

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

March 19, 2003

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, March 19, 2003 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Tim Norton; with the following present: Chair Pro Tem Thomas G. Winters; Commissioner David M. Unruh; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Don Brace, County Clerk; Mr. Doug Russell, Director, Division of Human Resources; Mr. Dale Miller, Acting Director, Metropolitan Area Planning Department; Ms. Irene Hart, Director, Division of Community Development; Ms. Susan Erlenwein, Director, Environmental Resources Department; Mr. Andy Schlapp, Director, Community Relations; Ms. Stephanie Knebel, Manager, Facility Project Services; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Ms. Jeannette Livingston, Contract Administrator, COMCARE; Ms. Stephanie Witte, Supervisor of Horticulture, Sedgwick County Zoo; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

King David Davis, Wichita.

Ms. Janet Valente Pape, Member, Community Corrections Advisory Board.

Ms. Judy B. Lee, Member, Sedgwick County Physical and Developmental Disability Advisory Board.

Mr. Jeffrey Noyes, Member, Sedgwick County Physical and Developmental Disability Advisory Board.

Mr. Andy Schlapp, Member, Sedgwick County Physical and Developmental Disability Advisory Board.

Mr. Thomas M. Church, President, Catholic Care Center Inc.

Mr. Glen F. Shore, Medco Ambulance Services LLC

INVOCATION

The Invocation was led by Pastor Kent Holcomb of Calvary Baptist Church, Derby.

FLAG SALUTE

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ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, February 26, 2003

The Clerk reported that all Commissioners were present at the Regular Meeting of February 26, 2003.

Chairman Norton said, "You have the Minutes before you. What is the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of February 26, 2003.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

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Chairman Norton said, "Before we move on, I hope that the Commission will indulge me just a minute. First of all, I wanted to introduce Karen Unruh and her three grandsons that are here today. We welcome you. I think it's the first time I've seen you here at an official meeting. So, Dave, we're glad to have some of your family here today."

Commissioner Unruh said, "Well, thank you."

Chairman Norton said, "And I hope your grandsons enjoy government."

And secondly, I've asked Bob Lamkey to come today and give us just a quick update, as we move towards a very defining moment in our nation. I know people are uneasy and wondering what we're still doing to continue to make sure that we're safe and prepared here locally. We must keep our military in mind as they move forward to this destiny that they have, but we have an obligation here locally to be sure that we're safe and know the concerns of the community. So, Bob, would you take just a minute to kind of give us an update."

Mr. Bob Lamkey, Director, Public Safety Department, greeted the Commissioners and said, "Certainly, Mr. Chairman. Indeed we are in sober times. It appears that war is around the corner and there is concern across the nation and in the community. As you know, Monday night the President of Homeland Security, Tom Ridge, elevated the threat level from yellow, which I think is going to be our norm for a while, to orange, based upon the impending war and the intelligence chatter that's going across around the world against the national interest."

We have a plan that would gather the senior leadership, both in the response community at certain levels, elected officials to review considerations and steps that we would take in our community, based upon the threat to our community. So, that involves the FBI and law enforcement providing us with 'What's the threat to Wichita/ Sedgwick County?' And so, we have a menu of items. We met yesterday, went through that menu of items and there are some areas in which it may be obvious to people. If they go out to the airport, it's probably a little more stringent yesterday than it was on the weekend. And there's some things that certainly we're not going to discuss in the public forum that won't be so obvious. But we've got increased vigilance at critical infrastructure. We've got plans in place to do some different things around buildings.

For individuals, we've had plans and opportunities in place for well over a year. We've got a Ready to Respond program that we're delivering and we will continue to deliver. So, if anybody wants that, if they'd give us a call at 383-7546, it's a method in which we tell people how to take care of themselves and their families in this process. And of course, we're in severe weather season, and so that's always a good thing anyhow.

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Lots of speculation on what might happen when we go to war, if we'll go to the highest level or not the highest level. We don't know what that will be, but if that occurs, that group of individuals, senior law enforcement, the response community, people who are responsible for water infrastructure, public works and elected officials will gather. We will go down that menu again and we will look after the interests of this community.

And it's not just Wichita and Sedgwick County of course. We're the largest provider of those services in this area but we've contacted every single city in Sedgwick County. We've made contact with one official or another, whether it's the manager, the clerk, the person that was in charge yesterday that we could reach, explain to them what was going on, provided them the information and we will continue to engage across the community, as the threats come and go in this process. And so, as you know, we have systems in place should the worst happen to this community, with regards to bio-chemical. Again, a very unlikely scenario, but we are prepared to deal with those kinds of issues. We have a wonderful and experienced response community. We've dealt with disasters effectively. So, as a community, I think we're prepared. I would ask every individual, in their household and family members to prepare your family for any kind of disaster and stay informed. Read the newspaper, pay attention to the media, because those are the sources of information that you'll have."

Chairman Norton said, "As we move forward, I know Commissioner Sciortino wants to visit a minute. But as we move forward, we think back in the Cold War of civil defense and kind of different protocols. Today's a little different. We use the media and the newsprint to give a lot of information now. Kind of describe that, because we think of the old fashioned civil defense and sirens."

Mr. Lamkey said, "Actually, we have a multi-layers way of getting it out. As I mentioned at a briefing here once before, there are . . . When I was a kid, there were two speeds, the speed of light and the speed of sound and somewhere in between is the speed of CNN. So, the media are our allies in this process. They are there, they deliver information. We have a great relationship. So, we'll engage in that process and promulgate through the media.

We have the emergency activation system that we can and we will, if significant things are happening that we need to let the community know, we can go to the emergency broadcast and provide messages through Cox Cable for those who subscribe to that service. So, there are multi-levels in that process. I mean, we probably wouldn't activate the sirens. We'd use electronic media and our friends in the community to broadcast those messages."

Chairman Norton said, "Okay. Commissioner Sciortino."

Commissioner Sciortino said, "Well, as always, Mr. Chairman, you took away exactly what I

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wanted to ask about, was the multiplicity of conduits that we have to talk to the people. And I was very impressed about some of the things that was on the news already. Just basically, at this level, just be a little more aware. Don't be curtailing your activities, but just be a little more aware of your surroundings and what's happening. But that's what I was going to talk about. It's not just the old sirens anymore. We've got a multiplicity of ways to get a hold of people."

Chairman Norton said, "Okay, good. Thank you, Bob. Any other discussion? Thank you, Bob. I just thought it was appropriate, as we move towards maybe war that people wanted to know a little more about what we're doing here locally. Thanks, Bob.

Clerk, call the next item."

APPOINTMENTS

A. APPOINTING RESOLUTIONS

- 1. RESOLUTION REAPPOINTING JANET VALENTE PAPE (AT LARGE APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "This is a reappointment, a two-year reappointment to this 12-member board. We've prepared a resolution and I recommend you adopt it."

Chairman Norton said, "Okay."

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

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Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "And I know Janet is here today. And is Don Brace around here? There he is. I think we can probably have her sworn into her position."

Mr. Don Brace, County Clerk, said, "Raise your right hand please."

I do solemnly swear or affirm 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."

Ms. Janet Valente Pape, Member, Community Corrections Advisory Board, said, "So help me God."

Mr. Brace said, "Congratulations."

Ms. Valente Pape said, "Appreciate the opportunity to be of service again. Thank you."

Chairman Norton said, "Well, you've done a marvelous job for us, over the years, and not just this capacity, but so many other things in the community and we appreciate you having the willingness to serve. We really do. Thank you."

Clerk, call the next item."

2. RESOLUTIONS (THREE) APPOINTING JUDY B. LEE, JEFFREY NOYES AND ANDY SCHLAPP (COMMISSIONER UNRUH'S APPOINTMENTS) TO THE SEDGWICK COUNTY PHYSICAL AND DEVELOPMENTAL DISABILITY ADVISORY BOARD.

Mr. Euson said, "Commissioners, these resolutions involve one re-appointment and two new appointments to this board. All appointees serve four-year terms, and I recommend you adopt the resolutions."

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Chairman Norton said, "The will of the Board?"

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "And are the appointees here?"

Commissioner Unruh said, "They are all here."

Chairman Norton said, "Please come forward. There's Andy. I think we're all here."

Mr. Brace said, "Raise your right hands please."

I do solemnly swear or affirm 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 Physical and Developmental Disability Advisory Board, so help me God."

Ms. Judy B. Lee, Mr. Jeffrey Noyes, and Andy Schlapp, Members, Sedgwick County Physical and Developmental Disability Advisory Board, said, "I do."

Mr. Brace said, "Congratulations."

Chairman Norton said, "And we would accept any comments from the three appointees. Well, once again thank you very much."

Commissioner Unruh said, "Chairman, I'd like to just recognize the fact that, for Jeff and for Judy,

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I think this is your initial involvement in this type of service to Sedgwick County. Now Andy's an old veteran. He's been doing this for four or five years, but I just wanted to express appreciation for your willingness to serve. And you know, I know that Physical and Developmental Disabilities Board will benefit from your leadership and I hope that you will find it rewarding as well. But just want to express sincere appreciation to you."

Chairman Norton said, "Thank you. Clerk, call the next item."

RETIREMENT

B. PRESENTATION OF RETIREMENT CLOCK TO RONALD STAUFFER, LIEUTENANT, SHERIFF'S DEPARTMENT.

Mr. Doug Russell, Director, Division of Human Resources, greeted the Commissioners and said, "Ronald Stauffer has pretty much been in the Sheriff's Department for 31 years, been there, done that, got the tee shirt: road patrol, first, second and third shifts, motorcycle unit, road patrol as a traffic investigator, investigations, general narcotics, DEA task force, sergeant on first and second shifts, lieutenant on third shift road patrol, lieutenant on first shift investigations and second shift investigations. He's been here a while doing this.

Ron has a spouse, Linda, and three daughters, three granddaughters, daughter Amy in Charlton Heights, West Virginia whose married to a volunteer fireman named Andrew with two daughters, Catlin and Abbey, 10 and 6. He has a daughter, Angela Risner here in Wichita whose husband, Kirk, works at Davis Moore and they have a daughter, Breckin, age 3. Their daughter Katy is taking college courses, following dad's footsteps, administration of justice.

Ron intends to do fishing and woodworking and travel to West Virginia to get to know his granddaughters better and visit places in the U.S.A. like Yellowstone Park and Grand Canyon. So, wow.

Ron, this is the recognition award, signed by the Commissioners."

Commissioner Winters said, "And Ron, we're here today to celebrate your retirement. Would acknowledge that there are a number of folks from the Sheriff's Department in the audience today. Sheriff Steed is here. Undersheriff Green is here. So, we're pleased to have you here.

I've been giving these clocks out for some time, and we have a tremendous amount of good folks working for Sedgwick County, either delivering services or supporting those who are delivering services, but I'm always just more than proud to present this clock to those who are involved in law

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enforcement and public safety. The community owes a great deal to every man and woman who wears the uniform and provides safety for our citizens.

So, for that, this is a small token from the citizens of Sedgwick County and appreciation for the 31 years that you've served with the Sheriff's Department. We thank you and we wish you the best in the future."

Lieutenant Ronald Stauffer, Sheriff's Department, said, "Thank you, Commissioners. Thank you, fellow employees and Sedgwick County employees. Please forgive me, I'm suffering from the flu, so I won't take too much time, but I wanted to say I thank you. This has been a great career. I've enjoyed immensely working with the Sheriff's Department.

Thirty-one and a half years ago, when I hired on, the old-timers, who had a few months on me, explained to me that probably I wouldn't be here very long, as people tended to come and go with the Sheriff's Department and when the sheriff changed, you would probably change.

Thirty-one and a half years later, that has not happened. I've been allowed to work here for as long as I liked, and thank goodness. I've enjoyed it. I've had a great time. I've had some bad times, but it's been great. Thank you."

Chairman Norton said, "Thank you, Ron. Sounds like about the only job he didn't have was mounted patrol. I don't know if we even had a mounted patrol. Thank you.

Clerk, call the next item."

CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING "TRIUMPH THROUGH DEFEAT."

Commissioner Sciortino said, "Mr. Chairman, Mr. Davis had come to me right before the meeting and said that he may possibly need like maybe as much as 60 seconds more, and I told him I thought that would be okay with us."

Chairman Norton said, "Okay."

King David Davis, Wichita, greeted the Commissioners and said, "Thank you. Greetings, County Commissioners. My name is still King David Davis, to once again have the honor to stand before the citizens' elect, while bringing to your attention a number of issues, one of which is 'triumph through defeat'. When it comes to leadership standards, I believe when we do things we should be

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able to put our whole heart and soul into it, yet more often than not, we settle for the okay business as usual, or the lesser of the two evils.

The way I see it, if we really believe in what we are doing, we won't settle for okay when we can have the best. Why settle for status quo, when we can have justice that's honorable. In my most recent adventure, I learned that when you believe in what you are doing, you give it all you've got. You don't compromise your principles and you don't sell the people you care about down the river.

And when you enter into a process that is known for corrupting good character with your honor and then you exit it with your honor and dignity still intact, well, the significance of that far exceeds the norm. And what would have had all the appearances of being defeat, turns out to be in fact a great victory, because those that embrace the principles of shame, disgrace, defilement, have suffered a serious setback. And through their real defeat, they have strengthened and fortified what was once a boulder in the road and for that I say thank you. Would I do it all over again, knowing that through my efforts and sacrifices I will be making the world I live in a better place for all of us? In a heartbeat.

Issue number two: we have a unique situation in the community that I am very much concerned about, a situation that I'm very strongly inclined to believe that on founded line, the political integrity of our leadership community is going to deteriorate. Social divisions and stresses will intensify and the somewhat healthy state we are presently in will have been all for naught.

On the other hand, when it comes to dealing with social issues, the strong arm of the law, in a nutshell, results in oppression, only to later manifest itself when you least expect it, more often than not, injuring the innocent and those offices who work very hard to serve our citizens with honor. You see, this is the bottom line, political reality that never changes because no one at the top believes, realizes or is willing to actually do something about them.

Issue number three: When it comes to our community, I know we can become a city of what to live in, number one city to want to live and to raise a family. I know we can become a community where our citizens who wear badges will not abuse, disrespect, bully or intimidate our citizens. A community whose leadership standards will not stand idly by when outsiders come in and try to throw their political weight around.

Imagine a center for the homeless that is financed by the labors of those who call it home, where they learn new skills and become valued and productive members of the community. Or public servants who become some of the most motivated citizens in our city because of financial incentives, promotions, recognitions and opportunities producing a governing body politic that's efficient, cost-effective and extremely user-friendly and highly respected by its citizens, where

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going above and beyond the call of duty becomes the norm, but where the highlight of ones day could very well be a trip to city hall or Sedgwick County. Where the citizens of our community who are our family, friends, neighbors or the new resident in town are staying or arriving because of all the wonderful things they have been hearing about or experiencing in our community, along with leadership integrity and a governing body politic that doesn't lord itself over its people, but rather serves its citizens with the highest levels of respect and humbleness of heart.

A leadership community that has the wisdom to tap into the vast resources of its citizens and together, with their knowledge, ideas and special insights and their faith in the God of our nation, so when the rest of the world is living in fear and uncertainty, we will be enjoying the blessings of justice that's honorable, as well as economic new heights.

I have a question for all of us. Do we settle for okay or aim for the best? Do we want another dose of status quo, or enjoy the rewards of honorable justice? You see, it's not every day we have such an opportunity served to us on a silver platter. I have found if you want to hit the moon, you aim for Mars. Well, this time, let's together aim for the stars.

You see, knowing what I know about the principles of honorable justice, I find it difficult to believe we would let this opportunity slip away so easily. Now, having said, I will once again call upon the leadership and the good and honorable citizens of Wichita and Sedgwick County to stand with me, as I stand once again for those things that matter most to all of us, as I reenter the mayor's race as a write-in candidate. And if you want to know more about where I stand on the issue, messengerboy.net, messengerboy.net. And yes, I will accept Mr. Warren's challenge to a public debate. Thank you."

Commissioner Sciortino said, "Thank you, Mr. Davis."

Chairman Norton said, "Clerk, call the next item."

PLANNING DEPARTMENT

- D. CASE NUMBER ZON2003-00003 – ZONE CHANGE FROM “LI” LIMITED INDUSTRIAL TO “SF-5” SINGLE-FAMILY RESIDENTIAL, GENERALLY LOCATED NORTHWEST OF THE K-42 AND MAIZE ROAD INTERSECTION. DISTRICT #2.**

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POWERPOINT PRESENTATION

Mr. Dale Miller, Acting Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "Commissioners, this is a request for a down-zoning. As you can see, the property is outlined in the black tape. It's currently zoned Limited Industrial. The property owner currently has a plat undergoing review that is for residential use and the Limited Industrial zoning does not permit residential uses. And so this property needs to be down-zoned to reflect the intended use. It would be down-zoned to 'SF-5', Single-Family.

As you can see here, it's located just west of Maize and north of K-42. Currently, it's a vacant agricultural field. And as I said, there's a plat that's undergoing review, and so they do need to down-zone this for the intended use.

The comprehensive plan reflected the way it was zoned, but staff was supportive of the zone change. It's very close to Schulte. You can see, in the background, this is looking to the west, across the application site. New church constructed there . . . being under construction there, just west of the application area. Looking to the north, blurry picture to the south, east, back towards the industrial district in between this site and the airport property and the aerial and zoning again.

Again, staff is recommending approval. The Planning Commission recommended approval. Be happy to answer any questions."

Chairman Norton said, "Dale, were there any protests at all? Anything that came up during the meetings?"

Mr. Miller said, "Not that I recall."

Chairman Norton said, "I didn't think there was, but just wanted to be sure that was on the record. Is there any other discussion from the Bench?"

Commissioner Winters said, "I was just going to say, Mr. Chairman, it's in your district and I assume if you had an issue, you'd bring it up. It looks like an all right plan to me."

Chairman Norton said, "Yeah, it fits in pretty well out there. There is industrial close. I think it's gone through all the scrutinies and there wasn't any protests, so I'm going to be supportive of it."

MOTION

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Commissioner Winters moved to approve the zone change subject to platting within one year, direct staff to prepare the appropriate resolution after the plat is approved, and authorize the Chairman to sign the resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Dale. Next item."

NEW BUSINESS

E. DIVISION OF COMMUNITY DEVELOPMENT.

- 1. RESOLUTION OF INTENT TO ISSUE APPROXIMATELY \$4,420,000 OF HEALTH CARE FACILITIES REFUNDING REVENUE BONDS FOR THE BENEFIT OF CATHOLIC CARE CENTER, INC.**

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "Sedgwick County first issued bonds for the Catholic Care Center in 1989. And at that time, it was to develop their facilities, which were located in the unincorporated area northeast of the City of Bel Aire. Today, we're here to ask, regarding the bond issues that were done in 1998 and 2001, similarly to refinancing your house when the interest rates become more favorable, the Catholic Care Center is here today asking for refunding bonds, which will do the same thing, which will give

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them more favorable terms and keep the costs under control for the residents of the facilities of the Catholic Care Center.

When we began our relationship with the Catholic Care Center, it was located in the unincorporated area and the area has now been annexed by the City of Bel Aire. The City of Bel Aire consented to the issuance of our 1998 and 2001 bonds, and they will be asked for approval before these bonds are issued.

Today, we have with us Jerry Rail, Gold Capital Management, who is the bond underwriter, Sarah Steele with Gilmore and Bell, whose our bond counsel, J.T. Klaus with Triplett, Wolfe and Garretson, whose the applicant's bond counsel and I'd like to introduce Tom Church, who is president of the Catholic Care Center."

Mr. Thomas M. Church, President, Catholic Care Center Inc., greeted the Commissioners and said, "Thank you. I think our case has just been pled. Would like to share that we're pleased to be here and have this opportunity, on behalf of our residents. Since the 1998 bonds, the Catholic Care Center has enjoyed an occupancy rate in excess of 98%, compared to the statewide average of approximately 85% during that period. So, we do enjoy a high demand for services, as the largest nursing facility in Sedgwick County. We are pleased to be of service to the residents of Sedgwick County and it's my personal privilege to be there, of service, on the wonderful Catholic Life Campus. So, we request your favorable action on this, for the benefit of the residents and thank you for this privilege."

Chairman Norton said, "One question, Tom. How many residents do you have at that particular facility?"

Mr. Church said, "We are licensed for 178 in the nursing center and our average is above 175. And the last time I was here before you was for the 2001 series bond issue for the new assisted living and memory care residences, and those have an occupancy license for 100 additional residents and those facilities are in their initial fill-up status and going quite well."

Chairman Norton said, "That's great. Well, I see no other discussion or questions from the Bench. What's the will of the Board?"

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

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VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thank you, Irene. Thanks, Tom, for coming. Next item."

2. NOTICE OF PUBLIC HEARING APRIL 14, 2003 AT 7:00 PM AT THE SEDGWICK COUNTY ZOO EDUCATION CENTER TO REVIEW SEDGWICK COUNTY'S FIVE-YEAR SOLID WASTE PLAN.

Ms. Susan Erlenwein, Director, Environmental Resources Department, greeted the Commissioners and said, "The Kansas Department of Health and Environment requires every county or group of counties to develop a solid waste plan. This plan is to be reviewed and updated annually and every five years, there's some special requirements. One of those requirements is for the county commissioners to hold a public hearing on the solid waste plan.

The requirements also requires a review of the plan and we've been working on that. KDHE developed guidelines to help counties in this effort. The guidelines include updating the current waste minimization practices, collection and disposal and compare that to what it was like five years ago, when the plan was first developed.

For instance, five years ago Brooks Landfill was open. It was closed by the state in 2001 and, since then, we have a north and south transfer station and three new Construction and Demolition facilities that have opened. So, we would have information like that in this review.

The state also requires a timeline looking into the future 10 years, projections on population growth, and do we have the capacity for solid waste and recyclables in that plan. It's recommended that we hold a public hearing on Monday, April 14th, at 7 p.m., at the zoo education building to fulfill this requirement. The review of the plan is almost done. We'll get a copy to the Commissioners. The Solid Waste Committee received initial information at their last meeting on these guidelines and what to look at. We're receiving input from them. We will post this review on the Sedgwick County website, so the public can see it two weeks prior to the public hearing. I'd be happy to answer any questions and recommend you set the public hearing date."

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Chairman Norton said, "I see no questions or discussion."

MOTION

Commissioner Sciortino moved to set public hearing for Monday, April 14, 2003 at 7:00 PM at the Sedgwick County Zoo Education Center.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Susan. Next item."

F. INITIATION OF PROCESS FOR AMENDMENT OF THE SOLID WASTE MANAGEMENT PLAN.

Mr. Andy Schlapp, Director, Community Relations, greeted the Commissioners and said, "My honor today to be in front of you to present this agenda item, looking at alternatives to amend the Solid Waste Plan.

If we take a second and we go back about 20 months ago, we started the discussion of whether we needed to have a local landfill in our Solid Waste Plan. At that time, we recommended that we spend some time with the Solid Waste Committee and let them research and find what technology has changed, what information has changed and get that information to you before we continue on with that process of whether or not to amend our Solid Waste Plan. They have done that and they submitted the plan to you a couple of weeks ago.

So, today I'm in front of you to, again, to start looking at and bring up some ideas of how we might

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change the Solid Waste Plan. There's a resolution . . . and what we need to understand is today we are starting a process. We're going to adopt a resolution and direct both the Solid Waste Committee and MAPC to make review and comment on that resolution.

At that time they will come back with their comments to you at a Commission meeting, and then at that time, we will set a public hearing to make sure we get public comments on those proposed plans. And after all of that is done, then final action, if you want to amend the Solid Waste Plan, will happen at some time after that.

One of the things that's going to be important is what is the language in the resolution and in your backup you'll see that there are five options. And not to re-read them, but just to kind of go over it, the first option gives us the most control over the local landfill, where we would own and operate the local landfill. The second modification is the landfill could be privately or publicly run, but that decision would not be made until we issue an RFP, with the rules and regulations of how the game's going to be played. The third language that's possible is just to change the Solid Waste Plan and any player at any time who wants to open a landfill would make that presentation, as long as they're consistent with the plan, then they could open a landfill.

Again, those are three options. The fourth option is you could use any of those, or you could come up with your own solution and the fifth option would be, obviously, would be not to approve this resolution and keep the plan as it is today."

Chairman Norton said, "Okay. Any comments from the Board? Commissioner Sciortino."

Commissioner Sciortino said, "Well, as I understood the process, we have to pick one of these five that they can then present to the Solid Waste Committee as our recommendations. And in looking at them all, it seems like number two keeps all of our options open. It could be privately owned, publicly owned, combination of private or public. It also protects us from someone just going out and saying, 'Okay, fine, you're allowing it, I'm going to go and establish one and thank you very much' because we have the control through the proposal process. And of them all, I'm more comfortable with number two, because of it allowing us that many options.

I've talked to Bob Parnacott, and whatever one we settle on today, there's always room for fine-tuning. When I was looking at it today, trying to 'Oh golly, why didn't we say that whatever we do, it would be a landfill that would serve our needs for a minimum of 30 years' or 'should we just say one' but those are things, I've been given assurance, that we could fine-tune if indeed that's the one we pick. But I would be supportive of number two, but I'd like to hear what my colleagues have to say too on it."

Chairman Norton said, "Okay. Commissioner McGinn."

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Commissioner McGinn said, "Thank you. And just to clarify, whatever we do here today, nothing is binding. This is only to put in motion to get input from the Solid Waste Committee and Metropolitan Planning Commission."

Commissioner Sciortino said, "Yeah, and then it would come back to us and then is when we would decide."

Commissioner McGinn said, "Right, so depending on that, I mean, we can move in any direction we choose to."

Commissioner Sciortino said, "That's correct."

Commissioner McGinn said, "Thank you."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I would stand in favor of alternative number two also, for the comments that have been made, but number two allows us to maintain control of the process. It does not compel us to do anything, one way or another. We may or may not use a public partner. So, for all these reasons, it seems like it gives us the most latitude, but still establishes an option to proceed, if that becomes the will of the Board. That's all I have."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Thank you. Andy, could you review again with me where the public input will come in the process and will the Solid Waste Management Committee and will the Metropolitan Area Planning Commission take public input, or will the public get their chance some time else?"

Mr. Schlapp said, "As it stands right now, again, and I think, Commissioner Winters, you're correct that really this is the initiation of a process and with the resolution today that will go to two places. It will go to the Solid Waste Committee and Metropolitan Area Planning Committee at the same time. The Solid Waste Committee will make a review and comment and bring it back to you, I think it's in about 30 days, 40 days from now. And the Metropolitan Area Planning Commission will also do that with their committee and bring that back to you."

At that time, once we have their comments, we will set a public hearing for . . . and there's a timeline. I think it's 30-40 days that you have to wait before you hold that public hearing after it's

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set. That then, that's where the public would have their opportunity to have input and would have the Solid Waste Committee's input available to them and also the Metropolitan Area Planning Commission's input available to them at the time of the meeting."

Commissioner Winters said, "Okay. Thank you."

Chairman Norton said, "I see no other lights flashing. I have one comment and that is that, you know, for my purposes, this moves us ahead to at least have legitimate conversation about landfills. Before, we've always had it out of the plan, and we had people . . . I had a barrage of people out in the community asking me about landfill, what we're going to do, and I always had to answer 'You know it's a non-issue'. We can't talk about it. We can suppose, but without it being in the dialogue, without it being written down that we can have that debate, take RFPs, understand the issue, then it's not going to move forward. And I'm going to be supportive of at least getting it in the dialogue so that we have the option, if we ever need that.

I think it's still a long process to decide whether we're ever actually going to site a landfill, or if it's prudent to do that. But at least we have the ability, on the record, to move forward with the debate.

Before, we were debating and really had no forum to do that, legitimately. And I think we have that . . . could have that today, and I'll be supportive of that.

So, at this juncture, I would entertain the will of the Board. Commissioner Sciortino."

Commissioner Sciortino said, "Okay, I'll try a Motion. Mr. Euson, should we . . . I see the Motion that's been recommended to us. But should we, somewhere in that Motion, signify that we're agreeing upon option number two? It doesn't say in the motion which proposed amendment we're offering them."

Mr. Euson said, "Yes, I think, in you Motion, just clarify that the proposed amendment is option number two."

Commissioner Sciortino said, "Okay, all right, then I'll try a Motion."

MOTION

Commissioner Sciortino moved to adopt a Resolution that directs the Solid Waste Management Committee to review the proposed amendment number two, as indicated in our backup, to the Plan and requests Metropolitan Area Planning Commission to review the same proposed amendment for consistency with the Comprehensive Plan; and authorize the Chairman to sign the Resolution.

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Commissioner Unruh seconded the Motion.

Chairman Norton said, "If I might, Ben, would you read number two."

Commissioner Sciortino said, "All right, I'll read the Motion. And for the record, I'll read Motion number two. It states: Modify the resolution to amend the plan to provide for the establishment of a solid waste disposal area in Sedgwick County upon the issuance by the County of a Request for Proposal (RFP), subject to the terms of the RFP, and to County regulatory and contractual authority to the maximum extent legally permissible, as an alternative to, or supplement for, the use of transfer stations in the management of solid waste."

Chairman Norton said, "I have a Motion and a Second. Any other discussion? Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. I share your view, that I think that it's the will of this Board to have the discussion about landfills again. What this . . . what action we're taking today will, again, start that community discussion. This is not an action that changes the plan, but an action that asks two committees to look at it and then forward it back to us.

I think we do need to remember that, as a number of folks say, you know, we don't have a good plan in place and that's part of the discussion. We do have a plan in place that is working and so, just so the public is aware, unless there's some major catastrophe, I think most people are getting their solid waste picked up and it's being properly disposed of.

You know, as I look at the Commissioners at this bench, it has changed since that original decision was made. I went back, in reviewing some of my notes, back from 1996, and we started out in February of '96 and, out at W.S.U., had a Wichita Assembly. Over 200 people participated in that meeting. Then in May of '96, we held four what we called then 'town and country meetings' and over 800 people participated in those town and country meetings. Then in January of '97, we held what we called a community discussion, which we recruited volunteers to be leaders in focus groups and we started January of '97 and those focus groups had 1,175 people, citizens participated in those focus groups. We still weren't real comfortable, so we held community discussion round two in July of '97 and another 1,270 people participated in those discussions.

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But again, as I look at this Bench, you all weren't here as Commissioners and did not have the opportunity to hear those folks. I think it's probably a good plan to hear from folks again. And now that we've been through this period of time, perhaps the decision will be different at the end. Perhaps the decision won't be different at the end. But I'm going to be supportive of this Motion because I think it's certainly appropriate to have the discussion and see if we're on a course that the Commission wants to follow, or if we need to take a different, alternative route. So, I'm going to be supportive of this Motion."

Chairman Norton said, "Thank you. Any other discussion? I have a Motion and a Second. Clerk, call the roll."

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thank you, Andy. Next item."

Commissioner McGinn left at 9:50 a.m.

G. RESOLUTION REVISING SEDGWICK COUNTY PERSONNEL POLICY 4.3000, STAFFING TABLE ADMINISTRATION.

Mr. Russell said, "The short answer on this is I would request that the Commissioners defer action on this to allow me to get together with some other stakeholders in Finance and Legal. I don't think we're ready to take action on this."

Chairman Norton said, "Will of the Board?"

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Commissioner Winters moved to defer Item G indefinitely.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thank you, Doug."

Mr. Russell said, "Simply stated, Commissioners, I screwed up. Thank you."

Chairman Norton said, "Was that an epiphany for you, Doug?"

Mr. Russell said, "Not the first one."

Chairman Norton said, "Well, we accept and tolerate those kind of errors, as long as we admit them and move forward. Thank you."

Commissioner Sciortino said, "And that's why I think the manufacturers of pencils have erasers built in as standard equipment. They realize we're human and occasionally will make a mistake."

Chairman Norton said, "Clerk, call the next item."

Commissioner McGinn returned at 9:52 a.m.

H. RESOLUTION PROVIDING FOR THE SALE OF PROPERTY LOCATED AT 433 NORTH MAIZE ROAD.

Ms. Stephanie Knebel, Manager, Facility Project Services, greeted the Commissioners and said, "This morning, for your review and consideration, is a request to approve a resolution providing for the sale of county-owned property located at 433 North Maize Road."

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When the Delano Township dissolved, toward the end of last year, all real property belonging to this township came to the ownership of Sedgwick County, according to a state statute. After reviewing and assessing this property, located at 433, part of this resolution is our staff recommendation to start the disposal process, the selling process of this property.

Because this property is appraised at a value over \$50,000, there's a specific state statute that we're required to follow and the first step of that process involves your approval of this resolution and notification of intent to sell. Part of this information involved in the resolution and intent to sell describes the property, it describes a process, a publication process, a public input process if there's a swelling of people that don't want us to sell this property. There is some bid due dates also.

If you would remember, this property is located just a half mile south of the intersection of Central and Maize Road and it's a piece of property that's about 75,000 square feet. And on this property there is a prefabricated metal building that's about 3,600 square foot size that was built in 1978. The building has some finished areas and some unfinished areas. It's a really long, narrow property and the back third, back half of the property is within the flood plain.

Part of our bid process, once the resolution is approved today, we will be sending out Requests for Bids on Monday and our typical purchasing process takes over then. We've got included in the bid document open house dates and times set out. We have targeted to have bids due back to Purchasing on May 13th. Following our typical purchasing process then, we would anticipate that you would receive bids on this property at the Commission meeting on May the 28th.

I request your approval and am available for questions.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “I just have a small one. Let's say for example we don't like the bids. We have the authority to reject all the bids. We don't have to . . . I know, if we accept one, I guess, we have to accept the highest bid or whatever. But if we're not comfortable with what was offered, we think it's like too low or something, we can reject all bids. Is that correct?”

Ms. Knebel said, “I would refer to Rich Euson.”

Commissioner Sciortino said, “All right, good.”

Mr. Euson said, “Commissioners, the documents allow you to reject all bids.”

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Commissioner Sciortino said, “Okay. Am I right that if we accept one though, it has to be the highest one? We can’t get involved in ‘Well, how are you going to use it?’ or ‘This is the highest, but I don’t like what you’re going to do with it’. I mean, what’s the . . .?”

Mr. Euson said, “Well, the statute requires you to, in considering bids, to take the highest and best bid. And sometimes it’s difficult to talk about what ‘best’ is, but certainly we always know what the highest is. Best bid sometimes means you can take things into consideration such as what the property might be used for, that kind of thing, but normally the bids coming in are going to be of such a differentiation that the highest bid should stand out. But that’s something you just have to address at the time.”

Commissioner Sciortino said, “So best could be subjective in nature a little bit.”

Mr. Euson said, “It could be, a little bit, yes.”

Chairman Norton said, “Commissioner Winters.”

Commissioner Winters said, “Thank you. This building is in my district and I think what’s kind of at issue today, is it proper and right for us to sell this. Do we have any need for it in Sedgwick County, and I know a number of staff folks have looked at this building and I’m in agreement with them. The County has really no need to keep this property, so, starting the process.

But, you know, Stephanie kind of alluded to it as maybe not too desirable, but it is on Maize Road. I mean, it’s frontage on Maize. It’s just a bit south of the Dillons store at Maize and Central, so I think there could be some very good interest in the property. So, I’m going to support the resolution to sell the property.”

Chairman Norton said, “Well, I see no other questions. So, what is the will of the Board?”

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner David M. Unruh Aye

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Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thank you, Stephanie. Clerk, call the next item."

COMCARE

I. COMCARE.

1. AGREEMENT WITH SUMNER MENTAL HEALTH CENTER FOR COMCARE TO PROVIDE AFTER HOURS MENTAL HEALTH EMERGENCY SERVICES.

Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "This is an agreement between COMCARE and Sumner Mental Health Center for COMCARE to provide after-hours services for Sumner County. The arrangement has been in place for about three and a half years and we both, both parties agree that it's working pretty smoothly.

Essentially, Sumner Mental Health Center contracts with us for our crisis services to provide crisis phone and then in person contact, if that need arises for anyone calling their after-hours number, after 5:00 each day of the week and then, on weekends and holidays, the entire time of that.

Sumner pays us a monthly administrative fee that covers the costs of the extra phone line that's located in our crisis program and a permanent charge for us to see their folks or talk to the folks that call in through that line.

The program handles about 21 calls a month. It's not a high-volume kind of thing. Sumner has communicated very differently, in some ways, than we do with their consumers who are calling in. Discouraging in some ways for them to call and to wait until the next day, if that is possible. So we only take about 21 calls a month on that. But often, when that happens, it's very critical and an example of that is something that happened last month.

In February, our crisis caller . . . the call came in through the Sumner County line, but she was actually . . . it was a woman that was actually in a hotel in Wichita. So the call went to their crisis line, transferred to ours and she said she was in Wichita, was seeing a Sumner County therapist and

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we did try calling their . . . they have on-call therapists as well. We did try calling their on-call therapist and the on-call therapist did not know this particular woman, so we agreed to see her in person.

And actually the woman had reported that she was running away from home. She was really scared and she was very frightened that she was going to hurt herself. So, we did see her in person and she talked a little bit about her suicide ideation and talked a little bit about the plan that she had, which was very doable. So, she was hospitalized. So, it was an example of how a suicide in this area was prevented by a collaboration with another center.

John Burkhart, our Crisis Director, meets with their crisis coordinator a couple of times a year to talk about how it's going. We do send a report down every day, when we have a call, so they know the next day that someone from their county has called in and we share the information about the problem that was presented and the disposition.

We're requesting that you approve the contract, and I'd be happy to answer any questions you might have."

Chairman Norton said, "I see none. What is the will of the Board?"

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye

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Commissioner Ben Sciortino Aye
Chairman Tim Norton Aye

Chairman Norton said, "Thank you, Marilyn. Clerk, call the next item."

2. CONTRACTS (TWO) WITH WICHITA A.C.T.S. ON TRUANCY AND BOYS AND GIRLS CLUB FOR THE 2003 SEDGWICK COUNTY COMMUNITY CRIME PREVENTION GRANT AWARD.

POWERPOINT PRESENTATION

Ms. Jeannette Livingston, Contract Administrator, greeted the Commissioners and said, "I'm here today to present the final two contracts for 2003 Sedgwick County Community Crime Prevention grant funding. The allocation funding for 2003 began with a consultant that came in and met with each of the programs, went over the outcomes and reviewed the allocation process. He went over the outcomes in his report, recommended that the outcomes looked appropriate, and made a few recommendations that were incorporated into the process, including add an external evaluator, similar to the Juvenile Justice Authority grant process, improved communication, some additional training. Those recommendations were incorporated into the process for 2003. The grants are awarded through a competitive basis and the Request for Proposal process, in accord with Sedgwick County policies and procedures for purchasing.

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The grant awards were approved by the Commission on December 11th. As soon as the Commission approved the grant awards for the program, I met with each agency, developed the contracts for 2003. Particular emphasis was given on performance expectations. In outcomes, we look at how do we quantify the impacts that the program does. When we look at outcome development, there's a few different factors that we look at. For programs that are evidence-based, we looked at the research, as well as we met with or spoke with the program developer to look at what should be measured and how. For existing programs, we went over program history, what the agency has done, how the agency has performed in the past, factors that have effected that performance, as well as agency standards. What does the agency expect for comparable services to comparable populations. That's most important for agencies that have like a national association that would have performance expectations for their local partners. We also look at other relevant data information that would effect the agency's performance, or a statistic that might be used for comparison purposes.

The contracts were finalized and the majority of the contracts were approved on the February 19th Commission meeting. We have the final two contracts before you for approval today.

The Targeted Outreach program at the Boys and Girls Club will receive a grant for \$81,000 for 2003 to serve 55 suspended or expelled youth. The program serves youth both with short-term suspensions, which is defined as under 28 days, as well as youth with a long-term expulsion, including the youth that are expelled for the entire year, under the USD 259 no tolerance policy. The program outcomes are developed by program staff. I know of no other program that serves youth that have been expelled for a full year, to really provide a comparison data and the school district itself does not track or able to track outcomes for youth that have been long-term expelled and whether they return to school.

The program's outcomes are segregated by the short-term suspensions versus the long-term expulsions, having different expectations for those populations. For short-term suspensions, the expectation is that 100% would return to school and that 90% would not be suspended during the follow up. The follow up is one month for youth with a short-term suspension. That's under 28 days. Normally you wouldn't have an outcome for 100%, but with short-term suspensions, anything less than 100% didn't seem appropriate.

For long-term expulsions, the program tracks return to school, suspensions and expulsions, school attendance, increased grades as well as arrests. The outcomes are measured on kind of a before and after methodology, with the program staff comparing the youth's performance in school before the program, as well as after, when they return to school. So, therefore, the benchmark for the improvement is the own youth's performance before the program, compared to after the program. The follow-up period for the long-term expelled kids are two full semesters.

The program, I might mention, the program has been around long enough now that they have some

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youth that have actually graduated, went through the program, graduated high school now, have come back, invited program staff to their graduation, as well as let them know were planning on going on to college.

Wichita A.C.T.S. on Truancy grant will be for \$67,500 for the 2002-2003 school year. Their target population is 250 truant youth. The program was originally developed through a federal grant application that involved the Wichita Public School District Regional Prevention Center and Project Freedom. The outcomes stem from that initial grant application and have . . . Well, the outcome targets have remained the same since that initial grant application, probably was 1995. The measurement process has evolved significantly over the last five years. Most of the outcomes are also on a similar before and after methodology, with staff comparing a child's performance before the program participation and after, after they've completed the program. The program looks at reducing suspensions and expulsions for truant youth, arrest rates, reducing absenteeism, improving grade point averages, as well as a statistically significant attitudinal change in the feeling of connectiveness. Connectiveness is considered a protective factor for juvenile delinquency in the Communities that Care model and the Wichita A.C.T.S. on Truancy is based on that model.

The two contracts before you today are with Boys and Girls Club and Wichita A.C.T.S. on Truancy. Some program representatives are available for questions and I also am available for questions. The recommended action is to approve the contracts and authorize the Chairman to sign.”

Chairman Norton said, “Okay. We have some questions. Commissioner Sciortino.”

Commissioner Sciortino said, “Thank you. This is really getting me into my comfort zone when we can start to see some real meaningful outcomes, and I'm specifically impressed over what Wichita A.C.T.S. on Truancy has committed to, because I think in today's day and age, when we're really having financial crisis, we have to show the citizens that we're really looking for as much productivity out of a dollar that's invested.

Let me . . . I don't know if I need to ask Jamie this or you, but if I understood it right, on outcome number four for Wichita A.C.T.S. on Truancy, a 25% in their GPA, if like an individual has 2.8, then we're saying that it will go to 3.5. That's a pretty dramatic increase and I commend you for making that. Oh, with your fingers crossed. Okay, now I understand the commitment. But I mean, I think these are meaningful outcomes that we can defend, if anybody wants to know why are we doing this social . . . this is not . . . this is saying, 'hey, they've made a strong commitment as to what will benefit our youth' and I'd feel comfortable in justifying this kind of expenditure, based on those outcomes.

I think this is a great thing that we've moved to and I think Commissioner Winters was the one that first started us thinking about trying to get a little more meaningful outcomes onto these prevention

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funds. So, I congratulate you . . . well, both of the . . . I congratulate the whole process. It's going well. Thanks."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. Thank you for the information here and, to me, this just goes to the point of when we are in tight budget times and we do have to cut certain programs, there are certain programs that can make a large impact later and cost us more money. And what I'm talking about is these programs are about keeping kids in school and I hate guessing at the percentage, but if my memory serves me correct, it's like around 30% or so of people that are in the jails have a high school education. The rest of them do not. And I think that's our long-term cost and expense. And so, that's one of the things that we try to do, at the local level, is educate some of our folks up there at the state level about when you get into cutting programs, don't just cut the little ones that you don't think are making a big impact, because a lot of these programs that are at the grassroots level are making an impact and can save us money, as a community, in the long run. And I see Evis Cranford is in the audience today too, and Evis and Jamie Lopez both do an excellent job serving our community through these programs. And so, I think what we're doing here today is only going to make a positive effect on our community. Thank you."

Chairman Norton said, "Commissioner Winters."

Commissioner Winters said, "Well, thank you. And was pretty much going to say about that same thing. And I appreciate Commissioner Sciortino's comments about getting some information that's meaningful to him in the evaluation of these programs. So, I'm glad to see that Jeannette has put together some meaningful figures together for him, and Commissioner McGinn is exactly right. Our prevention focus has been on three areas and one of them is commitment to school. And I think that both the Boys and Girls Club and A.C.T.S on Truancy, in just hearing these brief comments, know our importance to your programs that you work on with these young people, because as we chose that commitment to school as one of our prevention objectives, it's very obvious that if a young person does not get that high school education, that high school degree, the opportunities are just very limited. And if you've got that high school degree and you can stick it out and you can say, 'Well, I've got this high school degree' you've just got many more avenues, as you move on through life. So, I appreciate the work that both of you do and all the prevention providers, but these two are really still just pretty important that we're encouraging young people to stick it out, even though you've had some tough times maybe with expulsion or whatever, but stick it out and get that high school degree and you'll be a much more productive citizen with that. So, this time we've had a pretty good discussion about prevention."

Commissioner Sciortino said, "And you're being a little bit modest too because, Commissioner Winters, you were the one that got us first started about re-looking at outcomes, so that they could

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become meaningful. And I compliment you, because you were the one that first started us thinking about that.”

Commissioner Winters said, “Thank you. That’s it.”

Chairman Norton said, “Commissioner Unruh.”

Commissioner Unruh said, “Well, I just wanted to make a comment that I’d also congratulate on the good outcomes that we’ve had and echo what the other commissioners have said. How wide across our school system does this program reach? I mean, we’re focused on just a few schools, and are we maxed out on what our resources are now?”

Ms. Livingston said, “Wichita A.C.T.S. on Truancy serves five target middle schools. Now the Boys and Girls Club accepts referrals from any schools across the school district, but they have a limited capacity. They even serve districts outside of USD 259 and they stay pretty full.”

Commissioner Unruh said, “Thank you.”

Chairman Norton said, “Good. I just have one final comment and that is, as we move through this process, I mean we’ve been pretty introspective with ourselves to be sure that this money that we’re spending is really analyzed and we really push to have the greatest outcomes. I’m really proud that we challenged all the different entities to find some outcomes that weren’t just feel-good outcomes, that ‘Yeah, we’re doing the good work, but we don’t really know if it’s meaningful’.

I also liked the idea that some of these are a little stretchy. I think Commissioner Sciortino has challenged us in the past that, ‘Well, it’s easy to say we’re going to do 70% when we’re already 70% of them’. That’s not really challenging. Some of these new outcomes really look like they are going to stretch you and you’re crossing your fingers going, ‘We’re going to work hard and try to make it happen’, but you know what, we’ve got to do that. We’ve got to challenge ourselves to seek the highest level of outcomes, because this money is hard to come by. It’s a challenging time, economically, to keep putting money into these kind of prevention programs if it’s just feel-good.

And now we’re starting to get down to the meat of it that it’s not just feel-good. That we can come back later and say, ‘Hey, these kids’ grades went up and they stayed in school 90% of the time and they didn’t go back into the system, they were pushed right out of the system and into the schools

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and had a good life after that'. And that's what we need to know as a Commission. Because we are, in these challenging times, taking a great leap of faith to put a million dollars into prevention. I mean, when the state is saying, 'We're going to cut it out, cut it out, cut it out' and we're saying 'We're putting it in, putting it in, putting it in', that's pretty tough and I applaud you for doing that.

That's all I have. I see no other lights. What is the will of the Board?"

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thank you, Jeannette. Thanks Dr. Cranford and Jamie for coming today. We appreciate your continued work. Clerk, call the next item."

J. CLOSURE OF ZOO BOULEVARD, AND POSSIBLY WINDMILL ROAD, FOR A PRAIRIE GRASS BURN ON SEDGWICK COUNTY ZOO PROPERTY.

Ms. Stephanie Witte, Supervisor of Horticulture, Sedgwick County Zoo, greeted the Commissioners and said, "I am needing to request permission to go ahead and burn the prairie grass in front of the zoo and then also request permission to possibly close Zoo Boulevard and Windmill Road."

Chairman Norton said, "I see no lights flashing. I do have one question. Do we police that area before we burn to look for native bird nests, other animals? I mean, we are the zoo and we're trying to protect."

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Ms. Witte said, “We walk through the prairie before we burn it and then we’re also out there mowing around any obstacles, and so there’s quite a bit of activity out there before we burn. So, we don’t go through and inspect every square foot, but we are active out in the middle of the prairie before we burn.”

Chairman Norton said, “Sensitive to that. Well, it just seems like if we’re trying to protect animals and native habitat and everything and then go and destroy some of that in our own backyard just doesn’t make sense. So, I wanted to challenge us to be sure we do that.

Commissioner McGinn.”

Commissioner McGinn said, “Just a quick question. How long does this take? It depends on the wind, I’m sure.”

Commissioner Sciortino said, “Today, it would take an awfully long time.”

Ms. Witte said, “This year, depending on weather, we’d only be doing this on a weekend, so either a Saturday or a Sunday. And then, of course, the weather has to be the right way. But typically, it’s going to take between three hours, one and three hours. But this time . . . We haven’t been able to burn for the past three years, so we’re expecting to burn a larger area of the prairie, which is on the eastern section of the zoo and it’s right along Zoo Boulevard, from Windmill Road entrance all the way to the administrative building. That’s what we would like to burn, so that one might take a little longer.”

Commissioner McGinn said, “Well, you answered my other questions. I was hoping it would be after the hours of 9 in the morning on the weekday and before 4, but you’re going to do it on the weekend.”

Ms. Witte said, “It will be on the weekend, and typically we do it in the very early morning hours.”

Commissioner McGinn said, “All right, thank you.”

Chairman Norton said, “Is there a time when you would not . . . you had planned to burn and the wind shifted, blowing the smoke back into the zoo that you’d postpone?”

Ms. Witte said, “Yes. Often, we’ll be there at 6:00 in the morning, thinking that we have the right conditions to burn and then, all of the sudden, the wind will shift directions and we won’t be able . . . or shift speed and we won’t be able to burn at all and then we’ll just go home and try it again next weekend.”

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Chairman Norton said, “Okay. I see no other questions. What’s the will of the Board?”

MOTION

Commissioner Winters moved to approve street closures related to the prairie grass burn.

Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, “Thank you. I apologize, Lisa. I’m reverting back to years ago as mayor, when we called for the question instead of calling the roll. So, I apologize. Next item.”

K. MODIFICATION OF PLANS AND CONSTRUCTION WITH DONDLINGER AND SONS CONSTRUCTION COMPANY, INC., REQUEST NUMBER ONE AND FINAL.

SEDGWICK COUNTY PROJECTS:

- **785-B-4588 - BRIDGE ON 13TH STREET NORTH BETWEEN 151ST AND 167TH STREETS WEST. CIP #B-380. DISTRICT #3.**
- **592-22-448 - BRIDGE ON 109TH STREET NORTH BETWEEN RIDGE ROAD AND HOOVER. CIP #B-381. DISTRICT #4.**

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, “Item K is a modification of plans and construction, request number one and final, involving two Sedgwick County bridge projects. The first is a bridge on 279th Street West, between 109th and 117th Streets North, designated as B-380 in the Capital Improvement Program. The second is a

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bridge on 109th Street North, between Ridge Road and Hoover, designated as B-381 in the Capital Improvement Program.

This project has been completed and is ready to be ‘finaled out’. There will be a net increase of \$10,799.72, due to variations in plan quantities from actual field measurements. I might mention that we originally budgeted \$600,000 for these bridges and, in total, this will bring it to, even though it’s an increase of \$10,000, we still are only at under \$300,000 on the project. So we’ve saved over \$300,000 compared to the budget.”

Commissioner Sciortino said, “Don’t ever let that happen again. We’ll start thinking you do it all the time.”

Mr. Spears said, “Well, we may need it for a couple of other bridges this year. So, just wanted to . . . Anyway, I recommend that you approve the modification and authorize the Chairman to sign.”

MOTION

Commissioner Winters moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, “And it’s interesting that today we’ll have a workshop on roads and bridges to talk about just this. Some are under and we’re starting to see some that are over engineer’s estimates and how do we figure that in. So, it’s going to be interesting to hear that dialogue today. Clerk, call the next item.”

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L. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF MARCH 13, 2003.

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the minutes of the March 13th meeting of the Board of Bids and Contracts, and there are six items for your consideration.

**1) 2003 NOVA CHIP OVERLAYS- PUBLIC WORKS
FUNDING: SALES TAX**

Item one, Nova Chip overlays for the Public Works Department. It was moved to accept the only bid received from Ritchie Paving for \$487,525.

**2) EMULSIFIED OIL- PUBLIC WORKS
FUNDING: AGGREGATE MATERIALS**

Item two, emulsified oil for Public Works Department. It was moved to accept the only bid received from Koch Pavement Solutions, including delivery to the Sedgwick County west yard, for \$508,800.

**3) RUBBER TIRED EXCAVATOR- FLEET MANAGMENT
FUNDING: VEHICLE ACQUISITION**

Item three, rubber tired excavator for the Fleet Management Department. It was moved to accept the proposal meeting specifications from Foley Equipment, including trade-ins, for \$139,726.

**4) MEDICATION SOFTWARE- SHERIFF
FUNDING: SHERIFF**

Item four, medication software for the Sheriff's Department. It was moved to accept the low proposal from Kalos Incorporated for \$35,775.

**5) PATIENT TRANSPORTATION SERVICES- COMCARE
FUNDING: COMCARE CRISIS THERAPY**

Item five, patient transportation services for the COMCARE Department. It was moved to accept

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the low proposal from Security Transport Service. It was moved to accept the low proposal from Security Transport Services for items one through four to execute an annual contract not to exceed \$29,800 with three one-year options to renew.

6) LAPTOPS- DISTRICT COURT FUNDING: DISTRICT COURT CASE MANAGEMENT

Item six, laptop computers for the District Court. It was moved to accept the low bid from Gateway for \$56,332.

I'll be happy to take questions and recommend the approval of the March 13th minutes of the Board of Bids and Contracts."

Chairman Norton said, "We do have some questions. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Jerry, I had a question from a constituent who was not the winning bidder on item number five. The question he had concerned some of the language in the Request For Proposal that talked about the bidder had to comply with all elements of the RFP. And I see one of them here on the backup material that shows that the winning bidder didn't bid on item number five. So, would you just comment on that and explain to me, for the record?"

Mr. Phipps said, "In our RFPs, all our mandatory language does refer to licensing, insurance requirements, two-person trips, first aid, CPR, but it does not refer to completing all pricing blanks for award."

Commissioner Unruh said, "Okay, so 'all' does not refer to each line item, it just means for the legal requirements. Okay."

Mr. Glen Shore, Medco Ambulance, said, "If it would please the Commission, I would like to speak to that issue."

Chairman Norton said, "We're not taking public comments right now, unless it's the will of the Board to do so. Okay, would you come forward and state your name and address then, and we'll give you five minutes."

Mr. Shore said, "My name is Glen Shore. I'm with Medco Ambulance Services. I'm a local company. We've been in business now since 1997 and it's been a difficult business because we're really not allowed to do business inside the city limits of Wichita."

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So, one of the things that we have done is try to broaden our business scope to do various other things, one of which was we've been doing this transport for COMCARE for the last probably three years, I believe, and maybe four.

I kind of disagree with the interpretation of the language in the RFP. The ambulance is an extremely important part of bidding this contract for several reasons, one of which it's much more costly to field that ability than it is just to have a vehicle-type transport, because we've got to meet state licensing requirements, state certification requirements and those are more onerous. The insurance requirements are more onerous. And so I think that's a very important part of that. However, the RFP clearly states that incomplete responses would not be accepted. I don't know how you can argue that not filing in one of the pricing blanks makes that a complete response.

In addition, it's clearly stated that the RFPs will be judged on the basis of meeting all RFP requirements, not just the mandatory requirements. In addition, it does have the specification of meeting all mandatory RFP requirements. So, if the interpretation of that is different than what the clearly stated language is, I think it's important that that be stated in the RFP. It does require a van. I don't know whether this other bidder has a van or not. We have seen their vehicles and we've never seen a van. That's maybe a technicality, but in our previous discussions with COMCARE, that's been a very important aspect of it. It is more expensive to operate a van, more expensive for the insurance requirements.

It's probably not a question with respect to the bid, since it's pretty obvious that price was the sole consideration, but this will result in the loss of two jobs from a local company. Whether it effects the viability of ambulance service or not, I don't know. I think that's very important. As a matter of record, we did make three transports during the Haysville tornado with our ambulance. We never did get paid for those, but we did do the transports.

We had a transport to Houston, Texas just yesterday, to M.D. Anderson Hospital, so all the things that we're trying to do, I think, supports the community very much. And again, I'd say very clearly, in my opinion, the terms of the RFP were not met by the other bidder because they did not bid on the ambulance and, as I've stated before, the RFP clearly states that it's got to be complete, all aspects of the RFP have to be met, as well as all mandatory aspects. And so, we strenuously object to making the award of this contract. Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, I was actually ready . . . I want to ask a question about item number four, but let me just ask the question again on this, because of what was brought up. I'm assuming that Security Transport Service is not a local company. Is that correct?"

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Mr. Phipps said, "Jeannette Partridge is here to entertain . . . or Livingston, I'm sorry."

Ms. Livingston said, "I believe their base is in Topeka, but they also have staff here and Newton and some other places around the state."

Commissioner Sciortino said, "Okay. But is everybody still comfortable that when we say, 'met all requirements' that they've met all? Go ahead."

Mr. William Buchanan, County Manager, said, "I think it would . . . I would prefer that we delay certainly this bid, item number five, and let some other people review these questions that were raised today and get back to you."

Commissioner Sciortino said, "I wanted to make sure . . . okay. Well, then let me ask one more question, the one I wanted to originally ask. On item number four, there seems to be such a tremendous discrepancy in the bids. I mean, did Kalos . . . I mean, how can there be one guy bids at \$35,000, the other guy \$413,000? There's . . . something's wrong."

Mr. Phipps said, "The Mediware Company introduced a proposal that is a complete package, which is pharmacy, radiology, laboratory, pathology, etcetera, and we just asked for a medication software package, just that module. They bid a complete package like for hospital environment or something like that."

Commissioner Sciortino said, "And that was all. Take the whole thing, with all the horns and whistles or nothing? Oh, okay. All right, okay. That was all my questions."

Chairman Norton said, "Okay. I see nothing else. I would entertain some kind of a Motion."

MOTION

Commissioner Sciortino moved to approve the recommendations of the Board of Bids and Contracts, with the except item five, to be deferred one week for further review.

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Commissioner Unruh seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Thanks, Jerry. Clerk, call the next item."

CONSENT AGENDA

M. CONSENT AGENDA.

- 1. Order dated March 12, 2003 to correct tax roll for change of assessment.**
- 2. General Bills Check Register(s) for the week of March 12 – 18, 2003.**

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

MOTION

Commissioner Sciortino moved to approve the Consent Agenda as presented.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner David M. Unruh	Aye
Commissioner Thomas Winters	Aye
Commissioner Carolyn McGinn	Aye

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Commissioner Ben Sciortino Aye
Chairman Tim Norton Aye

Chairman Norton said, "Are there any other items to come before us today. Commissioner Unruh."

N. OTHER

Commissioner Unruh said, "Thank you, Mr. Chairman. I would just like to report that I had the opportunity to attend the Central Plains Quad-County Planning Forum. I went with Irene Hart, who is our Director of Community Development. I think it was very helpful and beneficial meeting to exchange ideas and news with the Commissioners in Harvey and Reno and Butler County. I look forward to developing that relationship and I'm glad that Sedgwick County is a part of it.

Also went to the zoo board last night, for the first time, and it's going to be an exciting year and an expanding year for the zoo and I would encourage anybody, all of us, citizens to buy your memberships and support the zoo."

Chairman Norton said, "I hear it's all happening at the zoo. I do believe, I believe it's true. A throw-back to the '70s I think. Commissioner Sciortino."

Commissioner Sciortino said, "Well, I need to ask Commissioner McGinn a question. I get a lot of my education from the newspaper and especially the comic section. And this morning they were talking about cows having a propensity to eat metal and that farmers sometimes will actually feed their calf a magnet, so that if they eat a piece of wire or something, it will be attached . . . Have you ever heard anything like that, that they actually do feed them magnets, so if they eat nails or something, it adheres to that and doesn't go through their digestive tract and maybe hurt them?"

Commissioner McGinn said, "I have not heard that, but I do know that, because of their diet, they need some of the minerals that are in metal."

Commissioner Sciortino said, "Yeah, it was really neat. I was reading. I can't believe it. They eat, they actually like little nails and wires. Okay, well, I just thought I'd be educated."

Commissioner McGinn said, "I just have a quick question for Commissioner Unruh. I just want to know if the grandkids were all told, 'Let's go to grandma's for spring break' and grandma said, 'Let's go down to the BoCC meeting'?"

Commissioner Unruh said, "This is part of their civic education here."

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Commissioner Sciortino said, “You can see how they’re thoroughly enjoying this.”

Commissioner Unruh said, “They haven’t disrupted anything.”

Commissioner McGinn said, “They’ve done a great job and I’m glad, for you, that it wasn’t a longer meeting.”

Chairman Norton said, “I’m thinking a trip to the mall and then out to pizza would probably make it all better. They’re nodding their heads. So, I didn’t mean to set you up, Dave and Karen.”

Commissioner Unruh said, “It will work.”

Chairman Norton said, “It will work. Is there anything else to come before us? If not, we’re adjourned.”

O. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:32 a.m.

BOARD OF COUNTY COMMISSIONERS OF

Regular Meeting, March 19, 2003

SEDGWICK COUNTY, KANSAS

TIM NORTON, Chairman
Second District

THOMAS G. WINTERS, Chair Pro Tem
Third District

DAVID M. UNRUH, Commissioner
First District

CAROLYN McGINN, Commissioner
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2003