

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 30, 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, July 30, 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; Dr. Doren Fredrickson, MD PhD, Health Officer, Health Department; Ms. Annette Graham, Director, Department on Aging; Ms. Anita Nance, Director of Client Services, Department on Aging; Ms. Eula West, Public Information Clerk, Division of Information and Operations; Ms. Susan Erlenwein, Director, Environmental Resources; Mr. Don Brace, County Clerk; Mr. Michael D. Pepoon, Director, Government Relations; Ms. Mary Dudley, M.D., District Coroner/ Chief Medical Examiner, Forensic Science Center; Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE); Ms. Jo Templin, Director, Division of Human Resources; Mr. Kevin Nash, Benefits Manager, Division of Human Resources; Mr. Pete Giroux, Senior Management Analyst, Budget Department; Mr. David Spears, Director, Bureau of Public Works; Mr. Jerry Phipps, Purchasing Agent, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Bethany Carpenetti, Deputy County Clerk.

GUESTS

Ms. Jana Heater, Project Manager, Lowe's Heroes Team.
Mr. Tom Salter, Member, Sedgwick County Board of Mechanical Examiners.
Mr. Keith Lawing, Executive Officer, REAP.

INVOCATION

The Invocation was led by Pastor Ron Rhodes of Park City Baptist Church.

FLAG SALUTE

ROLL CALL

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

Chairman Norton said, "Next item."

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DONATIONS

A. DONATION BY SUNFLOWER FOUNDATION OF \$10,000, TO BE USED TO UPDATE THE BILLING FEES AND INSURANCE PROJECT FOR THE HEALTH DEPARTMENT.

Dr. Doren Fredrickson, MD, PhD, Health Officer, Health Department, greeted the Commissioners and said, “The Sedgwick County Health Department’s mission is healthy communities for healthy people and the seven stations served 4,000 visits last year for health department services in these times of rising health care costs and decreasing health care insurance, it’s crucial for the health department to continue offering public services at affordable prices to help families get along.

Since the county took over the health department a year ago, the health department has been undergoing a strategic planning and revitalization process and part of that identified that key issues are to sustain our existing programs, to expand them where possible and align our resources to our priority areas.

We first identified that our fee structure had not been changed for seven to ten years, depending on the service and we’re terribly outdated. And so we identified this as a major need and approached the Sunflower Foundation, which is a foundation in Topeka, Kansas for assistance with this. The Sunflower Foundation is devoted to improving affordability and improving quality of health care for all Kansas and acting as a catalyst for systemic change and we felt that this fits within their goals.

We were interested in updating our current fee structure, but we were very concerned that it not create a barrier to access and so, wanting to protect vulnerable residents with minimal money by putting in place an appropriate fee schedule or sliding fee schedule, depending on income, so that barriers to access would not be created, and yet at the same time updating the fees so that we would have enough money to continue to operate and even expand crucial services.

We wanted to increase our service to insured and uninsured, as well as what we call underinsured. Those are people with very large deductibles who don’t have coverage for many routine items. And we identified that we needed to be able to bill insurance companies, so we thought that we could use some money to hire two consultants and one would be to conduct focus groups among uninsured clients who currently use the health department. This would be both English and Spanish speaking clients, conducted in separate focus groups, about what amount of money would be a fair price and that would not impede their access and use of services, but would also allow us to cover costs. And a second consultant would be hired to give us assistance with updating our insurance billing procedures and allow us to create those, which had not existed before.

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The research elements of this were submitted to the University of Kansas Committee on the Rights of Human Subjects, or Institutional Review Board, or IRB and the project was approved, so that confidentiality and clients are protected, and so we feel ready to do this and this will be crucial for us, as we submit to the board next month about our proposed changes in fees.

So what we are proposing is that you would approve the acceptance of this one-time grant of \$10,000 from the Kansas Sunflower Foundation and also authorize the Chair to sign a thank you letter to go to the foundation to thank them for that. Are there any questions?"

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you. And I think, Dr. Frederickson, I think you touched on some of my questions and that was, as we go and look at our fee structure, we are going to get into sliding scale fees with this and help us. Because I think we have an array of people that come to the health department, probably more so that have difficulty in having good insurance and those kinds of things, but I think we also have people that can't afford to pay and I certainly want to make sure that that component is factored into this."

Dr. Frederickson said, "Absolutely. The health department has always had a sliding fee scale. It's just as outdated as the fees are and so that was one of the things to investigate with the focus groups, is to make sure that it's adjusted. And interestingly, preliminary discussions we've had with people who use the health department indicate that they would like a timed payment schedule, so that they could pay on time. By that I mean pay, have delayed payment, over time, kind of like buying a car, although our services at the health department are no where near as expensive as major purchases like a refrigerator or a car but that that would be a system like that, which we thought was very helpful."

Commissioner McGinn said, "Okay. Well, I think that's something we need to do. I think there has been some discussion in some of our staff meetings and kind of wonder whether we do have a sliding scale set in there for all the things that we do, and so that's what I was wondering."

And then the other question I had, and I think you answered it too, that you hoped to have this information back within a month?"

Dr. Frederickson said, "That's correct. We'll have preliminary results in fact by the time the fee change is initially discussed. The final report will be back September 1."

Commissioner McGinn said, "Okay. I'll be looking forward to seeing it. Thank you."

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Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. I just have one more question and then a comment. You mentioned in your presentation how long it had been since we'd modified the fee schedule. I missed that. How long?"

Dr. Frederickson said, "It depends on the service. It's seven to ten years, depending on the service, since the last fee change."

Commissioner Unruh said, "Okay, thank you. And then my comment is, that's amazing that we're going to get a report back in one month from the time of request to the time of the report. That's wonderful. That's all I have."

Commissioner McGinn said, "We'll see."

Chairman Norton said, "Well, I think this really integrates into some of the things that we're doing at the Health Department, as we look forward to reinvent ourselves and to look to the future, and billing and fee structures and all that kind of fits in with where we're taking it to that next level. So I applaud you for going after the grant, and I'm going to certainly support accepting a donation of \$10,000. So, any other questions of the Board?"

Commissioner Sciortino said, "Just one comment. I've never seen so much time trying to improve somebody trying to give us \$10,000 before, but I think that's pretty neat."

MOTION

Commissioner McGinn moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Unruh 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, Doctor. Next item."

B. DONATION BY LOWE'S HOME IMPROVEMENT OF MATERIALS AND LABOR WITH AN ESTIMATED VALUE OF OVER \$15,000, TO BE USED FOR DEPARTMENT ON AGING'S MINOR HOME REPAIR PROGRAM.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "Today, I'm happy to be here to talk about a donation from the Lowe's program. As part of a continual effort to promote safety for seniors and to allow them the opportunity and ability to remain in their homes independently, in a safe and secure environment.

Lowe's initiated contact with our Department on Aging to talk about the possibility of partnering in this program with them with our minor home repair program. Lowe's Heroes Team has requested that the Department on Aging identify and assess individuals that are willing to receive assistance, who have a need for this assistance and who would be willing to be involved with their program and possibly be photographed for their materials.

The project is scheduled to begin on July 23rd. Originally, when we began talking with them, Lowe's was going to do a one-day project. After they talked with us and found out what the needs were and found out how we could assist them, they became very excited, got involved in not just one of the Lowe's stores but both of the Lowe's stores being involved in having their staff being involved to do the volunteer work and now this program is going to run from July 23rd through September 24th. They're very excited and they're bringing a lot of good ideas and a lot of volunteers to this project to help do this.

The project is being made possible through the volunteers from both of the stores and donations that will exceed in value of approximately \$15,000. So I would like to introduce two of the staff that helped make this possible. This is Anita Nance and Krista Lovette that have been very involved in working with Jana Heater from Lowe's program. So I wanted to . . . Jana."

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Ms. Jana Heater, Project Manager, Lowe's Heroes Team, greeted the Commissioners and said, "As Annette was saying, pretty much our whole program is focused around just providing a safer environment for the seniors in their homes. We're a group of employees at Lowe's that just want to volunteer some of our time to just go out and there's simple things, such as installing handrails in the bathroom or maybe non-skid strips in the bathtub, bath chairs, hand-held showers, non-skid on their porches to make their porches not so slick, adjusting the handrails so that they're a little tighter, a little safer, motion lights. Just things to make them feel they're safe at home."

Chairman Norton said, "Awesome. We do have some questions, though. Don't run off."

Commissioner Sciortino said, "Let's see if these other people want to say anything."

Ms. Anita Nance, Director of Client Services, Department on Aging, said, "We're just really happy to be able to partner with Lowe's and we appreciate all the time and the supplies that they're donating. This has been able to expand our minor home repair program to deal with safety and accessibility issues, so we're real pleased to do this. And I have to say that Jana has been very involved in actually going out to the community, actually going out to the homes of the seniors and we haven't deterred her yet, so we're very pleased that she's still with us."

Chairman Norton said, "Now, Commissioner Sciortino."

Commissioner Sciortino said, "Well I think it's just great that a company, it's more than just the bricks and mortar that's built the building. The dynamics of a company are the employees and you know, Lowe's is proving itself to be a good corporate citizen, but that means the employees are good citizens."

I have just a couple of questions about the program. Does people that would like to qualify for this, do they submit their requests through our program, or directly to Lowe's for consideration? I guess what I'm trying to figure out when does Lowe's decide that, yes this is a project we'll take on?"

Ms. Heater said, "We were having difficulties at first finding where to start to find seniors that needed assistance and so we contacted the Sedgwick County Department on Aging, and working through them and their case workers, they're finding seniors out there that need stuff done. So they're putting in requests through the Department on Aging and then through us."

Commissioner Sciortino said, "And then you get the referrals from them. Just one general question. If anyone is listening out there that now has thought, 'Well maybe I could qualify for some of this', how do they get a hold of our department, or how do they go about applying for this?"

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Ms. Nance said, "They can call our Department on Aging direct number. It's 660-7298."

Commissioner Sciortino said, "The Lowe's people know the number?"

Ms. Nance said, "I don't call our number."

Commissioner Sciortino said, "Okay, 660-7298. Great."

Ms. Nance said, "And then what we'll do is talk with them on the phone and discuss with them what need may be, safety or accessibility, whether it's appropriate for the Lowe's program or whether it's appropriate for our minor home repair program and we can make that determination by phone."

Commissioner Sciortino said, "Well, I just think this is great. We're going through a budget problem right now and it really helps to have the private sector jump in and help at whatever level you all feel comfortable at, and we just thank you very much."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you. You may have shared this. How long has this program been in place?"

Ms. Heater said, "It started in 1996. This would be our first year at the east location, and then the west store is joining us in it."

Commissioner McGinn said, "Okay, well I think this is great. This is again just another added value, as far as helping our community and keeping our seniors in their home, healthy, happy and that kind of thing. And I know a lot of times people don't have a son and daughter or somebody to come over and help them do some of those kinds of things."

Ms. Heater said, "We're finding that a lot of them just live out of town and they're just not available."

Commissioner Sciortino said, "We're going to get Wichita in this book too, first place."

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Commissioner McGinn said, "There you go. Well, this is great and I commend you all for doing this. And if anybody is like me at home, you can't find a pencil and paper, so if you've got that number memorized by now, you might want to give that one more time. You want to give that number one more time."

Ms. Nance said, "It's 660-7298."

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

Chairman Norton said, "I have one question, Jana. What did you do with the other \$5,000 that I spent at Lowe's last year? You're holding out on that. You're going to keep that as profit, right. Okay. We're very appreciative. It's a great program and I've worked with volunteer organizations through companies before and they do great work and I know Lowe's does that and has for many, many years. So, thank you very much, we appreciate it."

Ms. Heater said, "I also . . . We have some days scheduled for work days too, so you all are more than welcome to come out and volunteer and put a hammer to work."

Chairman Norton said, "Get that information to us, you'd be surprised. We've got some pretty talented carpenters around here. I looked past Ben. I looked on over to Dave when I said that."

Commissioner Sciortino said, "I'm a real . . . look what I did there. That shows how good I am with a hammer."

Chairman Norton said, "Thank you very much. What is the will of the Board?"

MOTION

Commissioner Sciortino moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

Commissioner Unruh 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

Commissioner Sciortino said, “We’re going to have to be on our good behavior. Eula just showed up and we’re in trouble.”

Chairman Norton said, “She’ll put the evil eye on us.”

Ms. Eula West, Public Information Clerk, Division of Information and Operations, said, “We have nice boys and girls here today.”

Chairman Norton said, “Before I call the next item, I just got a note that the YMCA Teen Camp girls and boys, 13 to 15 years, from Central YMCA is here visiting today. So we’ve got a pretty good group. Now we really have to be on our best behavior. Welcome to the Sedgwick County Commission today. It’s good having you here with us and hopefully you’ll find out a little bit about how good government is carried on. Clerk, call the next item.”

Commissioner McGinn left at 9:26 a.m.

APPOINTMENTS

C. APPOINTING RESOLUTIONS (AT LARGE APPOINTMENTS).

1. RESOLUTION REAPPOINTING RICHARD E. LANDERS TO THE BOARD OF ELECTRICAL EXAMINERS AND APPEALS.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Commissioners, this is a reappointment for a three-year term to this board. I might note, just real briefly, that this board as well as the Plumbing Examiners, the Mechanical Examiners and the Building Examiners Boards exist for the purpose of hearing appeals from determinations by the Code Enforcement Officer and they also make recommendation as to alternate materials. But the resolution for this Item C-1 is in proper form and I recommend you adopt it.”

Chairman Norton said, “Commissioner Sciortino.”

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Commissioner Sciortino said, “Are these at-large appointments or individual commissioners, because I don’t see a commissioner’s name behind them. Are they at-large appointments?”

Mr. Euson said, “That’s correct. They are all at-large appointments, because they fill a slot. For instance, there’s journeymen electricians that are required to be on the board and those kinds of things, so they are definitely at-large appointments.”

Commissioner Sciortino said, “Okay. Can we take all of them at one time, or do we have to go individually with these?”

Mr. Euson said, “You know, I’m not sure how many are here to be sworn in and it might be good to take them one at a time, just in case there are different board members.”

Chairman Norton said, “I think as you swear them in too, they have different dialogue in the swearing in, so we might not be able to do that. What is the will of the Board, on item one?”

MOTION

Commissioner Winters moved to adopt the Resolution.

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, “And is Richard here today? Okay, he is not here. Clerk, call the next item.”

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2. RESOLUTIONS (TWO) REAPPOINTING SUSAN ERLLENWEIN AND MIKE BRAND TO THE BOARD OF PLUMBING EXAMINERS AND APPEALS.

Mr. Euson said, “And Commissioners, we’ve prepared this resolution. These are three-year reappointments and I recommend you adopt this resolution.”

MOTION

Commissioner Unruh moved to adopt the Resolutions.

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	Absent
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, “And I see Susan is here and County Clerk Brace, so we’ll have a swearing in.”

Mr. Don Brace, County Clerk, said, “Please raise your right hand.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of Sedgwick County Board of Plumbing Examiners and Appeals, so help me God.”

Ms. Susan Erlenwein, Director, Environmental Resources, said, “I do.”

Mr. Brace said, “Congratulations. You look like a good plumber.”

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

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3. RESOLUTIONS (TWO) REAPPOINTING JAMES W. BAKER AND TOM G. SALTER TO THE BOARD OF MECHANICAL EXAMINERS AND APPEALS.

Mr. Euson said, "Commissioners, these are for three-year terms also and I recommend you adopt these resolutions."

MOTION

Commissioner Winters moved to adopt the Resolutions.

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	Absent
Commissioner Ben Sciortino	Aye
Chairman Tim Norton	Aye

Chairman Norton said, "Mr. Brace."

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

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

Mr. Tom G. Salter, Member, Sedgwick County Board of Mechanical Examiners, said, "I do."

Mr. Brace said, "Congratulations."

Chairman Norton said, "No comments from Tom? Next item."

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Mr. Salter said, "You just have a good bunch of people up here."

Chairman Norton said, "Please come up and say that. Next item."

4. RESOLUTIONS (TWO) REAPPOINTING STEVE SHEPHERD AND GARY WETZEL TO THE BOARD OF BUILDING EXAMINERS AND APPEALS.

Mr. Euson said, "Commissioners, these are also three-year reappointments and I recommend you adopt the resolutions."

MOTION

Commissioner Winters moved to adopt the Resolutions.

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, "And neither Gary or Steve are here today, I understand. Okay, Clerk call the next item."

Commissioner McGinn returned at 9:38 a.m.

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5. RESOLUTION APPOINTING MEMBERS TO THE SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT BOARD OF DIRECTORS, ALTERNATES AND MINORITY REPRESENTATION.

BOARD OF DIRECTORS

- **CHARLES RIVERA**
- **YVONNE COON**
- **ALLISON OHLMAN**
- **SHERDEILL BREATHETT**
- **SARAH GILBERT**

ALTERNATES

- **CLIFF SONES**
- **KENT BROWN**
- **ELDON MILLER**
- **IRENE HART**
- **TOM SANDOVAL**

MINORITY AT LARGE

- **JUAN YANEZ**
- **MIKE KINARD**
- **ERICA TAYLOR**

Mr. Euson said, "Commissioners, earlier this year, at the end of January you approved the amendments to the articles of incorporation for the South Central Kansas Economic Development District and all of the counties that participate in that finally made their consents and the changes to the articles were made and therefore changes to the board were made, effective in May 2003, and the Commission, the Sedgwick County Commission now has the ability to appoint five members to the board and also to appoint alternates and it's provided that the Commission also make some minority at-large appointments and that's the purpose of this resolution. So, I . . . unless there's further questions for me, I recommend you adopt the resolution."

Chairman Norton said, "I see no other questions. What's the will of the Board?"

Commissioner Winters said, "Mr. Chairman, I think it might be good if somebody would read the directors and the alternates and the at-large into the record so we'll know who they all are."

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Chairman Norton said, “Okay, I’ll be glad to do that. For board of directors we have Charles Rivera, Yvonne Coon, Allison Ohlman, Sherdeill Breathett, Sarah Gilbert. As alternates Cliff Sones, Kent Brown, Eldon Miller, Irene Hart and Tom Sandoval. And minority at-large Juan Yanez, Mike Kinard and Erica Taylor. And so what is the . . . The recommended action is adopt the resolution. What is the will of the Board?”

MOTION

Commissioner Unruh moved to adopt the Resolution.

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, “Next item.”

Commissioner Winters said, “I know several of those people are here, if they want to be sworn in.”

Mr. Brace said, “We’re going to do this up front.”

Chairman Norton said, “A large group.”

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

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of South Central Kansas Economic Development District Board of Directors, so help me God.”

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South Central Economic Development District Board of Directors, said, "I do."

Chairman Norton said, "And we'll welcome comments from any of the individuals, if they'd like. I know Tom will want to say something. You're the senior person on there, are you not?"

Mr. Tom Sandoval, member, SCKEDD Board of Directors, said, "The past 31 years, we've been having a good performance record, but we'll try to continue doing that with less. Thank you."

Chairman Norton said, "Thanks, Tom. Commissioner Winters."

Commissioner Winters said, "Well I'd just like to say thanks to this group of folks and particularly Tom and Yvonne and some of you have been working with the South Central Kansas Area Economic Development group for a long time. And no matter what kind of board you're involved with, it takes time and effort and you guys have stuck by it for a long time and some of the folks are newer on the board, but this is a group that we really do want to stay connected with and if there's anything that we can do to assist you all, please don't hesitate to say that you need our consideration or help. But thanks for all the work you do on this board. We do appreciate it."

Chairman Norton said, "Well certainly economic development is on everybody's mind right now, whether you're with the steering council or SCKEDD or REAP or any of the groups that are working on it. It's right on everybody's lips, and these guys have been doing that work for many, many years. So, we're very proud of them and we'll be calling on you soon, I'm sure, as we wade through economic development. Clerk, call the next item."

NEW BUSINESS

D. AGREEMENT REGARDING LOCAL ELECTED OFFICIALS BOARD AND PROVIDING FOR RECEIPT AND CONTROL OVER FUNDS PROVIDED UNDER THE WORKFORCE INVESTMENT ACT OF 1998.

POWERPOINT PRESENTATION

Mr. Michael D. Pepoon, Director, Government Relations, greeted the Commissioners and said, "You have a proposed agreement before you this morning that is entitled 'Chief Elected Officials Agreement'. This is an agreement that is provided for under the Workforce Investment Act of 1998, a federal act that provides for the distribution of workforce funds to the State of Kansas and then on down to local areas within the state."

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I have a diagram that shows our local workforce area. We're in local area four, right in here. It involves six counties: Sedgwick, Butler, Cowley, Sumner, Harper and Kingman Counties. Part of the reason for these counties and not including Harvey County and Reno County, which are valuable partners of REAP as well is that I think each area has to have at least 500,000 people under the act, so they have to kind of work the population figures around the state.

But anyway, this is for local area four. It's an agreement that is to replace the current agreement that's been signed by this Board that was entitled 'Local Elected Officials Board Agreement', which is terminology that really comes from the previous federal act, which is the Job Partnership Training Act. We're using the more current language.

As I said, this is an agreement between . . . it's going to be offered to these six counties to sign. Once three of the six counties sign, it will become effective. Similarities in the two agreements, the previous agreement and this agreement, is that in each case the elected officials have delegated to the REAP economic development committee the role of taking over the duties that are provided for under the act.

The current agreement provides that the grant recipient of funds is the City of Wichita. This proposed agreement, the grant recipient will be the REAP economic development committee sitting as the CEO board. The current agreement provides the City of Wichita as the fiscal agent, kind of the watchdog, monitoring the use of the funds. This current agreement provides that the fiscal agent will be hired through an RFP process, probably it will be through the Workforce Alliance of South Central Kansas and approved by the REAP economic development committee.

Liability under the current agreement is assumed entirely by the City of Wichita. This agreement provides that those counties that enter into this agreement share liability based upon population. And while this is an agreement between counties, all the cities within these counties will have an opportunity to participate in this program and have members on this REAP board.

One of the reasons for the proposed agreement is simply administratively to have a more regional outlook on the distribution of these funds. Give you another visual to look at, the current agreement, if you look at the model that is currently being used, you see the funds coming down from the federal government to the state, going directly to the City of Wichita is assuming many of these major roles. And by the way, the City of Wichita needs to be complimented. They've been doing, I think, this program since about 1983 under the previous Job Training Partnership Act, and have done a good job. It's just simply now we want to look at a more regional approach and get some other entities more involved in the process.

As you see in this diagram, REAP even under the previous agreement, the economic development

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committee has played a major role in its duties under the agreement. It's kind of off to the side, and then the workforce alliance is also kind of off to the side on this diagram. And the workforce alliance, which has the role under the agreement, either of the agreements, as what we call the local workforce investment board. It's a board that's made up of individuals from the different educational institutions, labor organizations, and has to be made up of a majority of business . . . people from the business community and these are the people that are probably most directly in knowing how these kinds of funds should be wisely spent.

Under the proposed agreement . . . this is fairly complicated, you see the Workforce Investment Act funds going directly to REAP as the grant recipient and then the Workforce Alliance of South Central Kansas being the sub-grantee/ recipient, having a major role in seeing how these funds are distributed to all these various programs, including some programs that are run by the City of Wichita.

Just to give you an idea . . . and I might also mention that Commissioner Winters is the chair of the Economic Development Committee of REAP, which will be taking on this role as grant recipient of these funds and I think he also has a seat on the Workforce Alliance board as well.

The history of this agreement, several people have worked on this for a number of months, including Commissioner Winters, I know Andy Schlapp. Also here with me today is Keith Lawing from the Center for Urban Studies at W.S.U. who is the Executive Officer of REAP. He's been working with workforce issues for a number of years and is very familiar with the act. All of these people have been working hard to see that we have more of a regional approach on this issue.

This agreement has been before the executive committee of REAP on two occasions and they've approved a final and it was also approved in the July meeting of the entire board of REAP. It has to also be approved by the state. I've sent a draft agreement to the state previously, and they've already signed off of it and are apparently satisfied with the agreement as well. Be happy to answer any questions and Mr. Lawing is also here if you have any questions."

Chairman Norton said, "We do have some questions. I have just a comment real quick. I have to compliment Commissioner Winters for being so involved in this, as we started looking at workforce development and economic development through the steering council and we've made quite a few meetings on that.

Tom leaned over one day and said, 'You know, I think this is a way that we can be even more involved through REAP and make it more a regional approach for workforce development'. We

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were struggling with that at the steering council level, because workforce development was not going to be under the total umbrella of that steering council, but needed to be very connected to economic development and this was certainly an idea that Tom had that has come to fruition and I know he's worked yeoman's hours trying to bring all the entities together to make this happen and make sure that it wasn't contentious, as it moved from the City of Wichita to the county and to the county group and to REAP. So, I really compliment Tom for that. And with that, I'll turn it over to Commissioner Winters, because he has some comments."

Commissioner Winters said, "All right, thank you Mr. Chairman. Mike, thanks for your presentation. I did want to make a few more comments and begin by saying the entire workforce development system is a very complicated process and the workforce investment act is not simple to follow or to understand. What we are basically in the process of REAP taking on here, with the backing of the six counties in region four, is really an active role in workforce development issue in the region that includes these six counties. REAP and the economic development committee, which I am currently the chair of, will be working very closely to the workforce alliance committee. The workforce alliance committee is currently chaired by David Norris, who has been there since the inception and David and his committee . . . his committee, as Mike mentioned, made up of over 50% private business and industry, so they will be the principle drivers of where training and workforce development funds should be used and best utilized throughout this region.

There are a number of people that have worked hard on this issue, and I'd like to just give you a flavor, I hope I don't leave anyone off, I probably will, but this will give you a tone of the group that has been working on workforce development and making this change, since January of this year: County Commissioner Bob Courtney from Sumner County is very involved, County Commissioner Will Carpenter from Butler County, Mayor Mike Leady from Winfield, Mayor Arleta Rice from Ark City, City Manager Kent Hickson from Mulvane, Mayor Richard Granger from Wellington, Manager Stan Stewart from El Dorado, Mayor Keith DeHaven from Colwich . . . Sedgwick, I'm sorry. Mayor Wayne Taylor from Conway Springs, Mayor Carlos Mayans with the City of Wichita and again, Keith Lawing.

But all of these people are involved in the economic development committee of REAP and, since January, have really put in yeoman's duty in work on trying to hammer out this agreement and the taking on of a real responsibility for the REAP organization. And as Commissioner Norton mentioned, economic development is on the forefront now of what we're trying to do, as we hopefully come out of this recessionary time and look for opportunities.

And as the steering council here in Sedgwick County was trying to put together our best format for what a new initiative should look like, one of the places that locally, here in Sedgwick County, we struggled with was regionalism. How do you bring regionalism into this arena. There are a number

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of us on this REAP economic development committee now that believe that this vehicle of being the grant recipient for workforce investment funds will put us in a tremendously good regional situation.

If folks are either looking at expanding with bringing in new business or industry or helping existing industry, we now have a vehicle that can look at all six of these counties and do it instantaneously. And I think that's going to be a huge plus. Butler County and Sumner County have already agreed to step up to the plate and share any kind of liabilities, based on a population formula, but Butler County and Sumner County are ready to go. And so, I think we've had some counties that have taken really a new initiative and a new thrust and I'm sure working with the cities that are located in those counties, I think we're on a good track.

So, I'm going to tell you that there is some risks probably with this, but I mean, our organization is used to dealing with accepting federal money and then being responsible for proper spending, and so I don't think this is going to be a risk that's out of line or not worth the challenge.

I would want to say thanks to all the people that have been involved in all the programs that have gone on up until this point, but I think now we've kind of got a new direction and I hope it fits well with Lieutenant John Moore's thrust and work on the employees and making sure they're well trained. I hope it fits well, and I'm sure it will, with the Greater Wichita Economic Development Coalition's efforts and keeping REAP connected with all of those.

So, again if you have questions, I've only been chair of the committee for about six months, since the first of the year, but I think things are coming together in a very workable situation. So, again if you have any questions, Mike is the person who crafted this agreement that we're going to be working on today and have visited with the state folks. They say it's an excellent agreement. There's other regions around the state have agreements. This seems to be one of the better ones, according to the people in the state. So, if you've got questions, I'm sure Mike would be glad to answer them."

Mr. Pepoon said, "I might also mention, my work was reviewed by the Legal Department as well."

Chairman Norton said, "That's a good thing. Commissioner McGinn."

Commissioner McGinn said, "Thank you. I guess I'd just like to start with complimenting Commissioner Winters on this. I shared a little bit of this yesterday, but about 15 months ago I first got on REAP and we started looking at some of these economic development programs that have to come through REAP, and the more I explored, the more I found out that we really didn't have a say.

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But as I asked other counties, I found out they did and so we were different for some reason and I don't know what that was.

But at the time, I couldn't understand why we were that way and if we could make a change. I wasn't sure if that was going to be possible. And so I commend Commissioner Winters and a lot of those people he mentioned today, because they have worked on this since that time and also, it folds nicely into what we've been doing with the economic development with the Chamber and the City of Wichita. And so I think this is a great opportunity and a great time. We're at a point in time where I hope we're getting ready to be on the upswing, as far as job creations and those kinds of things in our community. And I think when you are at that low time, it makes you think about how can you do things better. It makes you think about things you've done in the past, how can we improve on that.

I look at REAP being the grant recipient and being a regional force, and I think that's what's important. When we look across the nation, a lot of those communities that are being successful, it's because they've regionalized and they've taken a lot of their assets and put them together to make them more powerful.

And then you go from REAP to the Workforce Alliance Group and this is a good, dedicated group of people that have worked very hard that are going to help us decide how that money is doled out in the best possible way in the community.

But what I like most about this is we've got checks and balances. We've got the Workforce Alliance out there in the field and figuring out where that money goes. And then we have REAP, which is a regional group, checking to make sure they do it right. And so, I think this is a good program that's put together. I'll look forward to seeing the regional effect that we're going to have and I think we have some very great years ahead of us, as far economic development.

The only downside, negative that I can see is that I did hear that the state said that the draft that Mike Pepoon came up with was one of the best they've ever seen, and so I have to, I guess, compliment him. So, Mike does good work for us and he has put together a good draft here . . . or proposal I guess, no longer a draft here, we're going to confirm it. So again, I want to say thank you to Commissioner Winters and a lot of those people that worked very diligently with him to make this come together. Thank you."

Chairman Norton said, "Thanks. Commissioner Unruh."

Commissioner Unruh said, "Thank you. I just want to throw my thanks and congratulations in to Commissioner Winters. It's . . . you know, I'm proud to have him representing us for the good work he does and for his understanding of the issues that are being dealt with. So, thank you. Did a

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great job of trying to explain this to me one day. It is complicated. And also to Mike for the work you did on the agreement.

But I did have a couple of questions. How long is this agreement? Is there a time frame on this? Are we in this leadership role or participation role now forever?"

Mr. Pepon said, "The duration of the agreement, unless it's changed again, is until June 30th, 2005, which is when I think the act ends and it will be replaced by another federal act, kind of a successor to this act. And at that time, I think, there will be some efforts I think by Lieutenant Governor John Moore to try to maybe include Reno and Harvey County and some others that have more of an economic similarity to our area and try to get them in our region. But apparently, under the current act, this can't be done. So this agreement goes until June 30th, 2005."

Commissioner Unruh said, "And another question is the word 'liability' has surfaced in you comments and Commissioner Winters used that. Tell me, what is the extent of our liability or the potential for liability? I mean, I have no reservations about REAP and the Workforce Alliance and those folks doing everything decently and in order. But what is our exposure?"

Mr. Pepon said, "Well, our exposure would be for mis-expenditure of funds, lack of proper oversight of the funds for any particular program that was run, that was given money under the funds. We are going to have an operating agreement between REAP and the Workforce Alliance too to require the Workforce Alliance to go out into this program operators and try to recoup some of those monies if in fact they have been misspent. But that's where your liability would come from. The amount of money that would come down, trickle down to area four under the act is approximately two to four million dollars at any given time. It's been as low as that or lower, and up in the upper three millions I believe. But you're probably only looking at maybe a particular program where the funds have gone to, unless there was widespread mismanagement of the funds."

Commissioner Unruh said, "Okay, well I would just, last comment, is that I'll be very supportive of it and I'm particularly glad that we've expanded this into a regional focus. I think that leverages our opportunity for success in attracting and development of our economy. So I think it's a good move and I think we should do it."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, I don't want to be left behind on the Tom Winters love fest. No, seriously, I think this is a step in the right direction. I do compliment Tom. A lot of you don't realize it, but not only does he serve on a lot of the things that we do in the evenings, but he's taken on KTTI, he's taken on REAP and he's taken on a lot of Juvenile Justice programs and when he

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gets a passion for something, there's no rearview mirror, he just goes forward on it and he's to be complimented. I don't know if I would have that much energy to put forth on some of the projects that he's worked on.

And to sway any of you, he's assured me that he will assume personal liability for any misuse of funds out of his personal funding. I think that is just negligible, as far as exposure, because we're going to have people on the board. We're going to be directly involved in it and there won't be any misuse of funds. But I think this is a heck of an opportunity for us to go forward and I do compliment Tom for taking the lead on it. Thank you."

Chairman Norton said, "Well, just one final comment from me. I think the good thing is that we're bringing all the power of these different groups together. As I've analyzed it over the years, there's been a lot of frustration from different groups that there hadn't been the kind of oversight there should be, they haven't tied it totally to economic development. Some of the folks have worked out kind of on their own, with nobody talking to them about what the big picture looked like, and I think that will get rid of some of those frustrations that some of the groups have had. I know I've talked to David Norris, and he's had some frustrations and he's just kind of been out there, trying to do the good work, but not connected to anybody and this really connects all the dots, as far as I'm concerned."

Commissioner Sciortino said, "And everybody is going to be pulling in the same direction, and that's what's neat too."

Chairman Norton said, "Absolutely. At this point, 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
Commissioner Ben Sciortino	Aye

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Chairman Tim Norton

Aye

Chairman Norton said, “And I would ask if Keith Lawing would like to make a comment? He did show up today.”

Commissioner Winters said, “We appreciate you being here, Keith.”

Mr. Keith Lawing, Executive Officer, REAP, greeted the Commissioners and said, “As Mr. Pepoon said, I’m the executive officer for REAP. Just to extend my compliments to Commissioner Winters for this process. As Commissioner Unruh mentioned, it is a rather complicated thing to look at on paper and Commissioner Winters has definitely come to the table with a sincere commitment on this issue. I would also like to compliment Sedgwick County staff for their assistance in this process. Andy Schlapp, Mike Pepoon and County Manager Bill Buchanan, who has been very helpful in this and I echo the sentiments you have made up here at the bench. It’s going to be a good improvement in the overall process and I think it will help connect the dots and link the processes to economic development and put the region in a stronger position for all the communities involved. So again, my compliments and thank you very much. And I’d be willing to answer any questions, if anybody has any.”

Chairman Norton said, “I see none. Thanks for coming today, Keith. We appreciate it. Clerk, call the next item.”

Commissioner Sciortino left at 9:58 a.m.

E. REGIONAL FORENSIC SCIENCE CENTER (RFSC).

- 1. GRANT AWARDS FROM MIDWEST TRANSPLANT NETWORK IN THE AMOUNT OF \$15,000, AND FROM THE MUSCULOSKELETAL TRANSPLANT FOUNDATION IN THE AMOUNT OF \$30,000, TO BE USED TO FUND A PHOTOGRAPHY TECHNICIAN POSITION FOR ONE YEAR.**

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Dr. Mary Dudley, M.D., District Coroner/Chief Medical Examiner, greeted the Commissioners and said, "I have with me today Rob Linderer, who is a CEO of Midwest Transplant Network. He's come down from Kansas City.

We are very happy, at the Regional Forensic Science Center, to have the opportunity to accept a very generous grant from Midwest Transplant Network and their affiliate, Musculoskeletal Tissue Foundation, for the amount of \$40,000, which will support a full-time position for a photographer technician, with benefits. This requires no match or other contributions from the county. It's fully funded. This is a continuation of a grant that we had from MTN two years ago which was a part-time position, without benefits. So this has then now turned into a full-time position. We're very happy to have this opportunity to have this. If you have any questions, we'd be happy to address that. We're very happy to have this chance to partnership with these agencies. I also have here today Chris Kiser, who is in the back, who is actually filling that position and Chris, you want to stand up. He's filling our photographer position and I would like for you to accept this grant. And as I said, I'd be happy to entertain any questions you may have."

Chairman Norton said, "Well, I see none at this point, but I have to tell you, in these tough troubling times that we have, it is certainly wonderful that we have entities stepping up and helping us continue the good work that you do at the Regional Forensic Center. And \$45,000, that's a chunk of change, as we look at grants and donations, that's funding a full-time position for a year with benefits is pretty admirable. So we applaud you. Rob, do you have some comments?"

Mr. Rob Linderer, Executive Director, Midwest Transplant Network, greeted the Commissioners and said, "We are really excited at the Midwest Transplant Network. Just to plug us a little bit, it's our 30th anniversary, so we've been providing service for 30 years and the Musculoskeletal Foundation is the largest tissue bank in the world, actually, is the program that we work with when we recover tissue donors and they were very gracious in stepping forward to provide the larger amount of the grant. And we were excited, two years ago, to help Dr. Dudley institute this position. In the last two years, it's worked very well in the part-time role, and it works out at about the full time commitment that will help facilitate the process for organ and tissue donation, which certainly meets the needs of the communities that we work with throughout Kansas and western part of Missouri. Thank you very much."

Chairman Norton said, "Thank you. Commissioner Winters has a comment."

Commissioner Winters said, "Just a comment, Rob. We appreciate your making the trip to Wichita today to be here with us. This has got to be a partnership that works well for both parties, but for the citizens and folks in general. And so, really appreciate your partnering and Dr. Dudley, that we appreciate you finding good people to partner with."

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Chairman Norton said, “Thanks. And what is the will of the Board?”

MOTION

Commissioner Winters moved to accept the grant awards.

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	Absent
Chairman Tim Norton	Aye

Chairman Norton said, “Thank you, Dr. Dudley. Thank you, Rob. Next item.”

Commissioner Sciortino returned at 10:03 a.m.

2. ADJUSTMENT TO THE RFSC STAFFING TABLE TO INCLUDE ONE OFFICE SPECIALIST POSITION, BAND 215.

Mr. William Buchanan, County Manager, greeted the Commissioners and said, “Commissioners, this is the second part of this agenda item. The first was that you accepted the grant award and this adjusts the staffing table to allow us to proceed to hire that as a full-time position. We recommend your approval.”

MOTION

Commissioner Winters moved to approve the adjustment to the RFSC Staffing Table.

Chairman Norton seconded the Motion.

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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, "Next item."

F. DIVISION OF HUMAN SERVICES.

1. AGREEMENT WITH ABC TAXI CAB COMPANY, INC. TO PROVIDE TRANSPORTATION FOR ELDERLY AND DISABLED PERSONS.

Ms. Graham said, "The transportation program was started in 1998 by Sedgwick County. Since then, we have had agreements each year with vendors to provide specialized transportation. Rides for the elderly and persons with disabilities are scheduled through a coordinating center located at 1015 Stillwell. Door to door assisted transportation is offered and arranged for 24 hours a day, seven days a week, through that transportation brokerage.

This agreement is an agreement with a new vendor, ABC Taxi Cab Company Incorporated, to provide that specialized assisted transportation. This program is a lifeline for medical and social services, providing over 2,000 elderly and persons with disabilities rides in Sedgwick County. It is also a critical service for persons with disabilities who require wheelchair accessibility transportation services in order to get to work and to be self-sufficient and it is unique in that it provides that door-to-door transportation.

This is a contract with a vendor and the vendors are reimbursed at a fee for service, a fee for ride based on if that's a local ride in the city or if it's a rural ride, and those rates vary. So I would request that you approve the agreement and authorize the Chair to sign."

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

Commissioner Sciortino said, "Thank you. Annette, I was a little fuzzy. Do the elderly get charged for the ride? Is it a pass through, or is it a free service? How do the elderly . . ."

Ms. Graham said, "With this service, what we do is we utilize several different funding sources.

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That could be Medicaid, that could be county mill levy, that could be rural dollars. So the fee for service depends on what program it's charged to, but there is a sliding fee scale generally."

Commissioner Sciortino said, "So the elderly can feel . . . because often times I think people want to pay something. That they don't feel it's just a handout and I think they don't have a problem paying something and still maintaining dignity and whatever. But it is a sliding scale, based on . . . Okay."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. Commissioner Sciortino asked the main part of my question, about who qualifies to use the service, and evidently they're screened and it's determined on this. So not just anyone calls. We know who calls."

Commissioner Sciortino said, "You can't use the service."

Commissioner Unruh said, "That's what I was wondering."

Ms. Graham said, "Yes, when I person calls the transportation brokerage, we do an assessment to determine if they are eligible and what program they would be eligible under and what funding source to utilize for that."

Commissioner Unruh said, "Okay. Well, as one of the speakers last week said, they used the phrase that mobility is freedom, and I think that that's probably true and I'm going to be very supportive of this, because I think it's a way to provide some dignity to people who otherwise are just in prison."

Chairman Norton said, "What is the will of the Board?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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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. Next item."

COMCARE

2. AGREEMENT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO PROVIDE CERTIFIED MATCH ALLOCATIONS TO COMCARE.

Ms. Marilyn Cook, Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "The purpose of this contract with SRS is to provide state general fund dollars to match federal dollars that we receive through providing services to people with Medicaid.

We're scheduled to receive about 2.6 million dollars in certified match with the signing of this contract, and a portion of this, about 800,000 of this, is shared with Family Consultation Services for billing that they do for Medicaid. And this is paid to us quarterly. We're requesting that you approve the agreement."

Chairman Norton said, "I see no questions. What is the will of the Board?"

MOTION

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

Commissioner Winters seconded the Motion.

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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. Next item."

3. CONTRACT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES ESTABLISHING COMCARE AS A PARTICIPATING MENTAL HEALTH CENTER.

Ms. Cook said, "This huge contract establishes COMCARE as a participating mental health center. Actually, it allows us to continue as a participating mental health center and the contract is made with SRS. This contract spells out the conditions and the responsibilities for COMCARE, as a local mental health authority, including delineated services that we're required to provide.

The total contract, and we used to call these grants up until about two years ago, we call them contracts now, but the total contract is for a little over \$6,000,000. It also spells out data collection requirements that the state mandates of all 29 community mental health centers and there's a large section in this on mandatory crisis services that we are all required to provide. And there's a section on state vet allocations, so any time we have to send a patient to the state hospital, we track that and the state tracks that and we have an allocation and it spells out the conditions for that for both adults and children.

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

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

Commissioner Sciortino said, "Well, not a question, but just a comment. As I understand, the contract is about two inches thick and just for the record, I just want to let everyone know that if anyone wants to read the whole thing or take a look at it, it is public record and it's available. We don't have it in our backup, because our binders aren't big enough to hold it, but I just wanted to let everybody know that that's public record and if you so desire, it's available for you to look at."

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Ms. Cook said, "Absolutely."

Chairman Norton said, "And tagging along with that, I think it's important to note that we generally try to look over the contracts that's in our backup material, but that one is pretty large. It has been scrutinized by staff and by Legal and it is a contract that we've had for several years that is moving forward. So even though we may have not gotten it in our backup, it has been scrutinized by a lot of people."

Ms. Cook said, "And in fact, I was on the negotiating team for the state, so we have looked at every word in this contract and negotiated some points that we had some problems with the state, so I can really assure you this year that we looked at every word here."

Commissioner Sciortino said, "Didn't you say that on page 104, paragraph 7, subsection A that you had a problem? Maybe you could address it."

Ms. Cook said, "I could do it."

Chairman Norton said, "What is the will of the Board?"

MOTION

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

Commissioner Unruh seconded the Motion.

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

VOTE

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

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Chairman Tim Norton

Aye

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

4. CONTRACT WITH JOB READINESS TRAINING, INC. TO PROVIDE PSYCHOSOCIAL AND INDEPENDENT LIVING SERVICES TO ADOLESCENTS.

Ms. Cook said, "This is a renewal of a contract that we have with Job Readiness Training and it will provide services to adolescents who are between the ages of 13 and 18. The services that they provide will help young people develop and build independent living skills and social skills.

What they do, when a referral is made to Job Readiness, the team evaluates them and decides which group that they should be placed in and then the adolescents go out with staff to different work sites. Sometimes they work at places like the Ronald McDonald House or sometimes they go to Walmart and they actually perform some tasks and are supervised. And during that process, they learn how to dress, how to be on time for a job, just the skills that all of us need to be able to function when we grow up.

COMCARE does the billing for this service and Job Readiness Training staff submits documentation to us so that we are able to do that. I'd be happy to answer any questions you have on this. We are requesting that you approve this contract."

Chairman Norton said, "I see no questions, but you might want to explain, this is really for adolescents and young people that may have some kind of psycho-social problem. It's not just for mainstream young people."

Ms. Cook said, "Right. They are for adolescents and children with mental health problems."

Chairman Norton said, "I see no questions. What is the will of the Board?"

MOTION

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

Chairman Norton seconded the Motion.

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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, "You're just not going away, are you?"

Ms. Cook said, "No."

Chairman Norton said, "Next item."

**5. AGREEMENT WITH CATHOLIC CHARITIES, INC. ALLOWING
MEDICAID BILLING FOR PSYCHOSOCIAL GROUP TREATMENT OF
ADULTS WITH SERIOUS MENTAL ILLNESS.**

Ms. Cook said, "This is basically our affiliation agreement with Catholic Charities that would enable them to bill Medicaid directly for the services they provide. They provide us with one specialized service for COMCARE, and that's a psycho-social group. There are 29 individuals in that group on most days and these are individuals that struggle a little bit more than others with their mental health problems. And so they work on that group of individuals functioning to the point where they can be mainstreamed into some of the community integration programs we have. But this program that Catholic Charities has is a very wonderful one. It provides a lot of structure for the individuals that attend and they help them negotiate just every day kinds of challenges that they have. We're requesting that you approve this contract."

Chairman Norton said, "Once again, I see no questions or comments. What is the will of the Board?"

MOTION

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

Commissioner Winters seconded the Motion.

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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, “Now are you . . . ?”

Ms. Cook said, “I’m going away now.”

Chairman Norton said, “Thank you, Marilyn. Next item.”

G. DIVISION OF HUMAN RESOURCES.

1. RESOLUTION AUTHORIZING AMENDMENT OF PERSONNEL POLICY 4.603, SEPARATION – REDUCTION IN FORCE.

Ms. Templin said, “This item is requesting your approval of the resolution amending personnel policy 4.603, separation/ reduction in force. Revisions to this policy are necessary to update an outdated policy regarding reduction in force. The subject of this separation policy is being changed from layoff to reduction in force. The revision to this policy defines a reduction in force separation to be the termination of an employee as the result of the abolition of that person’s position.

The revisions clarify the department’s responsibility for submitting reduction of force criteria to Human Resources and Legal for review and approval and the process to notify the affected employee. Legal has reviewed and approved this amendment. We are asking that you adopt this resolution and I’ll be happy to answer questions that you may have.”

Chairman Norton said, “I see no questions. This is pretty standard procedure to upgrade this kind of language, traditionally throughout several years, as you find language that isn’t appropriate for today’s workforce.”

Ms. Templin said, “That’s correct.”

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Chairman Norton said, “What is the will of the Board?”

MOTION

Commissioner Unruh moved to adopt the Resolution.

Chairman Norton 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, Jo. Next item.”

2. AGREEMENT WITH CERIDIAN TO PROVIDE ADMINISTRATION OF EMPLOYEE BENEFITS OPEN ENROLLMENT.

Mr. Kevin Nash, Benefits Manager, Division of Human Resources, greeted the Commissioners and said, “Today on Item G-2 we have an agreement with Sedgwick County and Ceridian, which was formerly called Great Lakes Strategies. In 1997, the county contracted with Ceridian to administer the open enrollment benefits for employees’ package call Sedgwick County Premier and you might recognize it through this booklet also, come to be known as our ‘giraffe book’.

Today we’re asking you to approve this agreement with Ceridian for a seven-month renewal. It allows Ceridian to provide services for the fulfillment of the Sedgwick County Premier employees’ benefit enrollment for 2004. In this agreement, Ceridian will be responsible for the administration, receipt and processing of employee enrollment by the providing of coding, computer testing, printing of employee confirmation statements. They’ll also be responsible for the enrollment summary payroll feed and they’ll be responsible for the website enrollment.

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The cost of this service under this agreement is \$97,400, with a not exceed contingent cost of \$10,000 for any additional services that are not included in the contract. And the total fund for this contract again is \$107,400. And in comparison with last year and because of our negotiations, we've decreased this cost by \$72,600 and I would recommend you approve this agreement and authorize the Chairman to sign."

Chairman Norton said, "I see . . . Well, we have one question. Commissioner Sciortino."

Commissioner Sciortino said, "That was such a dramatic reduction in costs, is there a reduction in services that we're asking of the provider also that was the reduction?"

Mr. Nash said, "Yes, sir. I took a look at what Ceridian was currently doing last year for us and knowing the reduction in cost for what we are doing totally for Sedgwick County this year, we took a lot of that back in-house. We're using County forces now, almost 50% of what Ceridian was doing, the county forces are going to do. We had seen where . . . well, I basically had seen where we could take a lot of that back in house and do it ourselves, and quite frankly I think we should have in the beginning. But those things kind of just got away with us. We're just tightening up our reins on these contracts and we're bringing those costs back in to more agreeable with our budget, and that's the main reason why there's such a decrease."

Commissioner Sciortino said, "Well, I'm not going to try to second guess what we should have done in the past, but I'm really happy that we're now . . . this is right in the same method and mode that all departments have been asked to do, and I compliment you or the people that are involved in this in figuring out a way to continue to provide a service but still make it more efficient and take on more of the load internally. So, I think that's a very good thing. Thank you."

Chairman Norton said, "Certainly, this is one of those things that we talk about, when things get tight, we revisit things that we've done in the past and kind of reinvent good government and obviously we got good results from what we were doing, but now we think we can still get good results, spend a little less money and put a little bit of the workload back on ourselves, good combination, I think just good management. So, what is the will of the Board?"

MOTION

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

Chairman Norton seconded the Motion.

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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, "Next item."

H. AMENDMENTS TO THE CAPITAL IMPROVEMENT PROGRAM (CIP).

- 1. INCREASE FUNDING FOR CIP# B-223, BRIDGE ON 13TH STREET NORTH; AND MOVE CIP# B-373, BRIDGE ON 55TH STREET SOUTH; TO THE WATCH LIST.**

POWERPOINT PRESENTATION

Mr. Pete Giroux, Senior Management Analyst, Budget Department, greeted the Commissioners and said, "Sir, we've got two CIP amendments this morning. I'd reverse the order of the first ones, a little more straightforward one initially.

As the design on this project began in 2001, it's scheduled for construction in 2004. As the design progressed, they discovered that a gas pipeline that's just to the south of B-310, or the proposed location for this bridge replacement on North Broadway would conflict with this structure.

Here's the location of the bridge. Again, the pipeline is slightly to the south. The bridge itself crosses the Burlington Northern and it's adjacent to 45th Street North.

The cost to move this pipeline will be \$170,000. It increases our share of the entire project to 26% but of course the good news is the remaining 74% is paid by federal urbanized area transportation dollars that are administered by KDOT.

The \$170,000 would be paid out of our local sales tax road and bridge fund and the CIP Committee recommends approval on this."

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Chairman Norton said, "I do have a question, but first I want to clarify that we've kind of jumped to H-2, which is not what the Clerk called. So we need to be sure that that is the item we're working on. It was not the item called, but we are at H-2."

Commissioner Sciortino said, "What happened to H-1?"

Commissioner Unruh said, "We'll talk about that next."

Chairman Norton said, "He put them in reverse order, which is okay, but we are on H-2 and that's to include utility relocation for CIP #B-310, bridge over Burlington Northern, Santa Fe (BNSF), railroad tracks on Broadway. Just want to be sure that the public knows that we called one thing and we're talking about another."

Mr. Giroux said, "I'll take the speeding ticket."

Commissioner Sciortino said, "Well, I'm a little bit . . . before we vote on H-2, could we vote on H-1, only because are some of the monies that we would have spent in H-1 being transferred over for H-2?"

Mr. Giroux said, "No, sir."

Commissioner Sciortino said, "Okay. So H-2 has nothing to do with H-1 whatsoever."

Mr. Giroux said, "No."

Chairman Norton said, "Any other concerns, questions? What is the will of the board?"

2. **INCLUDE UTILITY RELOCATION FOR CIP# B-310, BRIDGE OVER BURLINGTON NORTHERN SANTE FE (BNSF) RAILROAD TRACKS ON BROADWAY.**

MOTION

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Commissioner McGinn moved to approve the CIP amendment.

Chairman Norton seconded the Motion.

Chairman Norton said, "Any discussion?"

Commissioner Sciortino said, "Wait a minute, let me look at one thing. Well, H-1 indicates that additional budget of \$170,000 will be transferred to B-373."

Mr. David Spear, Director, Bureau of Public Work, said, "That's just a coincidence they're both 170. That's a coincidence. This has nothing to do with H-1."

Commissioner Sciortino said, "Okay, because I saw the same amount of money was for H-2. Okay, that's fine."

Chairman Norton said, "We 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, "Next item, being H-1. We'll go back to that. It's already been called so we're at H-1. Okay, Pete."

- 1. INCREASE FUNDING FOR CIP# B-223, BRIDGE ON 13TH STREET NORTH; AND MOVE CIP# B-373, BRIDGE ON 55TH STREET SOUTH; TO THE WATCH LIST.**

POWERPOINT PRESENTATION

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Mr. Giroux said, "You have my apologies. We originally bid these two projects together in February and the bid exceeded the budgeted funds by a considerable amount."

Commissioner Sciortino said, "Do you happen to have those numbers as to what each bridge project was bid in at?"

Mr. Giroux said, "Yes I do. In B-373 bid in February at \$538,861 and B-223 bid at \$540,313."

Commissioner Sciortino said, "And how much over budget, or how much over estimate was that? Do you recall that?"

Mr. Giroux said, "The total budgeted funds were \$410,000 and 275 for the other."

Commissioner Sciortino said, "Okay."

Mr. Giroux said, "Again, well above our budgeted funds, so we had 685 for the two."

After considerable discussion, the bids were rejected, hoping that lower bids might be received later in the year if the market factors changed. We re-bid, our Public Works re-bid these two projects last month, but the bid amounts were very similar to those that we'd received earlier in the year. Here's a short look at some of the market factors that were involved and not a great deal has changed.

B-223 sits right at the jog of 151st Street, on 13th Street North and it's the third in a series of projects over Dry Creek and it should continue to improve flood control. The recommendation of staff is that we would construct this bridge in 2003.

B-373 is just to the west of K-15 and is nearly identical in design to the other bridge. Our recommendation to live within the budgeted funds is to place this on the watch list for 2004-2008 CIP, which you'll consider next week and there is an alternative route available. The bridge is structurally okay. We don't anticipate that it will be closed any time soon.

To accomplish our recommendation, we would shift funds. The low bid for 223 is \$543,000. We would add a contingency to that. That would total \$580,000. Again, here's our original budget for that project and we'd move \$170,000 from the other bridge project.

So again, here's our final recommendation. We'd transfer the required funds from the B-373 to

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construct B-223 this year and we'll place B-373 on the watch list. Do you have any questions?"

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "I just, I guess I have a question. We put these on the agenda if we increase funding. Do we put these on the agenda if we come in under?"

Mr. Giroux said, "Mr. Spears will typically address . . . no, we don't do that, but he would typically address that when he closes out the project."

Commissioner McGinn said, "Okay, I just didn't know if that was a county resolution why we do it this way or what."

Mr. Spears said, "I could address that. No, we don't and the reason for it is, is because if you don't have enough money budgeted, it's a change in funding so you have to identify the source where you're going to get the funds from."

Unfortunately, the public doesn't see the good side of it when we come under. And I do though present all of those items in December, when I review all the projects that we did for the year and how much under or over we came and it's usually a net decrease that we . . . We come in under budget.

The other time you see it, sometimes when we final out a project there will be a decrease and I'll bring the final change order to this board and you'll see it there, but Pete doesn't have a CIP amendment unless it goes over."

Commissioner McGinn said, "Okay. Well, that's what I recalled is that a lot of times we're under. At the end of the year, we're under, and we make a bigger deal about being over and we don't let people know that we often come in under."

Mr. Spears said, "Staff has had several discussions about this."

Commissioner McGinn said, "Okay, all right. Thank you."

Mr. Giroux said, "I'd like to carry more good news."

Commissioner McGinn said, "We'd like that too."

Chairman Norton said, "Commissioner Sciortino."

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Commissioner Sciortino said, “Okay, so let me understand it. Since we’re putting B-373 on the watch list, we’re going to transfer \$170,000 of that project so that we can complete 223.”

Mr. Giroux said, “Yes, sir.”

Commissioner Sciortino said, “And if it’s on the watch list, that means we haven’t actually now allocated capital for that project?”

Mr. Giroux said, “That’s correct.”

Commissioner Sciortino said, “So what happens to the remaining amount of monies that we had committed in the CIP for the construct of 373?”

Mr. Giroux said, “Those would remain in the local sales tax road and bridge fund.”

Commissioner Sciortino said, “Unencumbered.”

Mr. Giroux said, “Unencumber, unspent part of our balance. So we’ve removed the budget, essentially we’re going to remove that budget authority.”

Commissioner Sciortino said, “Okay, I think I’ve got that. Okay, thanks.”

Chairman Norton said, “Okay. Commissioner Winters.”

Commissioner Winters said, “I’m prepared to make a Motion and this ‘approve the CIP amendment’ and the amendment is for \$170,000. Is that correct, increase?”

Mr. Giroux said, “Yes, sir.”

MOTION

Commissioner Winters moved to approve the CIP amendment.

Commissioner Sciortino seconded the Motion.

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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, Pete. Next item."

I. PUBLIC WORKS.

- 1. AGREEMENT WITH SOUTHERN STAR CENTRAL GAS PIPELINE FOR RELOCATION OF A 20-INCH NATURAL GAS PIPELINE IN CONNECTION WITH BRIDGE PROJECT 821-J, K, BRIDGE ON BROADWAY OVER THE BNSF RAILROAD TRACKS AT 45TH STREET NORTH. CIP# B-310. DISTRICT #4.**

Mr. Spears said, "And now, the next two items, we will go through the details of what you just approved on the CIP amendments. And then also on bid board you will have some similar actions, so we'll actually have three technical details to take care of today."

But item I-1 is an agreement with Southern Star Central Gas Pipeline to relocate a 20-inch natural gas pipeline in connection with the bridge construction project on Broadway over the BNSF railroad tracks. The line is in a private easement and the cost will not exceed \$168,496.02. I recommend that you approve the agreement and authorize the Chairman to sign and the Legal Department has reviewed the agreement."

Chairman Norton said, "I see no questions. What's the will of the Board?"

MOTION

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

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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, "Next item."

2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE, WITH DONDLINGER AND SONS CONSTRUCTION CO., INC.

- **616-17-110, BRIDGE ON 13TH STREET NORTH BETWEEN 135TH AND 151ST STREETS WEST. CIP# B-223. DISTRICT #3.**
- **632-29-3000, BRIDGE ON 55TH STREET SOUTH BETWEEN HILLSIDE AND OLIVER. CIP# B-373. DISTRICT #5.**

Mr. Spears said, "Item I-2 is a modification of plans and construction, request number one, for two bridges combined in one contract. The modification will eliminate the bridge on 55th Street South between K-15 and Clifton, designated as B-373 in the Capital Improvement Program. There will be a decrease of \$535,560.88. 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.

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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, "Next item."

- 3. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER TWO, WITH CORNEJO AND SONS, INC., FOR GREENHAVEN CHANNEL DRAINAGE IMPROVEMENTS PROJECT, CIP# D-2. DISTRICT #5.**

Mr. Spears said, "This is a modification of plans and construction, request number two for the Sedgwick County Greenhaven Channel Improvement project designated as D-2 in the Capital Improvement Program. Construction has been completed on this project except for seeding, which will be done in the fall and there will be a net increase of \$3,322.25. I recommend that you approve the modification and authorize the Chairman to sign."

MOTION

Commissioner Sciortino moved to approve the Modification of Plans and Construction 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

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Commissioner Ben Sciortino Aye
Chairman Tim Norton Aye

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

J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JULY 24, 2003.

Mr. Jerry Phipps, Purchasing Agent, Purchasing Department, greeted the Commissioners and said, "You have the Minutes of the July 24th meeting of the Board of Bids and Contracts. There are three items for your consideration.

1) CUSTODIAL SERVICES- COMCARE
FUNDING: COMCARE

Item one is custodial services for COMCARE. It was moved to accept the Alternative Sources for an annual cost of \$57,380.40.

2) BRIDGE IMPROVEMENTS- PUBLIC WORKS
FUNDING: SALES TAX

Item two, bridge improvements for Public Works. It was moved to accept the only bid received from Donlinger and Sons for \$1,079,174.01.

3) STREET IMPROVEMENTS- PUBLIC WORKS
FUNDING: DEBT FINANCING

Item three, street improvements for Public Works. It was also recommended to accept the low bid of Ritchie Paving for \$264,879.88.

I'll be happy to take questions and recommend approval of the Minutes from the July 24th meeting of the Board of Bids and Contracts."

Chairman Norton said, "And we do have some questions. Commissioner Winters."

Commissioner Winters said, "I guess I have two questions. One on item two, should we approve the amount of \$1,079,000?"

Mr. Spears said, "Yes, sir. You should approve that amount. That's the way the bridges were bid and that's the way the contract is set up and then, just on my previous item, we had a change order

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to delete the one bridge, so we had all this on the same Commission agenda so it would be up to snuff.”

Commissioner Winters said, “Okay. And have you visited with the contractor on that? They know what’s coming here?”

Mr. Spears said, “Oh, yes. They signed the change order.”

Commissioner Winters said, “Okay. Do you know when they’re going to start on that bridge? Can you just find that out and let me know?”

Mr. Spears said, “I can find that out for you.”

Commissioner Winters said, “Thank you. That’s all I had, Mr. Chairman.”

Chairman Norton said, “Commissioner Sciortino.”

Commissioner Sciortino said, “Thank you. I had talked to Chris Chronis about item one and how he explained it to me kind of . . . I almost wished he hadn’t explained it all to me, because then it kind of puts a little bit of an onus on me. As I understand it, the person that is presently handling this service wasn’t asked to bid on it, but yet was promised that he would be asked to bid on it. And that just has a concern to me. Have you talked to him? Is he okay with the fact that, because of whatever, he wasn’t asked to bid on it and won’t raise a stink about it or would you explain that to us?”

Mr. Phipps said, “Basically, the current vendor’s service that is now being used by COMCARE was done outside the purchasing arena and the Purchasing Department was not aware that the company didn’t have a copy of the bid till after the bid was due. And after researching the amount of the current pricing from the current vendor, we estimate it will be \$20,000 higher than the recommended vendor that we’re using, Alternative Sources now, we’re recommending. And at this time, there’s no complaint been filed by this vendor.”

Commissioner Sciortino said, “Okay. Well, my only concern was that he was promised that he would be given an opportunity to bid, and for whatever reason, he wasn’t allowed to bid. But if he hasn’t complained, I guess that’s okay with me too.”

Mr. Phipps said, “There hasn’t been a complaint through our department, nor . . . and of course the bids were out on the website and bids sent out. And I don’t know how he did not acquire it until after the deadline.”

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Commissioner Sciortino said, "Okay. It was plain to me, he wasn't listed in our computer data base as a provider of the service and I would have . . . I don't know how . . . well, anyway, my main concern is that the man or the person, whoever it is, is comfortable with it and doesn't want to cry foul or something. And since Chris explained it to me and then he does cry foul and it's told that we knew about it ahead of time, I just wanted to get it out in the open that I assume that if he had a complaint that he could be here or he could have voiced a complaint and I just felt it was better to get it out in the public. So that's fine, I have no problem."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Well, just to follow that up, I had the same questions, but I've reconciled with my own mind by the fact that it appears that he was considerably higher and likely would have not been the successful bidder. Secondly, it seems like if we followed our policies and procedures to the letter, then we've satisfied our responsibilities and it's one of those bad situations. But as a vendor, there's a certain amount of responsibility he has that if he was promised an opportunity to bid on it and didn't receive the documents and he knew the contract expiration, what the times were, then I just say he shoulders part of that responsibility to say, 'Hey, where's my bid contracts, how do I get in the game, what's the deal?' and so it's an unfortunate situation but I'm comfortable that we are on solid ground and I'm ready to move forward with it."

Chairman Norton said, "Any other discussion, comments? At this point, what is the will of the Board?"

MOTION

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

Chairman Norton 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

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Chairman Tim Norton

Aye

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

CONSENT AGENDA

K. CONSENT AGENDA.

- 1. Resolution consenting to the annexation by City of Mulvane of the intersection of Rock Road and 103rd Street South.**
- 2. Agreement with Rex Lear, M.D. to provide services as Medical Director for COMCARE.**
- 3. Agreement with SRS providing a one-month extension of the agreement for Community Developmental Disability Organization to provide services.**
- 4. Sponsorship in the amount of \$25,000 for the 2003 Wichita Aviation Festival.**
- 5. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2002 and prior years have been paid for the following plat:

Rancho Del Oso Libertad Addition

- 6. Orders dated July 16 and July 23, 2003 to correct tax roll for change of assessment.**
- 7. General Bills Check Register(s) for the week of July 23 – 29, 2003.**

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

MOTION

Commissioner Sciortino moved to approve the consent agenda, with the exception of item four.

Commissioner Winters seconded the Motion.

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Chairman Norton said, "I have a Motion and a Second to approve the consent agenda with the exclusion of item four. I assume you'd like to talk about that individually?"

Commissioner Sciortino said, "Safe assumption."

Chairman Norton said, "Okay. Any other discussion? 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, "We would have K-4 that is before us now individually. Is there any questions, comments? Commissioner Sciortino."

Commissioner Sciortino said, "Yes, K-4 is the sponsorship in the amount of \$25,000 for the 2003 Wichita Aviation Festival. And Commissioners, I've really labored over this for quite some time. This is an item that I really want to fund. My problem and even late last night I was still debating it, after talking to a couple of you all individually. Given the economy crisis, I guess it is, that we're in right now and our inability to satisfy some of the basic needs that we have out in the public, I just can't get my hands around doing something that I want to do, when I'm not able to really satisfy some of the things that I believe are in the need category.

I think it's a great concept, but right now I just can't support this. I had talked to the manager. There was a lot of questions I had about it. I haven't seen a plan on it. I haven't seen whether or not there's some real economic impact in it. Who all . . . I'm just starting to get the feel for who all else is involved and I don't know to what extent those people are jumping in, helping fund it and was sort of thinking about asking to defer it, but I understand now we have a time crunch and if we don't approve it now, we won't be listed on pamphlets and paraphernalia. I'm not going to be able

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to support the expenditure of this money at this time, based solely upon our economic situation right now and it's just, for me, the wrong message I'm sending constituents, I can't take care of this particular need, but I can take care of something I want to do.

As I say, thank you for letting me say my speech and I'm going to keep it quite. I won't be able to support this now."

Chairman Norton said, "Okay. Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I guess I was considering deferring this item for many of the reasons that Commissioner Sciortino brought up and was unaware that we could not. So I guess I'd like to hear more about that time crunch and then I guess I'd like to hear from other colleagues and perhaps the manager. You know, all I remember is the manager coming by and saying, 'We're working on this' but I apologize if I received details and don't recall them, but I guess I'd like to hear from my colleagues and the manager if he'd like to make any input as well."

Chairman Norton said, "Commissioner Unruh."

Commissioner Unruh said, "Well, I would just say that originally I shared some of the same reservations Commissioner Sciortino expressed and was trying to process this as to what's good public policy and when it was shown to me that this was kind of a regional event, that we've got other cities involved besides Wichita and someone who knows who those are can list them, I don't remember all the cities that are involved.

It's got input and support from the businesses around to a substantial amount. The City of Wichita is putting in a lot of money. I think that the McConnell Air Force Base and the National Guard are also very substantial contributors. So this is, I guess, one of the things that helped persuade me that this is a good investment is the cooperation between the different governments around and between the business groups in town and so I think it has a potential to grow also.

So the other thing is, you mentioned economic development and although we may not see immediate return on our investment, I think this has a potential to grow over the years, and as Commissioner Winters commented in one conversation, there's no reason that the air capital of the world compete with Oshkosh, Wisconsin in some kind of an air show program. So, I think there's a lot of potential for it and I think it's just our initial investment. There's a lot of cooperation and I'm willing to move ahead with it, even though there's a lot of pieces on our plate demanding our attention, but I think this would be good for the community and a good use of our money."

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Chairman Norton said, "Okay. Commissioner Winters."

Commissioner Winters said, "Thank you, Mr. Chairman. I certainly appreciate the concerns about the budget crunch and the economic times we're in, but as we move forward, I really think there are some things that you cannot stop doing, even though you're in tough economic times, and one of those, I think is economic development/ tourism and the opportunities that that gives you.

I thought it was interesting to look in this morning's paper, on the business page, there was a picture of the Oshkosh, Wisconsin air show that's going on this week that will bring 750,000 people to Oshkosh, Wisconsin. Now nobody even knows Oshkosh, Wisconsin except for this festival, let alone being the air capital of the world. And if 750,000 people buy one meal while they're in Oshkosh, we talk about whether restaurants are good economic development, well I mean you bring people from out of your community to your town, that is an economic impact.

And I'm not sure I understand the time crunch, Commissioner McGinn, but from my understanding, this event is going to happen in mid-September. They're going to the printers right here in August to begin their print material to have it out there and if we want our name and logo there as one of the supporters, I think we need to make our decision today.

I'm committed enough to this to say I'd commit to it for the next five years, because it's going to take five, ten, maybe longer than that to get up to the size that it really could potentially be, but I think it's an idea on festivals and how we can plus that air capital, this aviation festival. They may not hit a home run this year. I think they had a part of a festival last year. It may take a while before they hit a home run but I'm prepared to move forward today and I think it's a great idea. Thank you."

Chairman Norton said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, and that was my dilemma because I don't have any problem with investing in the future, potential gain and I like the concept of it and I agree with Tom on that. My biggest concern is I didn't have really a lot of information that I could get my hands around. I don't know who the players are, to what level they contributed. I don't know if any of the aviation companies contributed any real money. I don't know what involvement the other counties outside of Sedgwick County are involved in it. I don't know what the events are that are being planned. I will say, whenever somebody can show me even a hint of, outside of state or county, money coming into Sedgwick County, that's economic impact and you'd find me very supportive, but I just

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haven't seen anything other than a couple of staff people coming to me and saying, 'we think this is a good idea'.

Yesterday I was told that the airbase was highly supportive of it. The airbase is in my district, so naturally I normally want to support anything I can that they want, but right now, given that lack of information, the fact that it really isn't going to work for us to defer it until I can get all that information, I just can't get comfortable enough to spending that money at this particular time."

Chairman Norton said, "Commissioner McGinn."

Commissioner McGinn said, "Well, I guess I'm going to go back to the questions then, because surely somebody's got the answers if we're going to move forward. How is this money going to be used? How many people are we projecting that are going to come here? How are we promoting this? Are we going to have advertisement at Oklahoma City's television stations, Missouri? Are we just going to tell our little four-county area or seven-county area? So I guess those are the kinds of things I'd like to know. And then also does this lock us in for future years? I heard what Commissioner Winters' said, but I kind of like a year to year contract myself, just because I don't know what the outcome is going to be and how people are handling the money and if they're making the money work for our community. So those are kind of the questions that I have today, if somebody has the answers."

Mr. Buchanan said, "Mr. Chairman . . ."

Chairman Norton said, "Let me catch Commissioner Winters and I'll get back to you."

Commissioner Winters said, "I don't have the full answer but I know that they have a \$485,000 budget for this event. City of Wichita is contributing \$75,000, the State of Kansas \$24,000, McConnell Air Force Base \$60,000, the Air Guard \$20,000, and from the art contest with the Plane Crazy generated \$75,000. Cox Communication is putting in \$7,000 and I'm, you know, perhaps don't have all the details that you ask or wish for but I don't think all of those people are making a crazy decision. I think all of those people have thought this project through and think that it's a worthy project."

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And so, again, I wished I had all of the details, because those are excellent questions, but I'm working under the premise that this is a well thought out festival. There will be advertising and commitments around the region, which I'd consider most of the Mid West. You know, there's flying groups now, as Commissioner Unruh told me a friend of his who lives in Colorado Springs, once a month flies to Ponca City to have breakfast with 150 other fliers. So I think these flying groups are well connected, all throughout the Mid West and so, I think they're looking not just for people who own private planes here in Sedgwick County, but from those all around the country.

So, again, I'm sorry I don't have all the details but I've got confidence in the City of Wichita, who generated this idea and all the others who are investing in it."

Chairman Norton said, "Mr. Manager."

Mr. Buchanan said, "It might be helpful to remember that this concept came from the consultant that was hired several years ago about how to increase tourism in Sedgwick County and in the City of Wichita. And one of the recommendations from that consultant's report was how do we improve festivals and how to add to the list of festivals that occur so that those dollars that come in from outside would . . . could generate dollars within our economy.

From that consultant's report, the city manager asked a group of people to start thinking about it and one of the concepts was the whole idea about an air festival and especially to launch it this year, the 100th anniversary of flight and not to ask the air industry to contribute, but to honor the aircraft industry in Sedgwick County. And so a conscious decision was made to not include those requested funders in this go around. Other funding is being secured from other businesses that are beneficiaries of the aircraft industry, and several of them, as Commissioner Winters has indicated, have stepped up to the plate.

There is an advertising campaign, original advertising campaign proposed. The events in mid-September will include fly-ins, will include shop and swaps from air . . . for people who fly in. They'll include air shows and several other events that will be open to the public and attract visitors. As indicated, the contribution of the City of Wichita has been \$75,000 and assign two staff people to that on a full-time basis. Our contribution has been requested at 25 and I recommend that we approve that."

Chairman Norton said, "Okay. Commissioner Sciortino."

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Commissioner Sciortino said, "I guess . . . Well, this is getting to be too much of a debate. You had more information about it than I had, all the detail that you were talking about. On the fly in, I don't know, are they flying into Sedgwick County? Are they going to Butler County?"

Mr. Buchanan said, "They'll fly into Jabara and Mid-Continent."

Commissioner Sciortino said, "Okay. Anyway, I think I've had all that I want to say. Thank you."

Chairman Norton said, "If I can be indulged, I have just a few comments. First of all, yesterday I just went to the impact luncheon for the River Festival. \$21,000,000 it brought into our community and I don't think this air festival that is anything that has just hit us. I mean, it's been around for 18 months, since I stepped up and made that comment that we'd buy an airplane. That was the kickoff. I mean, this Plane Crazy has been part of the festival and part of the idea for a long time. So I don't think it's an idea, a festival that we don't know anything about. Maybe we don't know all the guts of the details. Certainly Festivals Inc. and John DeAngelo and some groups have been working on this for quite a while.

It stands to reason to me that if we're trying to create economic development and the model for our own community is the Wichita River Festival, which just put \$21,000,000 of outside money into our community through people coming to the community and we're trying to create a fall event that mirrors that.

Now the other news was that the River Festival has now been listed in the top 100 festivals in the United States. That starts putting it in the realm of the Kentucky Derby and the Indianapolis 500 and the Rose Bowl Parade and some of the big things that really create economic development and identity for the community.

And I think that the folks that are putting this together, which are a lot of the same folks that do River Festival and some of those events. It's not Mickey Rooney and Judy Garland saying, 'Hey, let's put on an aviation festival'. It's some pretty smart folks that do this for a living. I think it will gain legs. I think it will be a premier fall event for our community. And you know what, we always want to celebrate Cowtown, we want to celebrate our history, but aviation in Wichita is part of our history and how we can deny that, and for only \$25,000, how we can deny that, it's beyond me.

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Now, I don't know about doing it every year. We'll have to look at budgets other years, but I'm very supportive of this. I think it will be a fun event and it will be fun if we say it's going to be fun.

In my life, I've always said, 'If you say it will or you say it won't, that's probably how it's going to be'. I think it's going to be money well spent and we'll have a good time, if we all say it's going to be. So, I'm supportive. That's my little speech. Commissioner McGinn."

Commissioner McGinn said, "Well, I'm going to reluctantly support this, just because I believe in increasing our tourism. I've said for a long time I think we have many assets in this community and we just don't tell anybody.

I've also said for a long time that tourism is the key to increasing sales taxes in this community of outside dollars being spent that's going to offset property taxes that we need to serve our community and I'd rather use somebody else's money than our own community's.

But with that said, I guess I want to know how our money is going to be used. I want to know about the advertising, that I want to know if it's just the counties around us or if we're going to some of the bigger cities that people can drive here in three hours or so. I want to know how many people are going to be exposed to that advertising.

And then I guess maybe they can't say this until later, but I want to know, after the fact, what the economic impact was to our community before we move forward with future dollars."

Chairman Norton said, "Any other comments, discussion?"

MOTION

Commissioner Winters moved to approve Item K-4, sponsorship in the amount of \$25,000 for the 2003 Wichita Aviation Festival.

Commissioner Unruh 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	No
Chairman Tim Norton	Aye

Chairman Norton said, "Okay. At this point, I will suspend the Board of County Commission's meeting."

The Board of County Commissioners was recessed into the Fire District meeting at 10:59 a.m. and returned at 11:07 a.m.

Chairman Norton said, "I'll reconvene the Sedgwick County Commissioners meeting. Is there anything else to come before us today? Commissioner Unruh."

L. OTHER

Commissioner Unruh said, "I would once again encourage citizens of Sedgwick County to visit the Sedgwick County Zoo. Great, great exhibits out there and they should mark on their calendars August 7th, you all should mark it. Betty Lavette is coming to the zoo to do a performance. She's a soul legion, it's going to be a great evening under the stars and with the animals."

So, I might also say that yesterday was a wonderful day, Mr. Chairman. Right, Mr. Chairman."

Chairman Norton said, "It was a wonderful day."

Commissioner Unruh said, "It was your birthday, so public happy birthday."

Chairman Norton said, "Well, thank you very much. I had a great celebration. I had all my kids with me last night and had a great fun time with grandkids and kids. So, thank you very much for acknowledging that."

Commissioner McGinn said, "You're not going to say what year that was?"

Chairman Norton said, "56 and proud of it. Commissioner Winters."

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Commissioner Winters said, “Just a quick comment. Commissioners, you’ll remember that last year we authorized Andale and Sherman Township to (*break in tape*) local library district and we allowed them to put that on the ballot. They voted yes and last Sunday I went out to Andale and they had the ribbon cutting on their new library. And it’s in a building on Main Street and they’re very proud of the library and they voted to move forward with that, so they’ve done an excellent job out at Andale creating a library.”

Chairman Norton said, “Okay, anything else? I just have one comment. Yesterday, we had our weekly staff meeting. It went for two hours and I’ve got to tell you, I thought it was an awesome display of good public dialogue and debate and I really compliment the commissioners for entering into that. We’ve kind of changed our staff meeting format and I think it really worked well. We talked about some pretty tough topics yesterday and had good debate, good dialogue. I didn’t see total agreement from everybody, but certainly we’re moving the good work of the government along and I just wanted to bring that up to the public that although we meet on Wednesday, we also meet Tuesdays and try to do some really good work, dialoging and debating the issues that are before us, so just a comment. Commissioner Sciortino.”

Commissioner Sciortino said, “I want to talk about my thumb. Anybody see that. Isn’t that a beautiful thumb. Take a close up of that thumb. That thumb is fantastic. This is a living example to keep your thumb out of a car door when you slam it and I now have an excellent built in excuse in the future why my golf game is not going to work and I’d always rather be a victim than take responsibility for my own swing, so I now have a built in excuse and I’ll be asking for strokes when I get out there.”

Commissioner McGinn said, “I didn’t know I slammed the door that hard. I’m sorry.”

Commissioner Sciortino said, “Well, I won’t tell you what I said right after but there were a lot of words spoken. That’s all.”

Chairman Norton said, “Is there anything else to come before us today? Do we have an Executive Session? Would someone make that motion?”

MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 30 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 the Board of County Commissioners return from Executive Session no sooner than 11:40 a.m.

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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

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:50 a.m. and returned at 11:52 a.m.

Chairman Norton said, "I'll call the meeting back to order. According to state statute, we took no binding action in the Executive Session. Is there anything else to come before us, Mr. Manager? Mr. Counselor?"

Mr. Euson said, "Yes, Commissioners, while in Executive Session, we talked about a worker's compensation claim involving an employee by the name of Don Knowl. This is currently in litigation and we discussed a settlement to close all issues relating to future medical and compensation and any disability payments and the total amount is \$65,000 and I would recommend that amount to you in this case for your approval."

MOTION

Commissioner Sciortino moved to approve the settlement of the worker's compensation case of Don Knowl, as recommended by counsel.

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, “Anything else to come before us? We’re adjourned.”

M. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 11:55 a.m.

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

TIM NORTON, Chairman
Second District

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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