "I just have one real brief one."

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Chairman Unruh said, "Mark, are you seeing some solution? Has there been some downturn in the disproportionate minority situation with our juveniles?"

Mr. Masterson said, "Commissioners, we've worked on this for a long time and put a range of detention alternatives in place in this community and regularly measure how those programs are used to insure they're being fairly used. Nationally, that's kind of the first step that communities take. We've done that ahead of this project, putting objective screening tools in place along the juvenile justice continuum is another strategy. We're done that here and continue to do that here. We have a detention utilization committee, with the judges and district attorney's defense council, our staff that meets monthly to review the use of our detention resources. That's a best practice strategy that we've been doing since 1996. We have lots of things that we do that improve the fairness in the system.

The other side of the coin is reducing the over-representation. It hasn't done much to do that. We've keep our detention numbers down, we've reduced it, but it hasn't done much to address the over-representation, which is why this . . . here in this community, we're targeting going out into neighborhoods where we have high numbers coming in and trying to mobilize the community, because that's where the ultimate solutions lie, in preventive activities, community building and we have some good work going on that we'll be able to announce soon the plan. We've had a steering committee working in three zip codes in northeast Wichita for about three months and that plan will come to fruition here very soon, be able to announce it and you'll be hearing more about it.

The over-representation, in short, has not been significantly reduced. However, the number in detention have been brought down. The fair and equal treatment in the system has been addressed, continues to be addressed and there isn't much room for us to make very significant strategies to impact there."

Commissioner Sciortino said, "Well, I think the main thing that wasn't said in here but it's just to make sure that all juveniles are treated fairly and if they break the law, they're going to go to pay the price, but just to make sure that the disproportionate isn't due to just the color of their skin or some other reason, but they're being treated fairly and I look forward to . . . I know you've done a lot of hard work in this area and I look forward to this report that's coming out. And I think that's what the public needs to know, is that our people are being treated fairly and equally, but if they break the law, they're going to have to pay the price. So, thank you very much. That's all I have."

Chairman Unruh said, "Okay, any other comments, Commissioners, or questions? Seeing none, what's the will of the board?"

MOTION

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Commissioner Sciortino 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 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, Mark. Next item please."

DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPARTMENT

H. GRANT APPLICATION TO DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR FUNDING OF A DEMONSTRATION PROJECT FOR THE MEDICAL RESERVE CORPS.

Mr. Buchanan said, "Good morning Commissioners. I'm Cindy Burbach."

Commissioner Sciortino said, "Hi, Cindy. I love what you've done with your hair."

Mr. Buchanan said, "There is apparently no one here from the Health Department. We're requesting this morning that you approve a grant application for the Department of Health and Human Services, for this demonstration of the Medical Reserve Corps."

The Medical Reserve Corps is a volunteer group of medical professionals who will come to our assistance and train and come to our assistance when there is a national disaster. One of the interesting things about this grant, it will help us to reach out and do this on a regional basis, rather

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than just for certain county and I think that's a helpful approach.

It's nice to see what we're doing with the Metropolitan Medical Response System and this is a piece of that Homeland Security Defense System management, so I would recommend that you move to approve filing for it."

Chairman Unruh said, "Okay, thank you Mr. Manager. I would be very much in favor of this. If we have some sort of an emergency crisis that we have to respond to, one of the things we know is that it's not just contained to a geographical boundary, but it's regional in nature and this helps address that. We also know that responding to a medical mass casualty is going to take a lot of people who know what they're doing, who have an idea of what to do in advance, so we're not training during the event, so all this helps solve that problem and gets lots of people involved so that we can have the best response.

So I'm very much supportive of it and what's the will of the board?"

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 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 |

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Chairman Unruh said, "Next item please."

I. ADJUSTMENT TO THE COURT TRUSTEE STAFFING TABLE TO INCLUDE ONE OFFICE SPECIALIST POSITION, B115; TWO LEGAL ASSISTANT POSITIONS, B217, ONE OFFICE ASSISTANT POSITION, B112, ONE SENIOR ADMINISTRATIVE OFFICER POSITION, B323; AND ONE ADMINISTRATIVE PROJECT MANAGER POSITION, B326.

Ms. Megan Campbell, Senior Attorney, Office of the Court Trustee, Eighteenth Judicial District, greeted the Commissioners and said, "I'm the Senior Deputy Court Trustee, acting Court Trustee while Gary Jarchow is deployed in Iraq. I'm before you to request that you approve the addition of six positions to our staffing table. The Office of the Court Trustee does child support enforcement. Currently, we are the contract holder with the Department of Social Rehabilitation Services to do their child support enforcement services for them.

Our contract, our three-year contract basically expires June 30th, 2005. Under our original contract, SRS has an option of extending that contract for two one-year periods. They have extended that contract for our first one-year, out of two possible one-year extensions.

During our negotiations, they did inform us that we need to significantly improve our number of outgoing interstate enforcement cases. What those are is people who live here but the obligor lives somewhere else. There's a uniform interstate foreign support act. You have to file paperwork to that state and ask them to register our orders and enforce them for us. With the increased mobility of our population, we are finding that this area of our enforcement has grown tremendously and currently we're not staying up with the number of cases that are being referred to us to file outgoing cases. We therefore feel that it is necessary to meet the needs of our contract with the Department of Social Rehabilitation Services to add additional personnel to do that work and therefore we're asking for additional additions to our staffing table to meet that need. Are there any questions?"

Chairman Unruh said, "Commissioners? Commissioner Norton."

Commissioner Norton said, "Mr. Manager, you've reviewed this a recommend that this is prudent action?"

Mr. Buchanan said, "Yes. So has Human Resources."

Chairman Unruh said, "And so the funding for this is . . . according to our backup, is in the Court

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Trustee's Offices.”

Ms. Campbell said, “Correct.”

Chairman Unruh said, “Okay. Commissioners, any other questions or . . .?”

MOTION

Commissioner Norton moved to approve the adjustment to the Court Trustee Staffing Table.

Commissioner Sciortino 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 Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, “Thank you, Megan.”

Commissioner Norton said, “Megan, have you heard from Gary?”

Ms. Campbell said, “Yes, we do periodically hear from him. He’s doing well, he’s safe. We were sorry to hear that his commanding officer was lost in action though, but we do have regular contact with him through e-mail.”

Commissioner Norton said, “Okay good. Thank you. Madam Clerk, call the next item.”

Commissioner Winters left the meeting room at 9:57 a.m.

**J. KANSAS DEPARTMENT OF TRANSPORTATION FORMS 1302 (FIVE),
REQUEST FOR CONSTRUCTION PROJECT, FOR SEDGWICK COUNTY
PROJECTS.**

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- 1. PROJECT NUMBER 823-X-1870; BRIDGE REPLACEMENT ON HYDRAULIC BETWEEN 63RD AND 71ST STREETS SOUTH. CIP# B-442. DISTRICT #2.**
- 2. PROJECT NUMBER 811-J, N ½ K; WIDENING OF RIDGE ROAD BETWEEN K-96 AND 53RD STREET NORTH. CIP# R-282. DISTRICT #4.**
- 3. PROJECT TO PURCHASE RIGHT-OF-WAY, ADD SHOULDERS, IMPROVE DRAINAGE AND REJUVENATE ASPHALT SURFACING ON SELECTED ROADS. CIP# R-306. ALL DISTRICTS.**
- 4. PROJECT NUMBER 807-S ½ J; WIDENING OF MAIZE ROAD FROM 45TH STREET NORTH TO THE OKT RAILROAD. CIP# R-304. DISTRICT #4.**
- 5. PROJECT NUMBER 803-S ½ Q – U; 135TH STREET WEST FROM ½ MILE NORTH OF US-54 TO K-42. CIP# R-303. DISTRICT #3.**

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, “I’d like to take all five of these items and just have one action at the end to approve all five. I consulted with Mr. Euson. He said that would be all right, if you approve that.”

Chairman Unruh said, “That will be fine.”

Mr. Spears said, “As mentioned in the CIP presentation to the commission last week, Items J-1 through J-5 are KDOT requests for construction project forms 1302, that initiate our request for construction and federal funding through KDOT.

Item J-1 is for the bridge replacement on Hydraulic, between 63rd and 71st Streets South, designated as B-442 in the Capital Improvement Program.

Item J-2 is for the widening of Ridge Road, between K-96 and 53rd Street North, designated as R-282 in the Capital Improvement Program.

Item J-3 is for the purchase of right-of-way, addition of shoulders, drainage improvements and asphalt rejuvenation on selected roads, designated as R-306 in the Capital Improvement Program.

Item J-4 is for the widening of Maize Road, from 45th Street North to the OKT Railroad, designated as R-304 in the Capital Improvement Program.

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And Item J-5 is for the road project on 135th Street West, from one half mile north of US-54, which is the Wichita city limits, to K-42, designated as R-303 in the Capital Improvement Program.

Recommend that you approve the request for construction projects Items J-1 through J-5 and authorize the Chairman to sign.”

Chairman Unruh said, “Thank you, David. We have a question. Commissioner Burtnett.”

Commissioner Burtnett said, “On J-2, would you please give that CIP number again, because it didn’t match what I have in my backup.”

Mr. Spears said, “It’s R-282. They left the 2 off, typo in the agenda.”

Commissioner Burtnett said, “No problem, I just wanted to make sure.”

Mr. Spears said, “It’s 282.”

Commissioner Burtnett said, “Thank you.”

Chairman Unruh said, “You didn’t want that project going somewhere else. I understand. Well, that proves the commissioners read and listen, at least Commissioner Burtnett. Any other questions? Seeing none, what’s the will of the Board?”

MOTION

Commissioner Sciortino moved to approve the Requests for Construction Project 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 | Absent |
| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

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

K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JUNE 16, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of June 16th results in five items for consideration today.

**1. ENTERPRISE BACKUP TAPE SYSTEM- DIVISION OF INFORMATION AND OPERATIONS
FUNDING: DATA CENTER**

First item is an Enterprise backup tape system for the Division of Information and Operations and the recommendation is to accept the proposal meeting requirements from MCSI, option two, including three-year maintenance agreement, for a total cost of \$161,696.14.

**2) SOFTWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS/
APPRAISER
FUNDING: GIS/ LAND TECH FUND**

Item two is ESRI software maintenance for the Division of Information and Operations and the Appraiser. The recommendation is the quote from ESRI in the amount of \$33,415.55.

**3) INFO PAK SOFTWARE- ENTERPRISE RESOURCE PLANNING
FUNDING: ERP**

Item three, info pak software for Enterprise Resource Planning. Recommendation is to accept the quote from SAP Public Services Incorporated, for a total cost of \$93,508.

**4) HARDWARE & SOFTWARE UPGRADE- ENTERPRISE PLANNING
FUNDING: ERP**

Item four, hardware and software upgrade for Enterprise Resource Planning. Recommendation is to accept the quote from XIOTech in the amount of \$47,443.

**5) PUBLIC SAFETY CENTER- FACILITY PROJECT SERVICES
FUNDING: CAPITAL IMPROVEMENT PROJECT**

And item five is public safety center for Facility Project Services. Recommend the low negotiated

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bid of Walz, Harman, Huffman for a cost of \$6,840,347. I would be happy to answer any questions and I recommend approval of these items.”

Chairman Unruh said, “Are there any questions, commissioners? Iris, on item one, we accepted a bid that was . . . it looks like it was kind of in the middle of the pack a little bit.”

Ms. Baker said, “Correct. It’s the low, meeting requirements.”

Chairman Unruh said, “Okay, it’s the low one that meets all the requirements for that technology.”

Ms. Baker said, “Correct.”

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

Commissioner Norton said, “Just that the item number five is a huge amount of money and it is going to build the new public safety center, but I’d like to call just extra attention to that, because it’s not a 30-40,000 approval. It’s a pretty big item to come across our desks, and I wanted to be sure the public saw that amount and heard it a second time, so that we didn’t just pass over it.”

Chairman Unruh said, “Now the negotiated amount there, I mean, that implies that the first group of bids we were not completely happy with, so we went back and reworked those, in order to stay in budget?”

Ms. Baker said, “Correct. It wasn’t that we weren’t happy, but it exceeded . . . when the bids came in, the lowest bid exceeded the project budget, so what the committee did was interview the three low bidders and the reason we selected the three low, one was low in cost, one was low in the number of days, it was about \$38,000 difference, the third low bidder was only \$2,000 different, higher from the second low. The rest of the bids, from that point on, were in excess of \$100,000 difference from the low bid.

So what we did was negotiate some value engineering, reducing size of equipment and so forth, so we wouldn’t affect the integrity of the building, but it also allowed us not to change the scope of the work, which would mean a new design, a re-bidding process, losing a lot of time, and the impact to cost would probably go up, because material costs are continuing to rise. So, we went through this value . . . we interviewed the three low bidders. Coonrod elected not to participate in the value engineering. They indicated they had other projects. They knew the two low firms were very qualified to do the work and one of them would probably get the award, so they elected not to participate in that. The other two, National Contractors and Walz, Harman, Huffman agreed to

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participate in this evaluation process and then re-submit it. That brought the value down within the project budget.”

Chairman Unruh said, “Okay, thank you. And evidently, the days to completion is not a critical issue with this, because there’s quite a variance there.”

Ms. Baker said, “That’s correct. It’s not a critical issue, because it’s in the original estimated time line to get this facility completed.”

Chairman Unruh said, “Okay, very good. Commissioner Sciortino.”

Commissioner Sciortino said, “Yeah, trying to stay with Item five, because I agree with Commissioner Norton, we’re talking close to \$7,000,000 in taxpayers’ money that we’re going to spend. I listened and I also got briefed earlier, prior to the meeting, on this. I know it’s subjective. You know, we picked the three lowest, but when we’re talking this much money, why not let all of them be involved in the renegotiated price? I mean, who knows what somebody else might have come up with.”

Ms. Baker said, “The spread in the bids, from low to high, is such, is almost \$700,000, if we open this back up for everybody, then you’re basically opening up your bidding process. We wanted to focus on value engineering, not just allowing them to re-submit bids and change margins and so forth. So, . . .”

Commissioner Sciortino said, “So you couldn’t . . . technically, that was the . . . we couldn’t ask all of them to resubmit valued engineering bids? That would have been a breach that would have opened up nego . . . is that the reason?”

Ms. Baker said, “There is, under policy, we are allowed to look at . . . to negotiate low bids, not open the process back up, so there would have been conflict there. And the other issue is it wouldn’t have been in the best interest to open it up to everybody.”

Commissioner Sciortino said, “Okay. It wouldn’t have been in the best interest of whom?”

Ms. Baker said, “Because then the risk that you run there is somebody who initially came in at \$700,000 higher than the low bid might all the sudden be low, when we went through the value engineering process and the total value of the engineering process was only about \$370,000. So, your control mechanisms are lost there, if you’re just trying to focus on these reduced items for the project.”

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Commissioner Sciortino said, “Okay. Mr. Buchanan, you’re comfortable with . . . I’m losing . . . my expertise in this area is very thin. You’re comfortable with what’s being presented here?”

Mr. Buchanan said, “Yes. Your suggestion that we could ask all the bidders to re-submit and reduce some value engineering could be done. We tried to make an informed decision, whether that’s right or wrong, we tried to make an informed decision that said the three lowest are pretty close in their bid number and that who we should deal with, rather than the whole spectrum of bidders.

And we do that for several reasons. One, most importantly, we’re trying to keep the bid process as pure as we can. To have companies look at the documents, look at the architect’s work and then give us a price for us to make a decision. If we were going to do it other . . . there are other ways to bid projects. We’ve chosen to do it this way and I think this process, although it may seem flawed, I believe upholds the integrity of our bidding process and at the same time, gives us the best value by the low, responsible bidder.”

Commissioner Sciortino said, “And I wasn’t trying to allude that what we were doing was flawed. I think what I heard, that makes now sense to me, is that probably the maximum that we could anticipate in this . . . whatever you said we were looking for, is about 300,000, so if one bid was so high even knocking off the 300 would still keep them higher, so that’s why we picked . . .”

Ms. Baker said, “That’s a correct statement.”

Commissioner Sciortino said, “So that made sense. Okay, that’s all. I didn’t try to indicated that we were doing something flawed, but it is a lot of money and I agree with Commissioner Norton, that you know we just needed to take a look at it, so assure the public that we’re doing the right thing. Thank you.”

Chairman Unruh said, “And this particular process is consistent with policy, you indicated.”

Ms. Baker said, “It is.”

Chairman Unruh said, “All right. Commissioner Norton.”

Commissioner Norton said, “Just a comment that the public safety center will be located on North Main Street. It will house our 9-1-1 center and our emergency offices for safety. There is going to be many, many state of the art accoutrements that will go with this and if you’ve ever been to the 9-1-1 Center in the basement of the courthouse, you’ll realize that it’s time to get some pretty

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dedicated employees into a facility that really gives them a better environment to do their job.

It's a very stressful kind of a job and let's face it, that is a contact with a taxpayer, every time they pick up the phone."

Commissioner Sciortino said, "And one in crisis."

Commissioner Norton said, "And generally, your right, one in crisis. And we want to make sure those people are ministered to and taken care of and are motivated to do the best work they can, no different than our emergency folks, because usually when they're using that center and accessing it with a lot of people, it's usually in a crisis mode also. So, it's a great addition to our campus, because it does fall within the downtown area. I'm very supportive of this, although originally I wanted to put it with the homeland defense center, further north, but I think we've made a good choice and we'll move forward and I think we've gone through pretty good scrutiny trying to get to this point. It is a lot of money but I think it will serve the citizens of Sedgwick County for many, many more years and it will give us a facility to be proud of. That's all I have."

Chairman Unruh said, "Thank you. Commissioner Burtnett."

Commissioner Burtnett said, "I was just noticing that on the chart there's bids for everything except additional costs for soil work, if needed and that whole column is left blank. Is there not a negotiated price? Is that a set price, or why is it left blank?"

Ms. Baker said, "It's a summary column, or row if you will. Underneath there's five different scenarios of dirt work: removal, addition, controlled, uncontrolled, and then those costs per event are listed."

Commissioner Burtnett said, "Okay. So each of those are soil work. Okay."

Ms. Baker said, "Correct."

Chairman Unruh said, "Thank you. Commissioners, any other comment or question?"

MOTION

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

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Commissioner Norton seconded the Motion.

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

VOTE

| | |
|------------------------|--------|
| Commissioner Norton | Aye |
| Commissioner Winters | Absent |
| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, “Thank you, Iris. Also would recognized some representatives from Schaeffer, Johnson, Fry and Cox here that were going to answer questions if we needed them.”

Commissioner Sciortino said, “Diane’s smiling. Happy days are here again.”

Commissioner Norton said, “Diane, did they tell you you’re going to office in the basement of the courthouse though.”

Ms. Diane Gage, Director, Emergency Communications, said, “As long as my folks are on the second floor, that’s cool.”

Chairman Unruh said, “Now, there’s a team player. Okay, Madam Clerk, please call the next item.”

CONSENT AGENDA

L. CONSENT AGENDA.

- 1. Two Easements for Right-of-Way and one Dedication Deed for Sedgwick County Project 634-32, 33, 34, 35, 36; widening of 63rd Street South between Rock Road and the Butler County line. CIP# R-275. District #5.**
- 2. VAC2005-00015 – request to vacate a portion of a platted setback, generally located east of 167th Street West and north of 55th Street South, more specifically northwest of the Burlington Lane and 55th Street South intersection. District #3.**

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- 3. Submission of budget line item adjustments to Kansas State Juvenile Justice Authority for the Juvenile Intensive Supervision Program and Juvenile Case Management.**
- 4. Ratification and confirmation of the actions of the Sedgwick County Board of Canvassers Meeting of June 10, 2005.**
- 5. Notices of Hearing (two) for August 24, 2005 for post annexation public hearings for annexation numbers 99-36 and 00-03.**
- 6. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2004 and prior years have been paid for the following plat:

Tumbleweed Estates Addition

- 7. Payroll Check Register of June 17, 2005.**
- 8. General Bills Check Register(s) for the week of June 15 – 21, 2005.**

Mr. Buchanan said, "Commissioners, you have the consent agenda before you, and I'd recommend you approve it."

MOTION

Commissioner Norton moved to approve the consent agenda as presented.

Commissioner Sciortino seconded the Motion.

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

VOTE

| | |
|------------------------|--------|
| Commissioner Norton | Aye |
| Commissioner Winters | Absent |
| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

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Chairman Unruh said, “Well Commissioners, that brings us to the end of this agenda, but we do have an executive session we need to go to. But before we do that, this would be an appropriate time to talk about other items of community interest and I would kind of start that by I want to recognize County Manager Bill Buchanan, who is just recently president-elect of the International City/ County Manager’s Association and takes that position in September and I think it’s a great compliment to Manager Buchanan and his leadership skills and professionalism. So for him it’s a nice thing, but for Sedgwick County it’s a good thing, because now he can let people around the nation and actually around the world know what we’re doing here and how we’re actually innovative and showing leadership in a lot of our programs. So, congratulations to the manager.

M. OTHER

And we have others to congratulate too. Last evening, at the 40 under 40, 2005 class we had three of our employees who were honored as outstanding citizens: Jennifer Magana and Tony Guilliano and Rodney Horton from DIO, so three outstanding individuals on the county staff. We’re very proud of them and think that they’re well deserving of that honor. So with that, are there any others? Commissioner Norton.”

Commissioner Norton said, “Well, I was going to compliment Bill Buchanan for his new election. It would be nice if maybe one of your national meetings could be brought to Wichita, now that you’re president, so I would urge us to do some lobbying to bring some economic development and some people to see Sedgwick County and not just hear about it. That’s a good thing.

I only have two things, Mr. Chair. The first is, I just got back from Montreal, Canada, was looking at some aviation centers there. This was in conjunction with KTTI and it had to do with the aviation industry. We had representatives from the new Onex Corporation, Bombardier and Cessna that went with us, the Lieutenant Governor went with us and we looked at several facilities that . . . one of them has been around for a number of years, almost 30 years and one of them is about six years old that does AP, air frame, very similar to what we’re trying to do here. We interested in partnering with Sedgwick County, with some curriculum, with some sharing of some expertise of training folks who have been doing it for a number of years, so I think it was well worth the time and effort to go and see it.

We did get to meet the president of Bombardier and visit with him. They’ve very interested in being engaged in what happens with training in Wichita and Sedgwick County and I think that’s very important. It’s critical. For a number of years, as KTTI developed, Bombardier was not particularly at the table, and now they’re re-engaged and very interested in what we’re doing in training, as is Cessna and Onex and Raytheon. So, just wanted to let people know that I was out of the country, trying to figure this out, and I think we got some really good information.

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The last thing I've got is Mayor Armstrong being here today reminded me that his father-in-law, John Trout, passed away this Sunday. John was a former mayor of Haysville and very active in that community for many, many years and had also served on the Metropolitan Area Planning Commission, so a real loss to Haysville and the community down there, Mayor Trout and that's Bruce's wife Susan's dad passed away. So, that's all I had."

Chairman Unruh said, "All right. Thank you, Commissioner. Any other comments? I don't see any lights, so Commissioner, we're ready for a Motion."

MOTION

Commissioner Sciortino moved to recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney client relationship relating to pending claims and litigation and legal advice and that this Board of County Commissioners return to this room from executive session no sooner than 10:25 a.m.

Commissioner Burtnett seconded the Motion.

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

VOTE

| | |
|------------------------|--------|
| Commissioner Norton | Aye |
| Commissioner Winters | Absent |
| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

The Board of Sedgwick County Commissioners recessed into executive session at 10:15 a.m. and returned at 10:37 a.m.

Chairman Unruh said, "Commissioners, I will call back to order the regular meeting of the Board of County Commissioners. We've returned from Executive Session so we are back in order for our Regular Meeting and I would ask our County Counselor Rich Euson to make a statement."

Mr. Euson said, "Thank you, Mr. Chairman. Commissioners, while in Executive Session, we discussed a worker's compensation case involving a former employee by the name of Owen Grote and it's our recommendation at this time that we settle that worker's compensation case in the total

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amount of \$88,000, with review and modification being closed, but with future medical payments remaining open. That's our recommendation and we'd ask your approval."

Chairman Unruh said, "Okay, thank you. Commissioners, any questions or what's the will of the Board?"

MOTION

Commissioner Sciortino moved to take counsel's recommendation.

Commissioner Burtnett seconded the Motion.

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

VOTE

| | |
|------------------------|--------|
| Commissioner Norton | Aye |
| Commissioner Winters | Absent |
| Commissioner Burtnett | Aye |
| Commissioner Sciortino | Aye |
| Chairman Unruh | Aye |

Chairman Unruh said, "Thank you, Rich. Is there anything else to come before the Board of County Commissioners on this day?"

Mr. Euson and Mr. Buchanan said, "No, sir."

Chairman Unruh said, "Okay, we are adjourned."

N. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:38 a.m.

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

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