

Sedgwick County

525 North Main Street
Wichita, KS 67203



*Sedgwick County...
working for you*

Meeting Minutes

Wednesday, September 15, 2010

9:00 AM

BOCC Meeting Room

Board of Sedgwick County Commissioners

Pursuant to Resolution #131-2010, adopted by the Board of County Commissioners on August 11, 2010, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Lindsey Mahoney, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203

Phone: (316) 660-7052, TDD: Kansas Relay at 711 or 800-766-3777

Email: Lmahoney@sedgwick.gov, as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.

ORDER OF BUSINESS

CALL MEETING TO ORDER

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:04 a.m. on Wednesday, September 15, 2010, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Karl Peterjohn, with the following present: Chair Pro Tem Gwen Welshimer; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Kelly Parks; Mr. William P. Buchanan, County Manager; Ms. Jennifer Magana, Assistant County Counselor; Mr. David Spears, Director, Bureau of Public Works; Mr. Bob Lamkey, Director, Public Safety; Mr. Greg Schussler, Logistics Manager, Emergency Medical Services; Mr. Gary Curmode, Chief, Fire District #1; Mr. Keith Wilson, Captain, Fire District #1; Mr. Ray Vail, Director, Finance & Support Services, Aging; Ms. Claudia Blackburn, Director, Health Department; Ms. Sonja Armbruster, Project Manager, Health Department; Mr. Randy Duncan, Director, Emergency Management; Mr. Chris Chronis, Chief Financial Officer; Mr. Robert Parnacott, Assistant County Counselor; Mr. Joe Thomas, Senior Purchasing Agent, Purchasing; Ms. Kristi Zukovich, Director, Communications; and Ms. Katie Asbury, Deputy County Clerk.

GUESTS

*Mr. Jon Rolph, Chairman, Visioneering Wichita
Mr. Joe L. Norton, Gilmore & Bell
Mr. Al Rocheleau, 3800 S. Linden St., Derby, Kansas
Mr. Kevin Donohue, 3810 S. Linden St., Derby, Kansas
Ms. Alice Rocheleau, 3800 S. Linden St., Derby, Kansas*

INVOCATION: Led by a Moment of Silence.

Led by Cowboy Dan Boyd

FLAG SALUTE

ROLL CALL

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

Roll Call

PROCLAMATIONS

- A** **[10-0369](#)** PROCLAMATION DECLARING SEPTEMBER 17 - 23, 2010 AS CONSTITUTION WEEK.
Read by: Kristi Zukovich.

RECOMMENDED ACTION: Adopt the Proclamation.

Attachments: [Constitution Week 091510.doc](#)

Ms. Kristi Zukovich, Director, Communications, greeted the Commissioners and said, "Commissioners, I'll read this for the record:

PROCLAMATION

WHEREAS; the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS; September 17, 2010, marks the two hundred twenty-third anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS; it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS; Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as CONSTITUTION WEEK.

NOW, THEREFORE, BE IT RESOLVED, that Karl Peterjohn, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim September 17 – 23, 2010, as

'CONSTITUTION WEEK'

in Sedgwick County and asks our citizens to reaffirm the ideals of the Framers of the Constitution by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Ms. Zukovich said, "And it is dated September 15th, and signed by the Chairman, Karl Peterjohn."

MOTION

Chairman Peterjohn moved to adopt the Proclamation.

Commissioner Welshimer seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Aye</i>
<i>Commissioner Parks</i>	<i>Aye</i>
<i>Commissioner Welshimer</i>	<i>Aye</i>
<i>Chairman Peterjohn</i>	<i>Aye</i>

Ms. Zukovich said, "Commissioners, we were requested this proclamation this morning by Judi Johnstone and Eunice Sterling. We will make sure that they get the copies. They had asked for additional copies as well, and we'll make sure that they get those."

Chairman Peterjohn said, "Well, and I wish them well on their efforts to celebrate this significant day in our history. Next item."

Adopted

NEW BUSINESS

B

10-0473

VISIONEERING WICHITA 2010 FUNDING.

Presented by: Jon Rolph, Visioneering Wichita, Chairman.

RECOMMENDED ACTION: Approve the funding.

Chairman Peterjohn said, "Welcome to the Sedgwick County Commission."

Mr. Jon Rolph, Chairman, Visioneering Wichita, greeted the Commissioners and said, "Thank you. I feel welcome. I appreciate that."

Chairman Peterjohn said, "Well, we try."

Mr. Rolph said, "Commissioners, good morning. My name is Jon Rolph, I live at 4343 Westlake Court in Bel Aire, Kansas. I am Chairman of Visioneering Wichita, and am before you, as I have been before, as you have consideration of Visioneering's funding requests. I will not do a full annual report today, as I'll wait until closer to the end of the year, but I will give you just a brief summary of where we're at right now and what we do before you vote and then be available for questions. You know, at its core, Visioneering, well, Visioneering's been around now since 2004, and at its core, I consider it grassroots democracy at its best; giving rise to voices and issues that often would find it very difficult to find a way to the table any other way. So we're trying to help secure voice for our region by working together, and at its very foundation, Visioneering is about regional growth, per capita income and securing the best economic growth for our region. Now we've had several alliances and programs that have been successful now for many years, including our Unified Legislative Agenda, which had another successful year up at the State Capitol this year securing \$5 million again for [Kansas] Affordable Airfares [Program] and \$5 million again for National Center for Aviation Training.

"We have some alliances that have been around a while that are now taking on new tasks, and that includes our Health Alliance, which I think has been doing some great things. And you're actually going to get a full report from what they've been working on later today from Claudia Blackburn, but Sonja Armbruster's been leading those efforts for us and doing a great job. And they have involved over 100 participants over the past several months; 61 Sedgwick County health entities to identify and agree upon what are some of the core health issues. And part of that is these alliances are able to frame up what the issues are, and then that allows people to come in behind those issues and begin to take action. That's where they're at. They've now been able to frame up, put it out there, start to get community response and they're getting just great response from the community."

"And as well, so we have alliances that continue actively, and then we're launching two new alliances this year. We have an Environmental Sustainability Alliance, which has launched this year. They'll launch in the first quarter of this year. And they're working, again, on quality of life issues for our region, and then in the next month, we'll announce that we are launching our family stability [Mentoring] Alliance. We've had some of the pre-meetings for that, just to try and build stronger families in our community. And with all of these alliances, we've had strong county participation by county entities and county employees, and we appreciate your participation and leadership, not just this year, but all the previous years ahead. And one other, I missed this because it's on the second page, but one other example of our current alliances continue to make headway is our Parks and Recreation Alliance had gotten a grant for \$150,000 from the [Kansas] Sunflower Foundation to launch the GoPlayKansas website. And just this year, the state has adopted it, and shared all their GPS (Global Positioning System), GIS (Geographic Information System) information, and now it is a statewide website.

"Last but not least, see you guys can be proud; I talked to you guys each about this individually, but thought you may want to see it. You don't get to see national recognitions very often, but just as we sometimes need to give ourselves a pat on the back for some of the great stories that are going on in Wichita, this is just another sign that Visioneering is one of the great stories going on in our community. This year the, I want to make sure I say this right, it's the, I guess it's not...it's the National Chamber [Foundation] executives, yeah. There's over 5,000 people at this deal in Milwaukee, and they gave us the award for the Alliance for Regional Stewardship: Organizational Champion Award on August 5th, which they only give to one group a year, which is about trying to plan and organize a community for growth, and partnership and stewardship. And so you guys all participate in this award. I think it's just a great recognition for our community, and the success that Visioneering's been experiencing the last seven years. Actually, a side story, as Suzie was going up to accept the award, one of the guys on the committee said, are you here with Visioneering? And we actually had to go back and double check everything that was on your application, because it was hard to believe that you guys have been able to get as much done as you have and it all checked out. So just a big pat on the back that we blew away the selection committee with what we've been able to do through this. So just another pat on the back for you all and your partnership in this, and I'll bring it up, with your permission, to let you guys take a look at this if you'd like."

Commissioner Unruh said, "Congratulations, Jon."

Mr. Rolph said, "And this award really, you know, goes to the over 16,000 residents that have been involved in this process from the beginning, the over 200 active volunteers that we have right now. So I'll be open for questions, but I wanted to just give you that brief summary and tell you thank you."

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

Commissioner Welshimer said, "Well, I think it's interesting to many people that you are more diversified than just in the economic development area solely, but that all these issues that affect our economic development are included in your plans. You say you have 200 members, are they from all different walks of life, or are they business people, or..."

Mr. Rolph said, "We have all walks of life involved. You know, when you have everything from a Mentoring Alliance, Birth - K Alliance, to things that focus on environmental sustainability to things that focus on parks and recreation, to things that focus on...I'm trying to think of some of our other alliances here. You have all walks of life. And the great thing about Visioneering is it's open and welcoming for anybody to come in and participate in the discussion. And so, typically, what you find is, it's like, Carol, one of the secretaries here in your office, her son is beginning to get involved. And what you find are people who are passionate about moving this community forward typically can find a way to plug-in through Visioneering, because that does have such a diverse range of interests and a diverse way of trying to move things forward. So we have older and younger, and people associated with business and people not associated with business, but everybody is working together under this umbrella to move things forward."

Commissioner Welshimer said, "Who else besides the county helps with your funding?"

Mr. Rolph said, "The county, the city, we typically have some of the local foundations that have helped. And then we have some business contributions, as well."

Commissioner Welshimer said, "Okay."

Mr. Rolph said, "And then the [Wichita] Chamber [of Commerce] is also partners as housing Visioneering."

Commissioner Welshimer said, "Thank you."

Mr. Rolph said, "Yeah. Thank you."

Chairman Peterjohn said, "Jon, I've really appreciated getting a chance to visit with you before we had this meeting, and I think last year I was by far, on this body, the one who I think asked the most questions and had a number of concerns, and I appreciate you providing the detailed information following our earlier discussion. There's a lot of material in this report, and I particularly found the section on key benchmarks that you had established for yourself very significant, and it gets to the point I had been trying to get to last year because there are a lot of efforts to improve the community, but sometimes they get kind of bogged down in generalities and amorphous statements. And you did have a couple of very specific benchmarks that were listed on that page, and Item 2 on per capita income, you had a provision that said, 'Stop the 21-year decline of Wichita per capita income as a percentage of U.S. per capita income before 2011.' I was curious how'd you view how Visioneering has done on that goal at this point, and where we stand six or seven years into this 20 year plan?"

Mr. Rolph said, "Well, before the economic downturn, this is actually one of the bigger success stories, because this had changed for the first time in 20 some years, and per capita income was growing. It was growing as compared to U.S. per capita income. We haven't gotten data back to us since the economy has started to have its problems, but I would say a good sailor can't control the wind or the storms, so we can adjust our sails. And I feel like we continue just to be limber, and adjust our sails and try every day to make this community better and more competitive those ways. But I don't know how it's going to compare economically nationally, but I feel like we had begun to make headway."

Chairman Peterjohn said, "Well I'd certainly agree with you that we're trying to paddle upstream with the current national and international economic environment. That is a challenge. In Item 7 on your benchmarks, you had a criteria saying that for an income gap in the opportunity racial diversity and harmony [Racial Diversity, Opportunity and Harmony] area 'Be above the U.S. Per capita income for each minority group by 2010 and by 2020...' it goes on to an objective there. I was curious on where we stand on that objective as of 2010?"

Mr. Rolph said, "Again, I mean, we don't have the data for this year. Do you know...yeah, we lag about two years. Do you know the last time we looked at this, where we're at? I mean, I remember seeing the report but it was probably six months ago. Oh okay. Okay. Okay."

Chairman Peterjohn said, "Well, will the new census data that comes out next year have an update so we'd have a, be in a position to have an update in 2011?"

Mr. Rolph said, "Yes, that is correct, sir."

Chairman Peterjohn said, "Well I continue to have an interest and, obviously, having measurable outcomes that we can use, in terms of efforts, and I don't care, you know, when we talk about improvements in general terms, that's fine, but I like the idea of having specific, objective, measurable outcomes and then measuring against those, and I'm glad you have some in here, and this is part of the concern I've had in the past, and I just wanted to restate it for the record again today. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chair. Well, Jon, welcome and I want to congratulate you on the presentation and congratulate you for the good work you and Suzie Ahlstrand have done in helping to bring this award to our region. I did have one question, and maybe you answered it, but how many alliances are there?"

Mr. Rolph said, "We have 13 active alliances with one more being launched next year, so we'll have 14 active alliances."

Commissioner Unruh said, "Okay. Well I think that's an indication of the variety of ways that our citizens can be involved in Visioneering. And it's a...I think this is really a very cost-effective way for citizens who perhaps don't have another way to become involved in a community activity, and this provides a way for them to put their efforts in something that they have particular interest in, or that they're passionate about, to advance the community and move it forward. So it's a great opportunity, and as the Chairman talked about, the activity is not just without purpose, I mean, we can measure the outcomes. And it looks like we're doing a great job. So I'm going to be very supportive of the funding requests, and want to just congratulate everybody who's been involved for doing a good job."

Mr. Rolph said, "Thanks, Commissioner."

Chairman Peterjohn said, "Commissioner Norton."

Commissioner Norton said, "Well I've been involved with Visioneering since the very beginning, and I want to be sure we communicate that this is not just a feel-good thing where we pat each other on the back. There's been a lot of hard work trying to describe our community and vision, its best outcomes, and that's not easy work. And it's not work just for the elected leaders. It should be a community conversation that we have every day. And I'm glad, like the Chairman said, that we have benchmarks that are hard benchmarks, they are not something that you just feel good about, but it really doesn't mean anything. We met 40 times during the year. Does that mean anything? Well I don't know if it does. But changing the curve of what our conversations are and what happens in our community is very important, and many hard data kinds of items are the benchmarks that we're trying to achieve.

"And if you look at all of the areas that we're trying to work on, they're critical areas in our community. Health and welfare of the community, and healthy Wichita, and all the priorities that they've worked on, racial diversity, adult education and workforce development, parks and recreation, early childhood, family stability, economics and income levels and downtown development. All of those things are critical to the future of Sedgwick County, Wichita, and the region, in fact. And I don't think if you, I say it often, if you don't know where you are going, you might just get there. And when you turn around and look at it, you're not going to like it.

"And Visioneering gets us to describe our best future, and then systematically with citizens involved, start to describe what the outcome should be and how we measure if we get there. And I'm glad that there's a big tent called Visioneering that anyone and everyone can get under and be part of, and not just throw it all to the leadership of government, but to the leadership of the community to make Wichita, and Sedgwick County and the region the best place to live, work and play. And I think that's what Visioneering does for us. It's not easy work, not everybody agrees, but everybody has the chance to have a voice, sign up, be part of it and improve our community in some manner. And they can either take the big tent viewpoint and help at that, or they can pick one issue and be part of that. And that's all very, very important. I'm supportive of Visioneering, and there's so much more work to do. We have just begun to change our community. And now is the time. I used to tell my employees at Target, when times are tough, that's when you find out how good a store you are, how good your employees are, how good your customer service is, how good your management is, how you do your business. Times are tough in this country, and we're going to find out how good a community we are. And Visioneering helps us do a lot of those things. So thank you, Jon, for coming today."

Mr. Rolph said, "Thank you, Commissioner."

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "Thank you, Jon. I'd appreciate you coming in and talking with me one-on-one also. I have had in the past some very pointed questions for Visioneering. And some of those were answered and some of those are in progress and working, and I hope, even after leaving here, that I can have an open dialogue with you and Visioneering, because it is an important facet in the community. I would like to thank you for your economic regional work, supporting those areas around the Kansas Pavilions that was the former [Kansas] Coliseum. I'd like to say that I went to a meeting at WSU (Wichita State University) with Visioneering a couple years ago, and it was kind of a brainstorming session and we said, well, what, where are we going to get our jobs from, and what's our economic outlook, and some of the kids, some of the younger people at the table, were all concentrated on aircraft and other things.

"And when the presentation got to the point of agriculture, that was the second largest funding, or the money that comes from the generated dollars is agriculture. So there are two A's out there, not only the aircraft, but the agriculture, and I hope that that is in the long-term goals that we keep thinking that Sedgwick County is an agricultural community. They do have a lot of firsts in that state in that, due to the population, and we are a processing center, and it's just one of those things that I think that as the, your goals are out there, make sure it's a living document and that it changes. And that's a little bit from what Commissioner Norton said, but it needs to change with the times, and we need to make sure that everybody in the county is encompassed in that. And thank you."

Mr. Rolph said, "Thank you very much."

Chairman Peterjohn said, "What is the will of the Commission?"

MOTION

Commissioner Unruh moved to approve the funding.

Commissioner Norton seconded the motion.

Chairman Peterjohn said, "In any specific amount, Commissioner Unruh?"

Commissioner Unruh said, "In the recommended amount, I believe the request is \$50,000."

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

VOTE

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

Chairman Peterjohn said, "Next item."

Mr. Rolph said, "Thank you all very much. Appreciate your time today."

Commissioner Norton said, "Thanks, Jon."

Chairman Peterjohn said, "Thank you."

Approved

C [10-0446](#)

RECOGNITION OF EMPLOYEE ACHIEVEMENT FOR GREG SCHUSSLER (SCEMS), CHIEF GARY CURMODE, DEPUTY CHIEF RICK BRAZILL, DIVISION CHIEFS CARL COX, EDDIE FAJARDO, AND CAPTAIN KEITH WILSON (SCFD#1). Presented by: Bob Lamkey, Director of Public Safety.

RECOMMENDED ACTION: Receive and File.

Mr. Bob Lamkey, Director, Public Safety, greeted the Commissioners and said, "As you all clearly know, we have many, many exemplary employees in Sedgwick County. And who not only contribute to our community at large, but to their peers and profession as well. Well, last month, several of your Public Safety staff were recognized for their achievements and contributions by significant organizations other than our own. And I thought it would be appropriate to recognize them in this form, both for your benefit and for the benefit of the public. Greg Schussler, would you come up first? Greg is the Logistics Manager for Sedgwick County EMS (Emergency Medical Services). His job every day is to make sure that every ambulance has what it needs to deliver service in this community 24/7. That means not only making sure that we have stockpiles, but we have a system that moves those out to our deployment points so that we can deliver the service that we need.

"Last month Greg was recognized by the Kansas Emergency Medical Services Association, KEMSA, with KEMSA's Presidential Leadership Award at that conference. The award is given annually by the president to a KEMSA member who has significantly strengthened the organization, and who has provided exemplary leadership and service to KEMSA and his home service. Greg has worked tirelessly in support of that organization's initiatives, organizing key aspects of conferences, and most importantly ensuring that the logistics needs of Sedgwick County EMS crews are met to support quality patient care. This is one that's not given lightly by the organization, and I'm very proud of this recognition for Major Schussler."

Chairman Peterjohn said, "I think that's extremely well warranted, and I appreciate you providing that for the Commission and for the public this morning. And welcome to the County Commission."

Mr. Greg Schussler, Logistics Manager, Emergency Medical Services, greeted the Commissioners and said, "Thank you. And I thank you for this recognition, and thank you to Bob for also recognizing this. KEMSA is real important organization for the state, as it promotes improvement in EMS throughout the state, but more importantly, was the kind words that were said about logistics. And that's where my heart's been the last 20 years working for Sedgwick County and I would be remiss if I just took the credit, because I don't do the hard work that gets done every day. I have a team that works tirelessly and selflessly, and that group provides the supplies and the equipment, and makes sure the ambulances are maintained, and the facilities are maintained so those paramedics out there have what they need, can do the job and do the good patient care that they can do. So I appreciate that. And I would like to name those guys, because they are part of my team and I am so proud of them. They are David Poland, Paul Gibson, Gary Schoonover and Brandon Ellis. So thank you very much."

Chairman Peterjohn said, "Thank you."

Commissioner Parks said, "Before he gets away, I'd like to say, Greg..."

Chairman Peterjohn said, "Oh, I'm sorry. Commissioner Parks."

Commissioner Parks said, "...thank you. I worked with you in my other job, also, and I saw your great work there. You're very humble, and the people under you do work hard. However, it's your leadership that has provided that good work and that good result for the action. Thank you."

Mr. Schussler said, "Thank you, Commissioner."

Mr. Lamkey said, "Chief Curmode, would you come up, please? Chief Gary Curmode was recognized and surprised at the recent International Association of Fire Chiefs convention with the first-ever Ambassador of the Year award from the Center for Public Safety Excellence (CPSE). The center, at their awards ceremony held in Chicago, the Center for Public Safety Excellence is the accrediting body for fire service organizations internationally; it also oversees a rigorous process for departmental accreditation, and an equally demanding process for awarding professional designations to individuals. And this is a quote of what the award is from the awards citation. The ambassador award is designed to recognize the individual or individuals whose dedication and advocacy for the Center for Public Safety Excellence and its programs contribute directly to the success of the organization and the advancement of its mission throughout the international fire and emergency services industry. A result of Chief Curmode's efforts as a CPSE ambassador, the leaders and agencies serving our communities across the nation are better prepared and their communities are safer places.

"And I will let you know that our Assistant County Manager, Mr. Holt, sits on the accreditation body for this process. He is the ICMA (International City/County Management Association) appointment to this body. And the Chief has dedicated an enormous amount of his time and energy, not only here, in making our organization the best that it can be, but throughout the state and in this particular case, throughout the nation, strengthening fire services and emergency services by virtue of his mentorship, leadership, and he's also a peer reviewer by his strict evaluation of those agencies and individuals that he reviews. And so I take this time in congratulating the Chief for this achievement. This is the second major award that his professional association has awarded him. In 2006, he was nominated for the Ray Picard Award, which again is an award that is given to recognize excellence in contribution to fire service in general. So, Chief Curmode."

Chairman Peterjohn said, "Welcome, Chief."

Mr. Gary Curmode, Chief, Fire District #1, greeted the Commissioners and said, "Thank you, Commissioners. It was really very much a surprise, and I do appreciate Bob Lamkey and the Commission allowing to recognize everyone here today. Looking back when I came here in 1995, you know, the Manager and the Commission set high standards for the Commission, and for the department heads and for the departments, and expected to get good, key performance measures, and so forth. And that's what accreditation and credentialing has been about and the credentialing analysis and the EMSS (Emergency Medical Services System) system, and I think it's the right way to go. And so, again, I am very humbled by it."

"It was a very surprising, nice thing to get from your peers, but, again, I would like to give credit to the men and women of Sedgwick County Fire District #1. I am lucky to be their figurehead at the top, to lead such a great group of men and women, because the core values that Sedgwick County strives for and wants us to do, and each year challenges us to raise that benchmark, to get you the best bang for the buck and so forth, we've tried to do that. And I've had that opportunity to do that with Sedgwick County fire chiefs, the south central region of 19 counties of DHS (Department of Homeland Security) for Kansas and surrounding Kansas, I get a lot of opportunities to work with other departments. And the nice thing is we have three accredited and Salina, Emporia looking at it, and then a couple more in the northeast section of Kansas looking at it. So when I see those light bulbs come on in the fire service, it makes it really exciting, and we've been able to hire a great cadre of people. So again, thank you for this time, this honor and this recognition. I appreciate it."

Chairman Peterjohn said, "Well thank you. And I'd invite you to stay up here at the podium as we recognize a couple of your colleagues who are coming right up here. But before we do that, I am going to turn this over to Commissioner Parks."

Commissioner Parks said, "I guess I'm doing this individually and not collectively, but in working with Chief, I want to say, also, that to build and maintain a quality organization like you have is not an easy task and I wanted to commend you on that."

Chief Curmode said, "Thank you."

Commissioner Parks said, "Thank you."

Mr. Lamkey said, "One of the really key aspects that the fire service has done over the last few years with regards to accrediting organization was to establish those standards of quality internationally. Another significant program that was put in place was the Chief Fire Officer designation, and this recognizes chief officers that have demonstrated through deed, experience and education that they have the broad skills and knowledge to succeed and excel as a chief officer. You know, today's chief is expected to be more than just an operational expert. They need to be knowledgeable in strategic planning, human resource management, budgeting, financial management and must be continuous learners. The Chief Fire Officer designation is also not a one-time and you got it type of designation. After the initial award, candidates must continue to demonstrate professional growth and competence to retain it. The Center for Public Safety Excellence formerly recognized the relatively few who meet the standard each year, and if I can get Deputy Chief Brazill, Division Chief Cox and Division Chief Fajardo up here, I will be happy to recognize them."

"Deputy Chief Rick Brazill was awarded his original designation, again, at the Chicago conference. Division Chief Eddie Fajardo received his second term. Division Chief Carl Cox received his third term. Chief Curmode was one of the pioneers in this process. Chief Curmode earned his fourth term designation and he also earned his initial Chief Medical Officer designation, which again is another way of establishing criteria by which we recognize the best in their profession."

"And these are, a few of the folks that are up this year, I will say that our fire district, if I look across the country and look at the per capita number of folks who have worked hard, because this is not an easy process, who have worked hard to earn this achievement, I would suspect that our per capita awarding of this designation is higher than virtually any other across the nation. And that has to do with the gentlemen that you see behind me, and the framework that's been established in this organization, and the expectations that you have imposed upon all of us to be as good as we can be. And so with that, I recognize these gentlemen for their achievements."

Chairman Peterjohn said, "Welcome, Chiefs, and particularly Division Chief Cox and Fajardo who had to put up with a County Commissioner asking them a bunch of questions at a recent fire down in the southeast part of the county on a very brutally hot and windy day, and it was some of the toughest conditions I've seen. But one of the things I've noticed when I look at the fire calls, it always seems to be that there's a higher probability of having a fire when it's either too hot or too cold. And I very much appreciate both being willing to put up with all the questions that I generated that very hot afternoon. And I want to congratulate all three of you gentlemen and join in with Mr. Lamkey and Chief Curmode."

Mr. Lamkey said, "One of the things that, as I look across the country, that I really enjoy and take pleasure in is that the relationship between the Sedgwick County Fire District management and our labor organization is really very strong. It's an enviable relationship in the fire service. We always have our share of differences, but both the management of the Fire District and the management of the labor union recognize that we have more in common than we have differences, and so through the years we've resolved issues and come to very beneficial agreements with regards to how we operate. One of those people in the last few years that has been a significant part of that process is Captain Keith Wilson. Now Captain Wilson is now part of the management team, so this is recognition for work that he did while he was the Secretary Treasurer for our local. He was recognized this last August for his exceptional service and fidelity to that organization. It is a very important position, in terms of it manages their funds and provides a leadership structure in that process. And I welcome the fact that individuals that we have leading our labor organizations are also seen by their peers as excellent stewards."

"He was further honored by a 4,000 person standing ovation when it was made known that next week he has a military commitment that will place him in harm's way. Next week, Kansas Army [National] Guardsman Sergeant, soon-to-be Staff Sergeant Wilson will deploy for approximately 18 months on his second tour of duty to Iraq. Keith, earlier this year in February, was most deservedly promoted to the rank of Captain, and maybe one of these days we'll have you on our side of the table when we meet. But anyhow, I am particularly pleased to welcome him, and on behalf of the public safety community wish him godspeed as he goes into harm's way, and we'll make sure, we'll make sure things are taken care of while you're gone."

Mr. Keith Wilson, Captain, Fire District #1, greeted the Commissioners and said, "Appreciate it."

Chairman Peterjohn said, "Welcome to the County Commission, Captain Wilson. And on behalf of the County Commission, it's a pleasure to welcome you both in your capacity as a member of the Sedgwick County Fire District #1 and also a privilege and an honor to do so as a non-commissioned officer in the United States military. So welcome."

Captain Wilson said, "Thank you. Before I leave, I'd just like to ask for the thoughts and prayers of everyone for myself, my family, my unit and all the men and women that serve in the United States military, either foreign or domestic. It's good to have a recognition by everyone. I know that when we get into this field, either public service or the military, we don't actually do it for recognition. We do it for the heartfelt sense, or desire to help our fellow man, so it just feels good to get recognized for that occasionally. So with that, I'd just like to thank you all."

Chairman Peterjohn said, "Well thank you. Commissioner Parks."

Commissioner Parks said, "Captain, that's why we got in the business, right?"

Captain Wilson said, "Exactly."

Commissioner Parks said, "To help people. And you're doing the ultimate of serving your country, going into a hostile situation. If it's not a matter of national security or anything, in your thoughts and prayers request, what unit is that?"

Captain Wilson said, "It's the 778 Transportation Company; it's based out of Kansas City."

Commissioner Parks said, "Okay. We certainly will have you in our thoughts and prayers."

Captain Wilson said, "Thank you."

Chairman Peterjohn said, "Commissioner Welshimer."

Commissioner Welshimer said, "Thank you for your service to our country and to our fire department."

Captain Wilson said, "You're welcome."

Commissioner Welshimer said, "Both jobs can be quite dangerous."

Captain Wilson said, "Yes."

Commissioner Welshimer said, "And you're very much appreciated, and we would be in big trouble if we didn't have people like you who watched over us. Thank you."

Captain Wilson said, "You're welcome."

Chairman Peterjohn said, "Commissioner Norton."

Commissioner Norton said, "Well, first responders of all kinds are deep embedded in my heart based on some things that have happened in my life. And, you know, when you get into public service, it really puts service before self. And I was trying to add up the number of years, I don't know how much, how long everyone's worked for Sedgwick County, but it appears to me that we've got over 100 years of service here in these gentlemen. And, you know, it's not just about putting in time, as you look at the effort they've put in to increase their ability to do their job, to understand the new technologies, and the new disciplines and protocols that are happening around the country and internationally and bring them back to Sedgwick County, to raise the level of delivery of service to our citizens, admiration is a word that can't be thrown out enough, because it is so important.

"And I hope the citizens of Sedgwick County understand how dedicated these men are to their mission. But they represent 3,000 employees that do the same thing every day, not always in harm's way, but in some way trying to grow, and learn and deliver the best service they can to Sedgwick County. And this is exemplary. I'm a big proponent of continuing education, and that's what all of these individuals have done for Sedgwick County. They have taken it to the next level. It's not good enough to put in time and get through numbers of years; it's about continuing to improve for the delivery of service, so I admire every one of you. Thanks for your service to our community, and I look forward to more people stepping up and seeing the responsibility that you've taken and mirror that for our Sedgwick County. Thank you."

Captain Wilson said, "You're welcome."

Chairman Peterjohn said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you. I just want to add my congratulations to each one of these individuals that we've recognized today. I mean, your commitment to your profession, and your willingness to put in extra effort to improve yourself and your skills at what you do shows a great deal of discipline and commitment on your part, but we, the citizens of our community, get the benefit of that. So we're grateful for your commitment to your profession. And, Mr. Chairman, I think we ought to express our appreciation with some applause."

Chairman Peterjohn said, "You want to follow it up with a motion to receive and file, so we're official?"

MOTION

Commissioner Unruh moved to receive and file.

Chairman Peterjohn seconded the motion.

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

VOTE

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

Mr. Lamkey said, "Thank you very much, Commissioners."

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

Received and Filed

D **10-0459**

PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION REGARDING PROPOSED SPECIAL ASSESSMENTS FOR INTERNAL IMPROVEMENT PROJECTS IN THE COUNTY.

Presented by: Joe Norton, Gilmore & Bell, P.C., Bond Counsel and James Weber, Deputy Director of Public Works.

RECOMMENDED ACTION: Conduct public hearing and receive comments and adopt the resolution.

Attachments: [Special Assessment Document Package 9-15-10 Rev](#)
[Bond Sale Timetable 9-15-10.pdf](#)

VISUAL PRESENTATION

Mr. Joe L. Norton, Gilmore & Bell, greeted the Commissioners and said, "That's kind of a hard item to follow, so give me a moment here. For your consideration this morning is a public hearing and resolution relating to two basic road improvement projects within the county. The first is the Via Christi - West Campus Addition and the second is the Prairie Breeze Estates addition street improvements. Two weeks ago at your meeting, you approved the statement of final costs and set today's date and time for a public hearing with respect to levy those special assessments.

"On September 3rd, a notice of the public hearing was published in The Wichita Eagle and notices were individually sent to all affected property owners notifying them of this activity this morning. The Via Christi [West] Campus [Addition] project is located north of 21st street at approximately 151st Street West. This is the plat map. It has two significant parcels: Parcel A is the largest parcel at the top, and Parcel B is the smaller parcel at the bottom. This project was initiated by a petition signed by the owners of the Via Christi medical center, which is 100 percent of the ownership of the property. That was filed with the county in August of '08. In November of '08, the Commission adopted a resolution authorizing this project to be constructed and the levy of the assessments as set forth in the petition.

"There are four phases of this projects that have been completed. Before you is the cost statement on that project that has been prepared by Public Works in conjunction with the Department of Finance. The breakout, as requested by the petition, is basically a split on an area parcel wise between Parcel A and Parcel B. The assessments are set forth on the assessments per lot at the lower left, at the bottom of the page. Each of which is below the authorized estimated amount set forth in the resolution."

"The second project is the paving of Prairie Breeze Estates addition. This is located north of 39th Street between Rock and Webb Road. The benefit district is 16 parcels outlined in red on the map before you. This project was initiated by a petition signed by the owners of 12 of those 16 lots filed with the county in November of 2007. The Commission adopted a resolution in February of 2008 authorizing the construction of this project. Again, the statement of final cost prepared by Public Works and Finance reflect that the total cost of approximately \$156,000, the estimate was \$176,000, when divided by the 16 lots equally; the principal component is approximately \$9,800 per lot. When spread over a 15 year period, that's a little less than \$1,000 a year, or about \$83 per month, based on assumed six percent interest rate. We think the rate will be better than that.

"Today is the day of the meeting of the public hearing portion. Assuming adoption of the assessment resolution; that will be published on the 17th. And notices of assessment would be sent to each affected property owner. They would have until October 8th to make a payment in part or in full of this special assessment. If they choose not to, then this would be financed by the county with this general obligation bonds sold later this year and spread with interest at the rate on those bonds over a 15 year period. Jim Weber of Public Works and Chris Chronis of Finance are also here to answer questions you may have now or during the participation in the public hearing."

Chairman Peterjohn said, "Questions for Mr. Norton or any of the other county staff who are here for this item before we open the public hearing? Well, seeing none..."

Mr. Norton said, "If not, my request would be to open the public hearing and take each of these projects individually, so we can keep kind of the costs up on the screen."

Chairman Peterjohn said, "Okay. We will now open the public hearing for the consideration of the resolution on these proposed special assessments for internal improvements projects that were presented. And the first item that we'll take up would be Via Christi – West Campus Addition, is there anyone here in the audience who would want to speak on that item? If so, please raise your hand or proceed to the podium. Seeing no one at this point, I'm going to move along to the Prairie Breeze location and ask if there's anyone in the audience who wishes to speak on this item? And if so, please come to the podium, and welcome to the Sedgwick County Commission. Please state your name and address for the record."

Mr. Al Rocheleau, 3800 South Linden Street, Derby, greeted the Commissioners and said, "I am a property owner of lot number nine. I purchased the lot almost two years ago, built upon it. My building started two weeks after the road was put in. I bought there primarily because it was in the county, we had dirt roads and I was looking for the isolation. The notification we got was a note put on the door of the house that I was residing, next door, my daughter's house, the day before the work started. We had no opportunity to have a voice in it. When we bought the property, we were told there were no specials, no assessments, and that's how I was able to be financed. I noticed that each of the property owners has had an equal assessment assigned. However, we have not all benefited from the same work. My lot is the one in the northeast portion of the cul-de-sac. Since my drive was not in, we did not have benefit of the asphalt roadway that the other property owners whose homes were already there. We asked if the county was going to come back and do the apron, like they did for the others, over the culvert to our property line, and they said no."

"So it was on me to finance the cementing of that since the county would not do it. It seems to me that it's not quite equitable. I have talked to all the other property owners except the developer, Jim Ratzlaff and none of us was aware of this prior to it happening. That may be something that we have to take up with the developer ourselves. But I would just like to let the county know how it did transpire, and the work that the county did to put our culvert in was unfinished because of the wet weather and we're still waiting completion of that. Thank you."

Chairman Peterjohn said, "Questions? Commissioner Welshimer."

Commissioner Welshimer said, "Yes, sir. What was your name again?"

Mr. Rocheleau said, "Al Rocheleau. R-O-C-H-E-L-E-A-U."

Commissioner Welshimer said, "Okay. Was it a county official that told you that there would be no specials?"

Mr. Rocheleau said, "When we signed the real estate agreements, it was indicated there were no specials on there. The real estate agent that represented the developer indicated there were no specials."

Commissioner Welshimer said, "But they didn't tell you that they just hadn't been assigned to the property yet?"

Mr. Rocheleau said, "There was no indication that any work would be done. It was our understanding that the developer had agreed to pave 39th South and that our price for the property took care of that. When asked about paving of Linden Street, he said that's not in the future."

Commissioner Welshimer said, "Well, somewhere along the line there had to be an application for this. I'm trying to get my hands around it to figure out how that came about, what the series of events were that brought this around. Because, you know, there probably weren't any specials when you purchased it, but at some point I think the neighbors had to agree to this, didn't they? No?"

Mr. Rocheleau said, "No."

Commissioner Welshimer said, "It wasn't an application by the community? Okay. Well, I'll check into it a little further."

Mr. Rocheleau said, "Thank you."

Chairman Peterjohn said, "I'm going to ask Mr. Norton to come up, because the backup information we have indicates in the case or Prairie Breeze that 62.5 percent of the parcel owners were in support of this, if my recollection on the backup material is correct."

Mr. Norton said, "That is correct..."

Chairman Peterjohn said, "And I'm trying to remember which...so that this is over half, but, let's see, if there's 16 lots, if it was 62.5, if I can...10 of the 16, is that correct?"

Mr. Norton said, "Yeah. Basically the petition was signed by Mr. And Mrs. Ratzlaff; they own lots 1, 2, 4, 5, 6 and 7, 12, 13, 15 and 16, which are 12 of the 16 lots, which is more than sufficient of the 50 percent requirement. That petition was signed by the Ratzlaffs in November of 2007. The Commission took up the resolution requesting these improvements in February of 2008. That resolution, after adoption, was recorded with the Register of Deeds on March 17th of 2008 and became a matter of public record. I am not sure when Mr. Rocheleau's real estate transaction occurred, but that's when the item would've become a matter of public record in the Register of Deeds' Office."

Chairman Peterjohn said, "In February 2008?"

Mr. Norton said, "Actually recorded in March of 2008."

Chairman Peterjohn said, "March. Do you have an exact date?"

Mr. Norton said, "March 17th."

Chairman Peterjohn said, "Question, Commissioner Welshimer."

Commissioner Welshimer said, "So what you're saying is the developer owned most of the lots, enough to be the applicant?"

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

Commissioner Welshimer said, "And did not apparently, according to the buyers, from the developer did not inform them that he had planned to do this."

Mr. Norton said, "I have no information on that."

Commissioner Welshimer said, "Is that correct?"

Mr. Rocheleau said, "That is correct."

Chairman Peterjohn said, "Mr. Rocheleau, could you come back to the podium, please? I'd like to ask you a question. I may have missed this, if you wouldn't mind restating for my benefit, when you acquired your parcel?"

Mr. Rocheleau said, "It was the end of May of 2008. I think we actually closed on the first of June."

Chairman Peterjohn said, "Thank you."

Commissioner Welshimer said, "What's the spread of ownership now?"

Mr. Rocheleau said, "Lots 1, 2 and 12 are owned by Jim Ratzlaff and Phyllis. Goertz, who's a relative of Ratzlaff, owns lot number 5. He has a spec home on it which has not been sold. Lot number 6, lot number 1 are owned by private owners who have it up for sale once again. Lot number 2 is owned by the Lewis family. There's a Kansas Highway Patrolman who owns, I believe it's lot number 6 or 7. Lot 8 is an engineer who just finished completion. Lot 9 is a Derby Police Sergeant..."

Commissioner Welshimer said, "So there's quite a few..."

Mr. Rocheleau said, "...I have lot 10. My son-in-law, retired Marine and a Wichita police officer, has lot number 11. Lot number 12 is a person who works for Coleman, the Carpenter family. Excuse me, lot number 11. Lot number 14 is an engineer with Cessna. I spoke to both Mr. Lewis and I've forgotten the last name of lot number 14 owner just the other day. They're unable to afford to take time off from work to come to address the Commission because of the economy at this time."

Commissioner Welshimer said, "These, apparently then we have more new owners than we have developer lots at this time?"

Mr. Rocheleau said, "Yes."

Commissioner Welshimer said, "And are these new owners, are they supporting you in this, have they signed a petition? I mean, is this a..."

Mr. Rocheleau said, "We have not signed a petition. The first we were aware of it was the letter that we got in the mail."

Commissioner Welshimer said, "For about this hearing today?"

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

Commissioner Welshimer said, "Okay. Thank you."

Mr. Rocheleau said, "Thank you, ma'am."

Chairman Peterjohn said, "Excuse me, you received that letter how long ago?"

Mr. Rocheleau said, "It was mailed on the 3rd, so it was..."

Chairman Peterjohn said, "Third of September?"

Mr. Rocheleau said, "...third of September, right."

Commissioner Welshimer said, "What is the special assessment fee to each home approximately?"

Mr. Rocheleau said, "\$9,783.83 per lot."

Commissioner Welshimer said, "And is the developer here today?"

Mr. Rocheleau said, "No, ma'am, he's not."

Commissioner Welshimer said, "Thank you."

Chairman Peterjohn said, "Is there anyone else who wishes to speak on this? Please come to the podium, state your name and address, and welcome to the Sedgwick County Commission."

Mr. Kevin Donohue, 3810 South Linden, Derby, greeted the Commissioners and said, "Thank you, sir. I am Mr. Rocheleau's son-in-law, like he stated. I purchased my lot there at 3810 South Linden in March of 2007. At that time, when I purchased the property, you know, there were some requirements that I had. You know, one, you know, I didn't like the idea of specials. I contacted the real estate agent for Mr. Ratzlaff and specifically asked that she check that there would be no further assessments, as far as special assessments to the property. Like Mr. Rocheleau stated, when I first purchased the property, 39th Street South, in the CC&Rs (Covenants, Conditions and Restrictions), I don't have a copy of that specific CC&R, was supposed to have been completed by April of 2006. I purchased it in March of 2007. 39th Street South still had not been completed. Then all of a sudden a day before they're going to pave Linden Street, I get a notice on my door, don't park or be advised that we are going to be doing this work to pave Linden Street beginning tomorrow. You know, basically the day after I got this notification about it.

"And, you know, kind of struck, you know, a chord with me, started talking with other neighbors. Nobody else in the neighborhood, you know, was aware that this work was even going to be started. So, you know, then all of a sudden, you know, there's rumors going around the neighborhood about, okay, well Mr. Ratzlaff is going to, you know, start charging people, you know, for this new improvement. You know, I just want to bring to the point that when I purchased the property, I had specifically asked the real estate agent to contact Mr. Ratzlaff about any further special assessment and I was assured that there were going to be no special assessments added to my property. And then on September 5th time frame, I get this letter saying that, you know, now I've got a bill for, or going to have a bill for almost \$10,000 for the street that I had no say whether it was going to be put in or not."

Chairman Peterjohn said, "Questions? Commissioner Welshimer."

Commissioner Welshimer said, "Have you had a meeting, a neighborhood meeting, on this? And, you know, what is the attitude of the rest of the homeowners, are you really sure...I've been into a situation like this before in another subdivision, and it just, it was half and half. Half of them wanted it because they didn't like the dust, and they wanted all this, these improvements. And so, it was a very difficult situation when there was just no difference in those that wanted it and those that didn't. So, what, you know, is anything at all taken place here that would identify...I mean, are all the homeowners feeling that they have been told the wrong thing and that they are having to pay specials that they had no idea were coming and they're against that?"

Mr. Donohue said, "I know a couple of them, like my neighbor across the street, Jeremy. I can't think of his last name off the top of my head. He was told that when he purchased his property that there were assessments already in his...that specials were already being assessed to him."

Commissioner Welshimer said, "Okay. Well, I think you need to have a neighborhood meeting and come up with how many people do not want these assessments and do not want the street paved, and then to, and need to, if they're ready to pave it, I need to hear from Public Works about this, but if they're ready to pave it, and we've already got an investment there and there's going to be a charge, a special assessment charge whether they pave the road or not, there's a good possibility that that's what can happen."

Unknown audience member said, "It's already paved."

Unknown audience member said, "It's already done."

Commissioner Welshimer said, "Oh, it's already paved?"

Mr. Donohue said, "It's already done, that's what we're saying is, I got my notice the day before. Nobody came up to me and said, hey, we're going to be paving this road. It was the individual company that's doing the paving brings a piece of paper and says, do not park on the street or if you want to be able to get out, you've got to be out of your driveway by 7:00 in the morning and will not be able to return until after 1,700 at night. That's how I found out that the street was being paved."

Commissioner Welshimer said, "Okay. So the street is paved and you just object to the special assessments that is going to be, they're going to be applied to your property?"

Mr. Donohue said, "Yes, ma'am. Especially, you know, when I specifically, when I purchased the property, asked the real estate agent to contact the developer as far as, are there going to be any special assessments? And I was assured by Stephanie Fisk, who was the real estate agent at the time, and she stated she had contacted James Ratzlaff and that there was going to be no further assessments on my property and specifically that, you know, my question was, well, in the CC&Rs, it states 39th Street South is supposed to be paved, what is the plan for Linden Street? And at that time, I was told Linden Street is going to remain a dirt road and no special assignments."

Commissioner Welshimer said, "But you weren't told that by the county?"

Mr. Donohue said, "No, I was told that by Mr. Ratzlaff..."

Commissioner Welshimer said, "And so we're..."

Mr. Donohue said, "...the developer."

Commissioner Welshimer said, "...we're in a bit of a situation here because, you know, we follow these procedures that go along with the law, and if the road's already done and everything's done, then I think what we're talking about is a promise that you were made, not by the county, but by others that you have done business with that raises a question for you. You know, we can't unpave the road."

Mr. Donohue said, "Oh, I understand that."

Commissioner Welshimer said, "And so we've got to be able to pay for it. We can't expect all the other neighbors around there to pay for the road when they've paid for their own most likely. And so I'm just trying to figure out a way to help you, but it's too bad that the situation happened in this manner."

Chairman Peterjohn said, "Question I'd like to throw out, you never received anything in writing indicating, it was just all oral communications between yourself, and your realtor and whoever they spoke to?"

Mr. Donohue said, "Yes, sir."

Chairman Peterjohn said, "Please come back to the podium, Mr. Rocheleau."

Mr. Rocheleau said, "In the contract that we signed with the real estate agent was a place for specials and it was indicated no specials. And at the time that I entered into the agreement to purchase the property, from what the Commission has said and the gentleman who talked about the assessment, it was already in the works. And when we had to file with the county, it seems to me that a flag should have gone up at that time. I'm not laying the blame on the county, but I'm just letting you know that something has happened. We had no indication that the road would be paved. Heather, Dalton and Cypress going down south of 39th to 42nd are still dirt roads. It's an older neighborhood, more established. There was absolutely no indication other than the indication that 39th was part of the agreement for this Prairie Breeze Estates to be built. This is just phase one of it. I'm afraid the same thing's going to happen on Cypress, which is just east of us."

Chairman Peterjohn said, "Thank you. What is the will of the Commission? Well, let me rephrase it, is there anyone else who wants to speak in the public hearing? I misspoke. Is there anyone else who would wish to address the County Commission on this issue or have any further questions? If we are, at this point, please come to the podium and state your name and address for the record, and welcome to the Sedgwick County Commission."

Ms. Alice Rocheleau, 3800 South Linden, Derby, greeted the Commissioners and said, "I do have a question where I'm getting the impression that as, I can't pronounce your name, I'm sorry, Ms. Welshimer?"

Commissioner Welshimer said, "Welshimer."

Ms. Rocheleau said, "...was stating that the county never said there wouldn't be any assessments. So my question here is, how can we be assured that there aren't going to be any further assessments without our knowledge?"

Commissioner Welshimer said, "Well I would say, in response to that, that you are probably outside of any connection with the developer or the realtor, and so you would be notified by the county if anything further is going to take place by the county in your area, because you would be dealing directly with the county. What's happened to you here, there are other authorities to go to for your situation, to get information on what you should have been told. You know, you can try an attorney; you can call the Kansas Real Estate Commission. They'll inform you as to what the responsibilities of the people you dealt with were. If you tell them what transpired and so on, so that you know a little bit more about what your circumstances were there. It's an unfortunate situation, and as far as the contract saying that there were no specials, there probably were no specials at that time, so that was the only answer to put in that. But somewhere along the line, I would have hoped that some disclosure or information would have been given to you, you know, to tell you that that paving would be brought in there and that there would be special assessments eventually."

Ms. Rocheleau said, "Unfortunately, there weren't. Thank you."

Chairman Peterjohn said, "Thank you. Mr. Norton."

Mr. Norton said, "Mr. Chairman, I might respond to Mrs. Rocheleau's question. The county can only impose special assessments after one of two things happen. One, is there's a petition filed with the county signed by a majority of the owners of property. So unless the majority of the owners of property that currently exist at the time of the petition is signed consent to that, no assessment would happen in that regard. So in the future going forward, a majority of the owners of those 16 lots would have to sign a petition to come in to do whatever the improvement would be, so they would control that. Or the second way would be the Commission on its own initiative authorizing a project after a notice and public hearing like we're having today. So no developer can go into that project now, because as I understand, the developer owns just a very small portion of the lots and they would have no control over filing a subsequent petition for assessments."

Chairman Peterjohn said, "Let me ask you a question, in terms of procedure, because if you have a situation where, let's say the developer owns a majority of the lots and then sells them off, and basically you've got more...the majority may no longer be there, is there any recourse for the owners to come back and say, if the work hasn't already been...has already occurred and say, we have a, we'd like to have an effective revote or look at this issue again?"

Mr. Norton said, "Basically, the law provides that you determine the sufficiency of the petition at the time you consider that resolution. And this was on the Commission's agenda in February of 2008. And so at that time the petition was signed by the Ratzlaff, which did own a majority of the property. So the petition was sufficient, the Commission made that finding based on the staff report and authorized...adopted the resolution and authorized the improvements to go forward. Basically, once that process starts, I suppose until the project is actually constructed, you could reconsider that resolution. But once the expenses are incurred and the project is constructed, then the statutes require the levy of the assessment to be made or it's just a county at large expense if you do not levy the assessment, which has other implications. And so basically the controlling factor is the time you consider the resolution and sufficiency of the petition."

Chairman Peterjohn said, "Well, I appreciate that clarification, because as a person who was not a County Commissioner in 2008..."

Mr. Norton said, "You were not."

Chairman Peterjohn said, "...and having this land on, in part, on my agenda this morning, I think the additional information and the clarification for the record is important and significant. I don't know how much help it is to the other folks testifying, in terms of the public hearing this morning, but I think more facts and information we can get on the record, and a better understanding for the public at large at how the process works under state law at the moment, I think, is very helpful."

Mr. Norton said, "Right. And that is one of the reasons why the statutes do require that these resolutions be recorded with the Register of Deeds. So, for example, after March 17th of '08, any search of the public records would have revealed this resolution in place and that property would have a potential for special assessment to be levied against it in the future. I think at the time that the second speaker spoke, if that transaction occurred in March of '07, there would not have been anything in the matter of public record at that point in time, because the petition had not been filed yet."

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

Commissioner Unruh said, "Well thank you, Mr. Chairman. I'm trying to understand the issue here, there's no question that our policy and procedure, from the county perspective, has been followed according to law, and according to all the proper notices and according to all the proper filings. We've done everything that was required of county government."

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

Commissioner Unruh said, "The issue comes in communication between the developer who owned the majority of the ground who could, because he owned the majority of this ground, could almost arbitrarily or individually start this process, and then folks who were buying property during the process didn't, by their testimony, didn't get proper notification from the developer. What is, I mean, I don't want to ask particular legal advice, but I mean, do these folks have any avenue to get resolution to their complaint other than civil action?"

Mr. Norton said, "I think at this point in time, and like I said, back in '08 was the decision whether or not to build the project; that was made, the project was built. Today the hearing is on whether or not, you know, the total costs were accurate, the method of assessment was figured properly, those kinds of things. Not whether or not the project should have been built. So I would think that they should consult with their own legal counsel to determine what recourse they may or may not have against other parties."

Commissioner Unruh said, "Okay. Well thank you. I mean, it seems as though that we, by process, and by procedure and so forth, are going to need to approve this. But to get any sort of satisfaction for the homeowners, they're going to have to try to address their complaint against a developer, or see if there's any grounds for that. But legally, as far as getting this street paved, and following all our procedures and the bonding, we're in a position where we probably need to approve it..."

Mr. Norton said, "I agree."

Commissioner Unruh said, "...that's the way I interpret it."

Mr. Norton said, "I agree."

Chairman Peterjohn said, "Thank you. Is there anyone else who wishes to testify on this issue on this public hearing this morning? If there is no one else who wishes to testify, I'm going to close the public hearing and bring this matter back before the bench, and so this is going to be the last opportunity. Seeing no one, I'm going to close the public hearing and bring this issue back to the bench. Commissioner Parks."

Commissioner Parks said, "So, I'm going to ask our legal staff here, we're here today to determine if the cost is...of the project is accurate and that we've done everything by specification that we were supposed to do?"

Ms. Jennifer Magana, Assistant County Counselor, greeted the Commissioners and said, "That's correct."

Commissioner Parks said, "And I certainly do think that I have seen other situations, I don't know a lot of the details of this, but I've seen other situations that disclosure has not been made and they may, in fact, have a civil action that could get them some remedy."

Chairman Peterjohn said, "Seeing no further comments, I'm going to ask, what is the will of the Commission?"

MOTION

Commissioner Welshimer moved to adopt the Resolution.

Commissioner Unruh seconded the motion.

Chairman Peterjohn said, "Seeing no further discussion, I'm going to state for the record, before we get to the vote, I share the comments of Commissioner Parks and, in terms of concerns here and I very much appreciate the testimony of everyone who came in and spoke at our public hearing today, because these issues are always a challenge and if there was some separability that was possible in this type of case I'd be willing to explore it, but I don't think that's feasible or practical, and so I'm in the awkward position of having to reluctantly vote in support of the motion that's before us. Seeing no further discussion...and I'm going to ask that the Clerk restate the motion before us, just so everyone has a complete idea of what we're voting on."

Ms. Katie Asbury, Deputy County Clerk, greeted the Commissioners and said, "The motion that I had was just to take the recommended action."

Chairman Peterjohn said, "On Item D?"

Ms. Asbury said, "Yes."

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

VOTE

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

Mr. Norton said, "Thank you."

Chairman Peterjohn said, "Next item."

Adopted

E [10-0425](#)

APPROVAL OF ONE AGREEMENT WITH WICHITA HOUSING AUTHORITY FOR THE ADMINISTRATION OF RESIDENT SERVICE COORDINATION PROGRAM AT MCLEAN AND GREENWAY MANORS.

Presented by: Annette Graham, LSCSW, Executive Director , Central Plains Area Agency on Aging.

RECOMMENDED ACTION: Approve agreement & authorize Chair to sign.

Attachments: [HUD resident management contract 090710 revised doc.docx](#)

Mr. Ray Vail, Director, Finance & Support Services, Aging, greeted the Commissioners and said, "I'm here today to present you with an agreement between the City of Wichita and the Department on Aging to provide resident service coordination for two housing buildings; Greenway Manor and McLean Manor. I ask that you approve this agreement and authorize the Chair to sign, and I'll stand for any questions."

Chairman Peterjohn said, "Questions? What is the will of the County Commission?"

MOTION

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

Commissioner Parks seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item."

Approved

F [10-0418](#)

AGREEMENT WITH SRS FOR THE DELIVERY OF USDA COMMODITIES.
Presented by: Annette Graham, LSCSW, Executive Director, Central Plains Area Agency on Aging.

RECOMMENDED ACTION: Approve the agreement and authorize the Chairman to sign.

Attachments: [SRS Contract](#)

Mr. Vail said, "Commissioners, I'm presenting to you a contract with the Kansas Department of Social and Rehabilitative Services (SRS) for the distribution of commodities to small cities throughout Sedgwick County. I ask that you approve this agreement and authorize the Chair to sign. And I'll stand for any questions."

MOTION

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

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "Next item."

Approved

G [10-0416](#)

AGREEMENTS WITH RURAL COMMUNITY GROUPS FOR DELIVERY OF USDA
COMMODITIES.

Presented by: Annette Graham, LSCSW, Executive Director, Central Plains Area
Agency on Aging.

RECOMMENDED ACTION: Approve the agreements and authorize the Chairman to
sign.

Attachments: [Commodities Distribution Contract](#)
 [Value of Commodities](#)
 [Commodity Distribution](#)

*Mr. Vail said, "Commissioners, I'm here to present to you the agreements with the
various small communities throughout Sedgwick County that will allow for the
distribution of USDA (United States Department of Agriculture) donated commodities. I
ask that you approve these agreements and authorize the Chair to sign, and I'll stand
for any questions."*

Commissioner Parks said, "Mr. Chair, I..."

Chairman Peterjohn said, "Any questions?"

MOTION

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

Commissioner Welshimer seconded the motion.

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

VOTE

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

Mr. Vail said, "Thank you."

Chairman Peterjohn said, "Next item."

Approved

H [10-0419](#)

PRESENTATION OF COMMUNITY HEALTH PRIORITIES.
Presented by: Claudia Blackburn, Health Director.

RECOMMENDED ACTION: Receive and file.

Attachments: [2010 Community Health Priorities PowerPoint Presentation to BoCC - Sept 1](#)

VISUAL PRESENTATION

Chairman Peterjohn said, "Welcome to the County Commission, give you a second to catch your breath..."

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "Good morning, Commissioners."

Chairman Peterjohn said, "...it looks like you've got your morning jog in."

Ms. Blackburn said, "You moved very quickly from where I thought you were. Claudia Blackburn, Sedgwick County Health Director. And I am here this morning to talk to you about community health priorities. One of our county values is focusing our efforts. The process of community health priority setting and planning to move forward on these priorities is a reflection of this value. Most of us wake up every day and we have our own work agendas, we have our own personal agendas, and sometimes it's really important, especially from the Health Department's perspective, that we step back and reflect on the big picture. What are the overall priorities that we could all focus on and make progress on?"

"This process gave those of us focused on improving the health of the community an opportunity to come together to reflect on where we are in population health level and make decisions about our top priorities and develop an agreement about strategies to improve the health status of our residents. A community health assessment, priority setting and development of a community level, strategic plan designed to move our residents to a healthier state, is a core function of public health and it is a requirement for accreditation for us. And I'm going to be updating you on the accreditation process in a few weeks. This process was led by Sonja Armbruster, who is our Community Assessment Coordinator, and we also have the assistance of Tami Bradley and Vera Bothner, who are communications consultants. And this whole process is organized through Visioneering Wichita.

"Let me let you get your...and you heard about Visioneering Wichita this morning. There is a Health Alliance that's part of Visioneering Wichita, and that alliance provides leadership and support for all the priorities that I'm going to describe. You have in your stack, I believe, this Community Health Priorities report, and if you want to pull that out, you can follow along with some of what I'm going to talk about. On page 1, I'd like to call your attention to the list of participating organizations who helped select the community health priorities. It is a testament to our community that so many are willing to engage in conversation and come together to discuss issues of public health importance for our residents. At these meetings, we had an average of 55 to 60 people in attendance, and then on August 27th when we launched the plan, released it, there were 83 participants discussing strategies to move these priorities into action. All together, we had 145 community health leaders participate in the process and 14 participated in all four of the meetings. And I know that many of you were at some or all of the meetings, so we really appreciate that. So you know firsthand what went on, at least at some of the meetings."

"You can see, in the corner, if you're looking at the slides, the issue's worksheet. And this is what we use to select the issues that affected a lot of people in the community, had a high prevalence, but there wasn't a lot of community action around those issues yet. And so as we decided what to work on, because there was quite a list of priorities, that really helped us to focus our efforts once again. The Director of the Centers for Disease Control and Prevention, Dr. Frieden, recently published this health impact pyramid, and this shows what impacts helped the most. At the very bottom, of course, is socioeconomic factors. I mean, I think everybody knows that poverty is associated with poor health and poor quality of life.

"In public health, we focus on the lower levels of this pyramid as much as possible, changing the context to make individuals default decisions healthy. Basically that means how do we change the environment so when you're making decisions, the default decision is going to be the healthy one. An example of that is, in our schools, the fryers were pulled out a couple of years ago so that you don't see french fries in the school any longer, deep fat frying is no longer an option. So that is a move in the direction of making the default decisions healthier. Long-lasting protective interventions, an example of that would be policies around immunizations in the schools. Kids are required to be immunized. Not everybody is immunized, but most kids are, and so that provides kind of what we call a herd immunity, so that we're all more protected from communicable diseases. The challenge for this plan was to focus on population impacts and kind of stay away from the upper part of that period, which is delivering individual care. We certainly know that we know good quality medical care, but that's not really the focus of this process.

"So what are the health priorities for Wichita and Sedgwick County? On page 2 of the report, there is an executive summary that addresses these five priorities, and they are: access to medical or healthcare, mental health issues, oral health, obesity and diabetes, and then health disparities is in the center because if you look at any of these issues, all of them have elements of health disparities. In other words, there is a segment of the population that is disproportionately affected. And so that is kind of integrated into all the other priorities.

"When we talk about health disparities, we're referring to differences in health conditions, treatments and health outcomes. Primarily, these are differences that are seen as avoidable or unjust. They're not because somebody has some kind of genetic predisposition, but they're because of perhaps the resource distribution is not equal. The Center for Health Equity is going to serve as a lead resource for this area to the other priority groups. And the Center for Health Equity will help to train the other groups to engage the community, the people that they serve, leaders, to participate more in the decision making process. And they'll also coordinate presentations in topic areas, particularly pertinent to health disparities, including social determinants of health, health literacy and cultural competency.

"One of the priority issues is access to medical care. And this is with the focus on assuring a medical home for everybody, and you've heard Commissioner Norton talk about that quite a bit. There are a number of trends that we're dealing with right now, the economic downturn, we have national healthcare reform that is before us and it's being phased in, and that will lead to more and more people who are covered and who will be looking for a primary care provider, and then increasing demand at community health clinics."

"You know, we have limited capacity right now to serve people in this community, especially people who are lower income, and the community health clinics are suffering from that increased demand right now. So right now, if you look at our numbers, we look okay when it comes to the number of primary care providers for just Sedgwick County residents. But as we have more people who are eligible for care, and we actually serve the Metropolitan Statistical Area, which is about 650,000, that will mean that we need an increase in the number of primary care providers.

"On page 7 of your report, you'll see that the best practiced and suggested opportunities for action and the anticipated outcomes. In Wichita, we have three community initiatives that are an outgrowth of the Health Access project, which has been going on since about 2007. And Commissioner Norton has provided leadership for that project. The Coalition of Community Health Clinics, which is a network that's also known as the safety-net clinics, this group provides healthcare services regardless of an individual's ability to pay. And they are a focus of this Health Access project because increasing the capacity, as I said, is an important community goal. Also, a pilot program examining ways to fund health coverage options for small businesses and their employees, that's the community coverage initiative. Even after we have health reform in place, we're going to have about 20,000 people who are working and won't be covered completely. And so this initiative is addressing that.

"And then the Wichita Health Information Exchange is a provider-driven group that's working to ensure physicians and healthcare providers have prompt and secure electronic access to patient information at the point of care. That's the electronic health record that you've heard about. When you go to your provider, that Wichita Health Information Exchange is going to allow the provider to have all of your health information, no matter where you received care, and, you know, since they saw you last, to be able to make good informed decisions about the care that you need right then. And so that's what we're heading towards. The opportunities for action on this priority include communication about the access needs in the community and the progress that is being made with those initiatives. And that just means coming together, supporting each other, moving forward, trying to seek funding as needed, trying to focus the community once again on increasing the capacity to be able to provide better access.

"Obesity and diabetes is another very important issue in the community, and you've heard me talk about this a lot over the years. Right now, more than one in four adults in Sedgwick County are obese. And if we look at overweight and obesity, it's about two thirds of the population. So I thought it was really significant at the meetings when we talked about this issue that the focus is on prevention. It's on increasing physical activity and healthy eating, and not so much on taking care of people that have diabetes, which is important. And I was kind of wondering what we were going to do around that, but we had a number of leading diabetic care specialists at the table, and they said that they are not concerned about a shortage of business. What they're concerned about is if this trend continues, we are not going to have enough providers to be able to take care of the people that have this problem. And it's tremendously expensive and burdensome and really affects the quality of life. So they were supportive of focusing on health promotion and prevention through increasing physical activity and improving nutrition."

"The best practices related to this issue have to do with using social networks to support people in when they're trying to make behavior change and encouraging physical activity in the community at all levels; in the workplace, in the schools, in faith communities. We are working...we already have a robust Health and Wellness Coalition [of Wichita] that has engaged many partners, but we need to do more. This needs to be widespread. And the Wichita Business Coalition on Health Care is also involved with this and working towards making the environment in our community one, again, that supports healthy choices as the default choice.

"I was really happy to see that mental health was a priority issue identified. We did a community themes and perception survey a couple of years ago and over 2,500 people participated in the survey. And the number one issue identified was mental health. Now exactly what this means, we need to delve deeper. I don't think it's just persistent and severe mental illness. I think it kind of encompasses everything; stress, people being depressed, people who are using substances, people who have alcohol problems. It's kind of a big issue, but when we look at adults in our community, we have 1 in 10, or 9.8 percent, that reported their mental health was not good for 14 days or more in the last 30 days. And we know that differences in income and education also impact mental health. Again, this is one of those health disparity pieces. Household income greatly affects, or is affected by, mental health issues.

"The percentage of Sedgwick County adults who reported their mental health was not good for 14 days of the previous 30, with an annual household income of less than \$15,000, was 31 percent as compared to 5 percent for adults with a household income of greater than \$50,000. So whether it's a chicken/egg thing where mental illness keeps you from earning money, earning a good income, or not having a good income contributes to poor mental health. I mean, it's all interrelated. And so this is a really important issue.

"And what we know about this issue is that stigma is one of the biggest problems. It can take from 6 to 20 years before someone who is aware that they have a mental health problem actually seeks care, and lot of that has to do with stigma. People don't want to admit it. They don't want to go get help. It's really more about that than it is about understanding the system, though that is also part of the problem. So the goal of this group is, the best practices that this group is going to focus on is educating the public about signs of mental illness and working to reduce the stigma associated with mental illness. And COMCARE has stepped into a leading role here, because it has been identified in the community. Jason Scheck, who is the Director of the Crisis Intervention [Services] program, is co-chair of this focus area.

"Oral health is connected to overall health, and in Kansas, more than 58 percent of children have dental caries by the time they reached the third grade. And in Wichita, that number jumps to more than 70 percent. Health disparities in oral health are highlighted in the report on page 12. And you'll see that there are many more poor people and some racial and ethnic minority groups having untreated oral health disease than the population as a whole. So the best practices here are for the coalition to engage the community around this issue and look at public health approaches, which includes, you know, looking at our water supply, is it fluoridated? It's not fluoridated right now. We know that contributes to dental caries, and is there any kind of movement in the community to address that."

"When we, the community, engage to support this oral health priority, we anticipate improved oral health conditions among residents of Sedgwick County and Wichita, including decreased incident of tooth decay, dental caries and emergency oral health incidents, and reduced oral health costs.

"So the next steps, we're really kind of at the beginning. We've identified the priorities. We're looking at best practices. We've got the leaders of each health focus area in place and they are now sharing the plan and getting individuals and agencies to commit to doing things that will move us forward in the priority areas. At the meeting on August the 27th, we had people fill out forms, committing to what they were going to do, and so far, there have been 13 requests for presentations. And we are actively looking for additional opportunities to take this plan to the community and engage more individuals and organizations to take leadership roles in shaping the health of our community.

"I know that Commissioner Peterjohn is always interested in how we're going to monitor our progress, and we at the Health Department monitor our progress, as well. We look at the big picture, health outcomes and those...that dial moves very slowly. So, you know, when we look at decreasing overweight and obesity in the community, getting people to eat more fruits and vegetables, we do have indicators that we look at, and there is a lag time with those indicators. But what we need for this process is to be able to measure things that we're doing that are changing quickly, and we are in the process of developing those measures and those individual groups that are leading each focus area will come up with those measures. And we'll be able to report to you more on those as we progress here. So Sonja Armbruster is here. She's really the expert on this. She helped to prepare me today. I'm sure she could give you lots of examples and more details if you're interested. And I'd be happy to answer any questions."

Chairman Peterjohn said, "Thank you. Questions? Comments? I think there's an awful lot of material you've provided to us and this is definitely a starting point. Seeing no other lights lit at this point, I'm going to throw out a couple of thoughts, because I've had folks raise questions from me, in terms of where we might be going, and as a person who participated in some of the earlier meetings where there were group participation and discussing what priorities there might be, and of course, at that time, the healthcare legislation was still working its way through Washington, and as the Speaker of the House said, we're still finding out, after we pass it, we'll find out exactly what's in it. We've got the changes coming out of Topeka, changes coming out of Washington, and that may have some impact on us, in terms of where the priorities are. And of course, looking at this, I always have a concern, in terms of that we don't get into a situation where we would end up having any programs that would duplicate efforts that other governmental bodies are doing, because we are often at the bottom rung being closer to the people than Topeka and Washington. We have those challenges coming to us and we also have the challenges of our existing health priorities."

"I think of all the efforts that were put in with the...in the communicable disease area, just in the brief time I've been on the Commission, with the H1N1 challenges that we faced last year and the potential for other challenges going forward. And I very much appreciate, Claudia, your comments concerning how sometimes getting to the root cause is important, in terms of what is it lower income leading to mental health problems, mental health problems are an indicator that you're going to have lower income. And in my view, health is often an effect. And if the increased percentage of people who are in poverty now continues as a trend, I'm afraid that our trends may continue to go in those areas.

"I heard some discussion about food police, and there were some people joking about it. And I hope it was a topic that we could continue to joke about, because in a free society, free people are able to consume foods that they want. There's a mayor back east in some burg, I think they have an island as part of their community called Manhattan, but it's not the real Manhattan, it's up in Riley County, but another Manhattan, who wants to tell people what they shall and shall not eat. And I think you really needs a different career path when it comes to those sorts of food things. Because when we...we've had some discussions in the past about health disparities. We have a state [Kansas] Center for Health Disparities, except health disparities are not a good thing, and I think we need to come up with a new title for that, but the legislature can take that up next year.

"I go through these, go through this material that you've presented, and there's a lot of things for ongoing discussion, because when we talk about access to physicians, I know there's an effort to try and create a medical school here in Kansas. And I wish those folks well. I think that's a positive effort that might be helpful, in terms of raising that ratio and also help us with the rural counties where we've got problems with people having access on healthcare, too. On the oral health, I've had some constituents talk with me who are concerns and opposition to mandatory fluoridation. And I was interested, as a question, the data that you presented indicated that Kansas as a whole had significantly better performance than Wichita in particular. And I'm not aware of any very significant part of Kansas that has fluoridated water, perhaps there's more out there than I'm aware of, but can you come up with any reason why the state numbers would be so much better than the Wichita numbers in that material you presented?"

Ms. Blackburn said, "Sonja, do you..."

Ms. Sonja Armbruster, Project Manager, Health Department, greeted the Commissioners and said, "With the exception of Hutchinson and Wichita, most communities in Kansas do have fluoridated water. Also, we know that fluoride, or that caries are related to poverty, and since we're an urban area, we frequently have higher poverty rates than other communities, so there would be a number of factors that would relate to that."

Chairman Peterjohn said, "Really? Because in talking with other local officials, I know a lot of the departments struggle on water issues, but often it's availability of water and problems with like salt contamination as opposed to being involved in...and that so many of them are having mandatory fluoridation."

Ms. Armbruster said, "I will get you a report, because I know there's one that's readily available on KDHE's (Kansas Department of Health and Environment) website."

Chairman Peterjohn said, "Okay. Thank you. And that's, in terms of some of the thoughts I have with just my first impression, and as we go forward and bring the community in to dialogue and to discuss this, I think this is a good first step, in terms of outlining some of the starting point where we're at today. Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. Claudia, you just mentioned that on the issue of fluoridation that the Chairman brought up that this whole issue waits on political will, is that correct? I mean, that's an implication that, from professional perspective, you all think that this would be beneficial?"

Ms. Blackburn said, "Yes."

Commissioner Unruh said, "And Sonja said that just Hutch [Hutchinson] and Wichita are the only two that are not fluoridated?"

Ms. Blackburn said, "Yes."

Ms. Armbruster said, "Well, not the only two..."

Ms. Blackburn said, "Well..."

Ms. Armbruster said, "...the largest ones."

Commissioner Unruh said, "Okay, the largest ones."

Ms. Armbruster said, "But most communities are fluoridated."

Commissioner Unruh said, "But the majority are, is that..."

Ms. Blackburn said, "The majority of communities our size in the nation are fluoridated. We're on a very short list of less than five that are not fluoridated."

Chairman Peterjohn said, "Well, if I could jump in here off yours, I was interested in just the focus on Kansas, because I haven't been able to absorb, just having received this material basically at the meeting, I was interested in the data that was presented covered other states, as well as Kansas, but it had Kansas and Wichita data specifically. So I would be much more interested, because the discussions I've had, and of course the county doesn't have a water department..."

Ms. Blackburn said, "Right."

Chairman Peterjohn said, "...too, so this would involve other bodies, and there's both public and private providers of water throughout Kansas, as I understand it."

Ms. Blackburn said, "And I think what's really important too, not...sorry for interrupting, but, you know, because our water's not fluoridated, then parents need to know that. People need to know that and they need to know what to do because of that. Ask their dentist or their doctor for supplements. Make sure that they do what they need to do to provide that fluoride protection."

Chairman Peterjohn said, "Well, let me ask you. I've, last time I've been at the store, I could not find non-fluoridated toothpaste. Is it out there?"

Ms. Blackburn said, "I don't know. I would imagine that most toothpaste at this point is fluoridated, but I don't believe that that's enough from what I understand to take the place of not having fluoride in the water."

Chairman Peterjohn said, "Because I know also they've got coatings that you can get from your dentist, too, to prevent dental cavities, also. And I'm not sure how that works within this larger discussion. But, like I said, this is, we are at a starting point here."

Ms. Blackburn said, "Correct."

Chairman Peterjohn said, "Further comments? What's the will of the Commission?"

Commissioner Unruh said, "I appreciate your comments, I wasn't quite through with mine."

Chairman Peterjohn said, "Oh, go, proceed, Commissioner."

Commissioner Unruh said, "I guess I was just, in trying to shed some light on the issue, and I know that it's a volatile, political issue and there has not been the political will in this county and in this community to go forward, but how long have communities been fluoridating their water? I mean, nationwide?"

Ms. Blackburn said, "Gosh, for years. I'm not sure I have an exact answer to that. Sonja, do you know?"

Ms. Armbruster said, "1950s."

Ms. Blackburn said, "1950s, so about 50 years."

Commissioner Unruh said, "So, 50, 60 years?"

Ms. Blackburn said, "Fifty, 60 years."

Commissioner Unruh said, "Alright. And the...I know there's fluoride, I think, in all toothpaste, but not everybody brushes their teeth every day, so that's a problem, I know. And I don't know about the threat of fluoride. I mean, I suppose if major metropolitan areas around the United States have been using it for 50 years that the health threat is probably not too large. I'm just trying to think about, you know, since we're the Board of Health for Sedgwick County, whether or not we have a knockdown, drag out discussion about whether or not we want to recommend it as a board of health, and it seems, just from my initial reaction, that this would be beneficial, and I guess the question is whether or not this is forced medication. So I'm just talking, thinking out loud, I guess. The issue I think needs to be discussed and we'd take a stand one way or the other."

Ms. Blackburn said, "Let us work on doing more, in terms of educating you about this issue at another time. And I'll visit with the Manager about how to move forward on that."

Commissioner Unruh said, "All right. Thank you. That's all I had, Mr. Chair."

Chairman Peterjohn said, "Commissioner Norton."

Commissioner Norton said, "Well, I'm very supportive of the process that we've gone through to come up with our health priorities. It has engaged many disparate voices in the communities. I attended all of the meetings and many, many more. As that conversation moves forward, the challenge I would bring to the Commission is, excuse me, we are the local board of health. Commissioner Unruh brought that up, and I think it's imperative that we lead the conversation. Now that the community has defined, and many experts in our community have defined, what some real priorities are to make our community more healthy, to add to the prevention characteristics of our community, I think we need to lead a conversation. As the board of health, we are challenged by the state to lead and to make policies that continue to promote the health of our community.

"And I don't think we can take this report and say, boy, it's really nice and it's a nice blue color and put it on a shelf. I think it is our mandate to start working on these issues. You know, it doesn't take a mental giant to know and read that oral health guides health in general. Just listening to radio today, they were talking about a new report that shows that untreated gum disease strengthens almost 100 percent your ability to have stroke, and heart attack and heart disease. That's pretty profound. We know that our children have more cavities and more dental operative time than almost any state in the union. We know that mental health, with our suicide rates, and the depression rates and the problem we've got in our jail, is a problem in our community. I've studied health access for five years now and I know that we have grown our federally qualified health centers at a significant rate, but it's not good enough. In fact, Commissioner Welshimer knows, and I know she's saddened by it, but we lost another one in a poverty-ridden area in our community. So health access, we can turn a blind eye to it, but it's critically important.

"And, you know, it's not about national health reform. It's about us understanding our responsibility as the local board of health to make decisions that change the meter that measures our community. Health disparities, you know, if you look at low infant birth weight, it's three zip codes, not zip codes, area codes, no zip codes in our community that have the largest percentage of low infant birth weight, and infant mortality is still a problem in your community. Now, we're a civilized society. We should not have that problem. All of those things are imperative that we take this, understand it, have conversations about it and take bold actions to solve these issues. Some of it will take money. Some of it is just going to take continuing to talk about it, push it into the community, find the best practitioners and make a difference.

"So I'm very proud of the work that was done to get us to this. It defines and articulates some very important issues we need to work on, but this is just the tip of the iceberg. Now the hard work starts. And that's working hard to make our community healthy. And I think we all know, if you don't have your health, a lot of other things don't matter. They just don't matter. You don't make it to work; you don't go on a vacation; you don't feel good, either mentally or physically. And we need to change the curve in our community, and the way we do that is to take this very seriously, work with our health professionals, which I happen to be very proud of in our community, and make a difference. So that's my stump speech. And I probably won't change it the next time I open my mouth about health priorities. Thank you, Mr. Chair."

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "I would like to add, if it be the desire of the Commission, rest of the Commission, that when we're talking about education on fluoride and fluoridization [sic], that we also talking about well water education. Because there are a lot of people out there that have no idea when they buy a house in the country, we just had some people in here a little bit ago that moved to the country, and we just need to have disclosure about when you're pumping water out of the ground, what you need to do to make sure that that water is safe to drink in your house and things. So I'd just like to throw that in to..."

Ms. Blackburn said, "Good point."

Commissioner Parks said, "...in that mix of things when we're talking about consumable household water. Thanks."

Chairman Peterjohn said, "Seeing no further discussion, I believe we have a motion before us, I'll be corrected if we don't."

Ms. Asbury said, "Mr. Chairman, I don't have a motion."

Chairman Peterjohn said, "We don't have a motion?"

MOTION

Commissioner Welshimer moved to receive and file.

Commissioner Norton seconded the motion.

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

VOTE

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

Ms. Blackburn said, "Thank you, Commissioners."

Chairman Peterjohn said, "Before we proceed with our next item, and I hate to do this to Mr. Duncan a second time, but we normally take a break about 10:30 and I'm going to call recess until five minutes after 11:00 a.m., we're going to be in recess."

The Board of County Commissioners recessed at 10:57 a.m. and returned at 11:07 a.m.

Chairman Peterjohn said, "I'm going to call the meeting back from recess, and next item. Mr. Duncan."

Received and Filed

I [10-0235](#)

APPROVE CHANGING THE SCOPE OF THE OUTDOOR WARNING DEVICE RECEIVER CIP PROJECT.

Presented by: Randall C. Duncan, Emergency Management Director.

RECOMMENDED ACTION: Approve the proposed change of scope of the Outdoor Warning Device Receiver Project as recommended by the report.

Attachments: [09152010 Warning Presentation Updated](#)

VISUAL PRESENTATION

Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, "As you are aware, we have been to you in work sessions and talked with you about the overall condition of our outdoor warning system, our siren system, and the need for why we need to do some changes and such as that. And you clearly indicated to me consensus wise that you wanted us to proceed forward with planning, and you clearly indicated to me you wanted me to bring this back to you in an open meeting where a vote could be recorded regarding your official will on expanding the scope of the project. So that's why we're here today. As you can see on the first PowerPoint slide we've got up here, one of our more recent and somewhat more visual than usual failures of an outdoor warning device happened on our device W072 located on Central just west of 119th Street. You see it depicted in the middle slide there. The siren has since been removed from the pole and our folks who repair those are in the process of getting it back up and in action.

"What we're going to do, in terms of the roadmap of today's presentation is really pretty simple and straightforward. We're going to answer the question why are we here doing this presentation today? Then we're going to take a look at the multi-layered warning system of Sedgwick County. We're going to look at the exact reason of why we are needing to consider the change that we're going to recommend to you later on. Then we're going to make the recommendation and then we're actually going to make the request for you to officially consider changing the scope of the CIP (Capital Improvement Program) project. So moving into our first section, why this presentation today?

"We've discussed in your work sessions the issue of public warning. And at your direction, we're bringing this back to you in a formal setting so that we can brief people, as well as you all, since you've heard this information before, regarding the situation about our outdoor warning devices. And so that's so that we can share a briefing similar to what you've had with the public. And the ultimate idea here is so that you can review and consider official action to change the scope of the project, of the CIP project, that was originally approved in 2009.

"So to start, we're going to take a look, what is our mission statement in Emergency Management, and it's really rather simple and straightforward. We exist to help people and organizations, those organizations include government and nongovernment organizations, and businesses prepare for, respond to, recover from and mitigate disasters regardless of their origin, whether they're natural, technological or homeland security related. One of the important ways that we assist in that is using a multi-layered warning system here in Sedgwick County. For example, if we had an emergency occur at this very moment and we had need to warn the public, it would reach them through this multiple layered system consisting of our outdoor warning devices, of the National Oceanic and Atmospheric Administration (NOAA) all hazard weather radio, it would get out through our partnership with the local media, both printed and electronic, radio and television. And it would also get out through the emergency alert system."

"Here's an example of the various types of outdoor warning devices that are located in our system. They range in age all the way back to initially being installed in 1952. So, and those elements of the system are still out there and still functional. The NOAA weather radio is basically a device that you can purchase and have in your home. It can sound a tone alert and add a visible warning in case there's an emergency situation that happens. It's usually backed up by a battery of some sort, so that means it can operate in the absence of electricity. And with new technology called SAME, which is an acronym for Specific Area Message Encoding, you can program the device so that you can receive alerts only for the county in which you're interested. So for example, if you live here in Sedgwick County, you can program it so that the NOAA weather radio will go off only for Sedgwick County related alerts.

"We also have the emergency alert system and it operates over television and radio. I'm sure you, like me, have either been watching television or listening to radio when you hear the, we refer to them as the martian duck quacking sound that it kind of makes, and then the program is interrupted, either with a short silence or a message and another set of those. And it happens over both the local broadcast and cable televisions and over local radio stations. So why is it that we use this multiple layered system to get warning out? Again, the reasons are pretty simple and straightforward. It's because there's no one system that is 100 percent reliable.

"There's no individual system that can reach 100 percent of the public 100 percent of the time. So that's why it's necessary that the warning goes out in multiple different ways to reach folks. And that's essentially the makeup of a good system; that it has to have those multiple layers to reach folks who are both in outdoor and indoor settings. And one very key thing to keep in mind is the outdoor warning devices were not designed to be heard in an indoor environment. Even though back when they were originally installed, construction standards were significantly different, in terms of homes and buildings, and many people probably heard them inside. Some probably still do today. But we need to remember that their design intent is not to be heard inside. Other elements of a good system are that it must be tested regularly to ensure reliability, and of course, we do that here in Sedgwick County. We test our outdoor warning system on Mondays at noon during clear weather.

"Okay. I told you earlier the origin of our system dates back to the 1950s. In fact, our very first outdoor warning device was installed in 1952. The primary purpose of those devices at that time was to warn of an air raid, and then as our concerns shifted more to the issue of global thermonuclear warfare, they became the warning clarions for nuclear attack. Some jurisdictions, in modernizing and updating warning, have elected to eliminate these devices as a way to get the warning out. One of our examples there is Washington, D.C. The reason they chose to eliminate the outdoor warning devices is based on the fact that they couldn't put enough outdoor warning devices in to generate a loud enough signal to overcome the background noise of the metropolitan area. That was their opinion, that's why they elected to do away with them. Other cities have updated the systems, and here you see a list of examples in our area, in our region, including: Oklahoma City, our neighbors in Andover, Wyandotte County, Douglas County and so on. Interestingly enough, the National Weather Service has confirmed a definite link between decreasing numbers of deaths related to the occurrence of severe weather and the presence of outdoor warning devices. And I think that's one of the reasons why we want to continue the operation of that system, because we do have the frequent occurrence of severe weather in this area and our past history has included some rather large scale severe weather events."

"Now, the way our outdoor warning devices work, as of today, we have one central voice, if you will, a transmitter that talks or sends out a signal to over 150 sets of individual ears that exist at each one of those outdoor warning devices. And basically, the way this system architecture's put together, we have only one choice and that is to either activate the entire system or not. We don't have any ability to make any choice other than those two. Some other limitations that are inherent in the way our system is currently put together, our system is dependent on commercial electrical distribution. So if the electricity is out, these devices will not activate the way the system is configured today. Essentially we're dealing with World War II level technology.

"Now I told you earlier that one of the good practices of any warning system is regular testing and here is a repeat of our policy on testing. We test every Monday during clear weather. The only exceptions occur when there are Monday holidays or insufficient staffing available. And the reliability of our testing is determined by essentially calling a citizen who lives in the area of each one of the 153 roughly outdoor warning devices. Now, we are very grateful to the citizens who provide their time and allow us to impose on them in that, but there are some limitations. First of all, they are volunteering their time. They are not 100 percent accurate. In other words, sometimes we call up and ask them if they heard the outdoor warning device at their location, and they say, sure, I heard it, when in fact they didn't. Other times we call up and they say, no, I didn't hear it, when in fact it worked perfectly okay. Essentially a false negative. And we are able to put a cost on false negatives; it costs us essentially \$250 every time that happens, and it happened about 15 times in 2008. Roughly the same number in 2009. And we don't have any way to assign a cost to the false positive where the citizen says, yes, I heard it. And in fact, the siren didn't go off.

"Now, let's look at the age cohorts of the outdoor warning devices. We had approximately 15 of the devices that were installed in the 1950s, 27 in the 1960s, 8 in the '70s, 14 in the '80s, 20 in the '90s and 17 so far in this first decade of the 21st century. The question I frequently get about our outdoor warning devices is exactly how many are there in the system, and who owns them and controls them? And as you can see, the answer is a little bit complex. Sedgwick County owns and controls 101 outdoor warning devices. Here you see our other partner communities and the number of outdoor warning devices that they own and operate, and I have discovered that I made one error in the data. This particular slide shows that Clearwater has two outdoor warning devices, when in fact they have three. So to give you the exact accurate numbers, as of today, you take the 101 owned and operated by Sedgwick County and put that together with the 52 total devices that you see depicted here, with the Clearwater data corrected to three, and there are a total of 153 outdoor warning devices in our system. Now, those that are owned by the individual cities, with a couple of exceptions, are not controlled or activated by Sedgwick County. To further complicate the situation, we have some private partners that have outdoor warning devices as well. Those private partners include McConnell Air Force Base, Basic Chemicals, formerly Vulcan, and Boeing and Spirit. Typically, those private partners coordinate their tests with ours; however they do utilize those devices for their own purposes over and above severe weather issues."

"Overall, year to date, our existing system has had a reliability index, if you will, of about 94.96 percent. If you break that down and look at it, here's how they break out by ranks. And you'll notice that these are color coded in accordance with our key performance indicators that you have the opportunity to see, in terms of our management performance issues. Sixty-six of our devices have reliability anywhere between 95 to 100 percent. Eight of them, 90 to 94.9 and 27 of them perform at less than 90 percent reliability.

"So having had all this background, why is it that we even need to look at the issue of changing the outdoor warning devices? Here's the primary driver right here. The Federal Communications Commission (FCC) has issued a report and order requiring narrowbanding of radio signals in certain radio frequency ranges. The radio system that we use to activate our outdoor warning devices is in the range impacted by this report and order. And what you see is a little bit of a graphic representation about what's going to happen. The top is a graphic there represents the radio signals as they happen today. And I apologize, I'm getting just a little bit into technical issues here. They have a deviation of 25 kilohertz. We're going into the phase 1 narrowbanding right now, which says that the deviation will go from 25 kilohertz to 12.5 kilohertz.

"Well from a simple a standpoint as possible, what that means is, two radio stations, or two broadcasters, will now be able to operate within the bandwidth of what was formerly only one radio transmitter. And the problem is the ears at each one of our outdoor warning devices aren't fine tuned enough to be able to hear when we cut down to half the signal, in kind of layman's terms. And so this is the driving factor behind why we need to do a change in the way we activate our system. If we do nothing, essentially we'll be out of the outdoor warning business January 1st of 2013, because we will no longer be able to broadcast using our legacy 25 kilohertz deviation radio signals.

"Alright. We have a series of recommendations now, and to tell you how we arrived at those, the first thing we did was, we had a meeting of our stakeholder communities in April of this year. And here you see a list of the communities that were present at the meeting. There were a couple that weren't at the meeting and you see those listed down below. Eastborough is kind of a unique situation, because of them being surrounded by the City of Wichita, essentially the outdoor warning devices located there are included in the 101 owned and operated by Sedgwick County. This next slide depicts the responses to questions that we sent out, essentially to those who were at that stakeholder meeting. And we asked them, is this narrowbanding issue going to impact you? Do you want to be included in any plans that the county might have and whose responsibility financially do you think this belongs to? And on the right side of the slide, you see a list of those communities who did not respond to the questions.

"Here's a consensus summary of the questions, which is essentially all the communities believe that it's important that we be able to provide selective warning. That is, instead of warning the entire system, they believe we should be able to utilize the National Weather Service warning polygon that more accurately depicts the area at risk from severe weather. And in particular, that response came from the communities you see listed here: Bentley, Colwich, Derby, Mulvane and Park City. Also, most of the communities would prefer that Sedgwick County take over operation, purchase, installation and maintenance of a digital system that would change the architecture of the network to allow this more accurate usage of warning data."

"So that leads to the simple question next of, how much will all this cost? Please bear in mind the cost data that you're seeing now are estimates. The only thing that's not an estimate is the \$857,307 that you see depicted in the left cell of this particular table. The reason that's not an estimate is that that's the amount of money that you approved in the 2009 CIP to update the 101 Sedgwick County devices. We've gone and done a budgetary estimate for how much it would cost to upgrade stakeholder devices, and you see it here; a little under \$400,000 for a total, an estimated total of about \$1.255 million. Now, the problem, of course, is that our problem doesn't just end with the receivers. We also have an aging siren, outdoor warning device cadre, out there. So we also did some planning and some initial budgetary estimates about what it would cost to expand the scope of the project if we looked at replacing the noisemaker part of the outdoor warning device as well as the receiver part. And you see the budgetary estimates here. For the 101 devices owned and operated by Sedgwick County, you see the breakdown for receiver, noisemaker and the totals estimated at about \$1.716 million. For our stakeholders, you see the breakdown for receiver and noisemaker part. The estimate for our stakeholders is \$685,000 and the total project estimate is \$2.401 million.

"Now, what is it specifically that we're recommending to you? We understand that there are financial constraints and we know that we need to be prudent with the use of taxpayer resources. So our recommendation, we think, is based on those issues. We hope you will agree with us. But we recommend essentially the option of upgrading the digital receivers for Sedgwick County and stakeholders. Remember the budgetary estimate for that was about \$1.255 million. Remember, of that amount, you have already approved \$857,307 in the 2009 CIP. How are we going to recommend handling the other issue? At this point in time, we don't have a specific recommendation for you to consider other than we think that we will address this in some sort of a phased approach over the Capital Improvement Project spread out over time. So we recommend addressing future county growth, that is, as we continue to develop, and our urban areas continue to expand within the county, to handle that in the same way.

"Now, you've seen this graphic in the past, and I apologize for the small size of it on the screen, but essentially this is a timeline. And the timeline started on July the 13th of 2010 when you all gave me a consensus to go ahead and move ahead with the planning for this issue in one of your work sessions. We're here today on September the 15th to ask you to officially consider changing the scope. You can see we put very careful planning into all this. Probably the other major highlights that you're going to be interested in, if you approve the expansion of scope, if we roll ahead with this, we would come back to you, probably sometime in November, looking for additional funding to support the project. Remember, we're not asking you to support the funding today, we're only asking you to support expanding the scope. We would anticipate, as we move forward in February of 2011, going out for bids, and we would anticipate having a functional tested and accepted system in place and operational before the storm season rather of 2012. And that's the current endpoint of our timeline which gets the project executed in advance of the FCC report and order deadline for narrowbanding."

"So what is it we're asking you to do today? Again, the decision today is whether you concur with the concept of expanding the scope. We'll come back to you later with more exact dollar figures and ask for an amendment to the CIP, in terms of funding. Now, just recently, an additional wrinkle has developed, which may have some possible benefits to Sedgwick County. The Kansas Division of Emergency Management sent out a notice of interest advising that, due to the large number of federal disasters that have happened within the state over the last couple of years, there's a significant pool of what's called hazard mitigation funding available. This hazard mitigation funding happens when the feds determined the total amount of aid, both public assistance and individual assistance that went into the disaster, and they set aside an amount equivalent to 15 percent of that. Now, the State of Kansas has some flexibility in how they use this. And they have decided to make approximately \$2 million of this funding available to all 105 counties across the state. Now that's not \$2 million to each of the 105 counties, that's \$2 million to be split amongst the 105 counties for the use of outdoor warning devices.

"So in addition to looking at the issue of the scope, which we want to get the official decision on, I'd be interested, is it your consensus today that we should go ahead with the work to develop an application and then follow our established process for bringing that application back in front of you for a official approval to submit for funding, because it's possible that we could get the stakeholder costs, and let me go back to that slide right quickly. Whoops, I went back so far I went completely out of the presentation, my apologies. So that you can refresh yourself on the figures, here we go. Basically what we would be talking about is, if we look at confining ourselves to the upgrade of digital receivers, the portion that we might be looking to the State of Kansas for help with would be the \$397,693 for the stakeholders. If we were successful in getting the entire amount, that would be split 75 percent and then we would absorb 25 percent of that, as opposed to funding all \$397,693 with local general fund tax dollars.

"So, again, I'm asking for your consensus on that. As we close in on the end of this particular presentation, I want to go over what the benefits to Sedgwick County might be if you agree to expand the scope of the project and give us direction to move forward with developing the application for the funding. Essentially we'd be improving and modernizing our multi-layer warning system so that we would continue to ensure the level of reliability that we have seen with our outdoor warning devices. One of the alarming trends we're seeing develop is that some of our more reliable devices are some of the older ones, but the problem is when the older ones break, there aren't parts available to fix them. And so as a result, when they break, they're down for a longer period of time.

"Anyway, this also provides selective warning capability and it provides a uniform system countywide to alert the public. So I realize I've given you many, many things to think about in this report, but there are two things I would specifically direct your attention to. And the first is; what is the will of the Commission with regard to expanding the scope? And the second is; what is your consensus on pursuing the application for funding? I would be happy to stand for any questions that you might have."

Chairman Peterjohn said, "Okay. Questions or comments? Commissioner Norton."

Commissioner Norton said, "I think my question will probably be of Finance, either Pete or Chris Chronis, on how we'll finance this. Is it going to be bonded or are we using cash?"

Mr. Duncan said, "Thank you, sir."

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "The \$857,000; that has already been allocated from the 2009 CIP, is cash. The additional \$400,000, more or less, that we would be talking about for the expansion of the program would also come from cash. We have not programmed that yet, based on the actions that you'll take today, we'll take those actions."

Commissioner Norton said, "Okay. I guess my recommendations would be to move forward on this recommendation. I would also think it's appropriate to apply for any grant money from the state and my recommendation would be that we would replace 30 of the noisemakers a year with a five-year plan and let that be decided where that's going to be bonded, or put in a CIP, or use cash. But to start the five-year replacement right now as we do this first phase of the project, and a five-year plan would replace about 30 a year, let staff pick the ones that are the worst, because I don't think age is going to tell us that. Although we know you can part out the really old ones as you went along and keep them functional for a while. But start a five-year replacement plan, something very measured and I'd let Finance figure that out. That would be my recommendation, and if there's not a lot of conversation, I would put that in a form of a motion."

Commissioner Parks said, "I'll second that."

Commissioner Norton said, "And I guess we can have discussion, but that would be my recommendation for us."

Chairman Peterjohn said, "Well I think we have a motion and a second and I'm going to treat it as such. And Commissioner Welshimer."

Commissioner Welshimer said, "Okay. So if we have a five-year plan, we do 30 a year, what are we replacing here? Because we have a deadline, right?"

Mr. Duncan said, "Yes, ma'am. The specific portion that we're talking about today would be the receivers, if you will, the ears that are present at each of these. The other part that we'd be looking at replacing in a phased-in process over five years, as Commissioner Norton has suggested, is the part of the outdoor warning device that actually makes the noise."

Commissioner Welshimer said, "Okay. Well my understanding is at some point up the road, is it 2012 that we're off the air with these units if we don't have them converted to digital?"

Mr. Duncan said, "Yes, ma'am. Specifically the issue is we have to narrowband the signal and we have to have that done by the first day of January 2013. And if you approve the scope, that's what we're planning to have that part of the project..."

Commissioner Welshimer said, "Okay."

Mr. Duncan said, "...executed and finished by February of 2012."

Commissioner Welshimer said, "That'll do it. Thank you."

Mr. Duncan said, "Yes, ma'am."

Chairman Peterjohn said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chair. Well just, not a question of Randy but a clarification of the motion. We're going to expand the scope, we're going to make the grant application to see if we can be successful there, and included in your motion is implied that we'll spend approximately \$230,000 a year for the next five years on noisemakers?"

Commissioner Norton said, "That's it. I think within five years we need to have the whole thing cleaned up and functioning at the highest level. The truth is, we've limped along for a long time and we're going to get ourselves in a problem. We're going to have new technology to send information out and have very bad old technology to get the noise out to the community. And truthfully, that's where we've had such a problem with repairs and citizen complaints, so I think we need to start that in motion right now, too. Not bite the whole thing at one time, because that's another big expenditure, but at least give Randy direction to start replacing some of those right now."

Commissioner Unruh said, "And, if I..."

Commissioner Parks said, "Mr. Chronis."

Commissioner Unruh said, "...and Mr. Chronis, our CFO (Chief Financial Officer), this doesn't create a huge red flag? This is, you can manage this and make this doable?"

Mr. Chronis said, "We can make it work. I would ask some clarification, however. As you know, we've already adopted the 2011 budget and the funding for the 2011 CIP. Is it your expectation, as a Commission, that this five-year plan will commence immediately? That is, we go in and adjust that adopted budget? Or is it your expectation that we will build that five-year plan into the next budget and CIP that we prepare?"

Commissioner Norton said, "I would, I'd say it would be the former. I'd like to start right now making an adjustment to next year's budget."

Mr. Chronis said, "Okay."

Commissioner Norton said, "But it's really the will of the Commission; maybe other people have different thoughts on that, and I'm okay either way."

Chairman Peterjohn said, "Commissioner Unruh."

Commissioner Unruh said, "Well, my question would be, because of the mechanics of getting the stuff and getting it...are we getting ahead of ourselves?"

Mr. Lamkey said, "Yeah. And that's what I would suggest that we do, is we'll take a step back. We can identify the bad actors in our system. We can lay out a strategy to do that. In fact, one of the obligations that we have to come back to you with a CIP, because it's potential, although \$2 million is a lot of money in my world to spread that around the state, we can look at our most immediate needs with regards to the warning and see if we can leverage that grant to offset some of those costs. But if we're going to do some change outs to that process, the most economic time to do that is when we're changing out the receivers in that process. And so I would suggest that we would have an RFP (request for proposal) that would give us some pricing for us to consider in that process and start that process, not next year, but the year in which we expect the project to move forward."

Chairman Peterjohn said, "I would like to jump in and some comments about the process, because I have some concerns about the motion. In terms of the receivers, making the change, we're under the gun from the Federal Communications Commission. We're going to have to move. We've put that into the 2009 CIP and we have that in place. But the motion we have in front of us, in terms of replacing all the noisemakers over five years, I have a concern at a couple of levels, because I don't want to get us in a position where we're out of sync with the potential for getting some assistance from, whether the state on the grant and picking up 75 percent of that cost, and I don't want to get ahead of that curve. I realize, I'm going to digress for just a second, the FCC is, when they go with these narrowbanding, they are funding their agency through this, and this is an unintended consequence for us. Now maybe it's an upgrade we'd do anyway, and certainly some upgrade is needed and necessary, but will we do as much and will we do it as rapidly if the FCC did not have us under the gun? I don't think so.

"And so we're an unintended consequence, and from 2009, when we put this into the CIP, we're spending this additional money because of a decision that's made in Washington for their benefit without considering the consequences and laying it out, not only for us, but this is affecting everyone all over the country. And I share this because I hope we will not move too rapidly, because if we've got noisemakers that are performing satisfactorily and if they can last, I don't know whether we should have a five-year replacement program or maybe we can stretch this out and lower the cost and make it ten-year. And fitting it in with the grant, I don't know how these moving pieces come together.

"And I'm hesitant about the motion, because it kind of, in my view, locks us in to moving ahead on a five-year schedule that I don't know how it may fit in with the grant and I'm not sure if that's really the optimal timeframe. I'd rather throw this back to Mr. Duncan and his folks and get their best recommendation before we'd proceed, because I wouldn't want us to get us in front of this so that we'd end up, if the state grant doesn't come through, we're obligated to the full amount. And I'd like to have some flexibility that if, for instance, they won't pick up 75 percent of the additional cost, I think it would be a lot easier for Finance to find \$100,000 than to find \$400,000. If anyone at the podium wants to disagree with me on that last point, I'm all ears."

Commissioner Norton said, "Mr. Chairman..."

Mr. Duncan said, "I don't think you'll find any takers from here, sir."

Commissioner Norton said, "Mr. Chairman, at this point, I'll amend my motion to not include the five-year replacement plan and we can move forward today. I just threw that out because I think that's important to get that done. But if Commissioner Parks will second it, I'll go ahead and withdraw the five-year replacement portion of my motion."

Commissioner Parks said, "I will second that."

MOTION

Commissioner Norton moved to approve the proposed change of scope as recommended and utilize grant applications.

Commissioner Parks seconded the motion.

Chairman Peterjohn said, "Okay. Because I'd, you know, I'd like to work off the best schedule, that's what staff sees and if we don't need to replace some, and obviously it looks like from the data you've got, Randy, we definitely have some bad actors out there that definitely need replacement."

Mr. Duncan said, "Yes, sir."

Chairman Peterjohn said, "We'll go from there. Commissioner Parks."

Commissioner Parks said, "Well I think we have two issues here; one of the rebanding and one of the equipment. And I don't know if we didn't get some things turned around there a little bit before we actually made the motion for our...before our agenda today, but in saying that, getting back to competitive bids, and I had this written down before you said this last time, are we able to obtain competitive bids or are we locked into one brand of radio system on this with our being able to activate it from our Emergency Operations Center?"

Mr. Duncan said, "We are not locked in to any particular brand. A request for proposal will follow the standard policy for competition in the marketplace when it goes out."

Commissioner Parks said, "And those specifications will go out and those companies will meet those specifications or not, and could that end up being one company?"

Mr. Duncan said, "I'm not quite sure I understand the question."

Commissioner Parks said, "Are there more than one company out there..."

Mr. Lamkey said, "Yes. There are multiple companies out there that provide this. And in fact, I expect when this gets public today, as past discussions will have, Randy will get e-mails and opportunities from many companies who can provide this level of service. A simple Google search will show that there are a number of companies that provide outdoor warning devices in this capability. And so I think the marketplace will respond competitively to this process. We're going to be looking...we won't be looking for brands. We'll be looking for capability and demonstrated reliability to meet our needs. Part of this process will be a continued survey of our outdoor warning devices. There's some places where we have, in my opinion, unnecessary overlap, you know, small outdoor warning devices that have been there for a long time that are covered by two or three large. And so we'll go through a process of discernment and we'll work with the communities that own and operate their own outdoor warning devices."

"As Randy mentioned, this issue of selective warning, the reason many of them maintain their capability is because they want to be able to selectively warn. Once that is changed, that the system can do that, then their desire is they don't really need to be in the outdoor warning business in that process.

"Randy did not have one...there was one other community, the City of Goddard, I was fortunate enough to meet with some of their officials last week. And they are also interested in, because they were on that did not respond list, and they have responded to me and they're interested in participating in this process and for it to be part of our system. So I think we have some really unique opportunities in the sense that, you know, the discussion that we had in the context of, well, why would we include the small cities, is that our outdoor warning device system is principally in the City of Wichita. But all taxpayers pay to support it. So that was the compelling thought that you all had. And now that we have an opportunity to defer some of those costs explicitly for this purpose, I think it's helpful. I know you have to leave, sir. A couple of criteria that you need to be aware of is that the grant process has some criteria by which Sedgwick County is pretty high. We are the number one county in Kansas for tornadic events from 1950 through February of 2009. And that is the number one criteria for consideration, but there are others, and so it will be a competitive process to do that."

Chairman Peterjohn said, "Appreciate the information. Seeing no further discussion, please call the vote on the revised motion."

MOTION

Commissioner Norton moved to approve the proposed change of scope as recommended, utilize grant applications and replace outdoor warning devices with a five-year plan.

Commissioner Parks seconded the motion.

VOTE

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

Mr. Duncan said, "Thank you, Commissioners."

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

Commissioner Norton left the Board of County Commissioners meeting at 11:45 a.m.
Approved As Amended

J [10-0456](#)

NOTICE STATING FINDINGS MADE BY THE BOCC AT THE POST-ANNEXATION HEARING HELD ON SEPTEMBER 1, 2010 - CITY OF PARK CITY, ORDINANCE NO. 694-05.

Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Approve the Notice and authorize the Chairman to sign.

Attachments: [Notice of Finding Park City Ord No 694 05](#)
 [Park City Ord 694-2005 \(5\) 081910](#)

Mr. Robert Parnacott, Assistant County Counselor, greeted the Commissioners and said, "This was the result of the hearing you held on September 1st, by a vote of 4-1 you made a finding; that was Commissioner Unruh voting no against the motion, that the city had not provided services. In particular, you made the finding that they had not provided drainage services and ditch cleaning services to the area limited to 93rd and Broadway vicinity. There was a separate area to the north and east, 101st and I-135, that there was no testimony received from landowners, so your finding there was they had provided those services. Again, this is just a formal statement of that finding. It reflects the vote that was taken with Commissioner Unruh voting no. So we're just asking you to approve the form of this notice and then we'll send it to the city and to the landowners as required by statute."

MOTION

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

Commissioner Welshimer seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Parks</i>	<i>Aye</i>
<i>Commissioner Welshimer</i>	<i>Aye</i>
<i>Chairman Peterjohn</i>	<i>Aye</i>

Mr. Parnacott said, "Thank you."

Chairman Peterjohn said, "Next item."

Approved

K [10-0477](#)

REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING ON SEPTEMBER 9, 2010.

Presented by Iris Baker, Director, Purchasing Department.

RECOMMENDED ACTION: Approve the recommendations of the Board of Bids and Contracts.

Attachments: [BMIN 0909 2010](#)

Mr. Joe Thomas, Senior Purchasing Agent, Purchasing, greeted the Commissioners and said, "There are five items for consideration that resulted from the meeting of the Board of Bids and Contracts on September 9th. Item 1;

1. HEIGHT ADJUSTABLE CLASSROOM TABLES – FACILITIES DEPARTMENT FUNDING – NCAT FURNITURE FIXTURES & EQUIPMENT

"The recommendation is to accept the low bid meeting specifications from Scott Rice Office Interiors in the amount of \$23,625.42. Item 2;

2. ENGINEERING SERVICES FOR THE LOWER SPILLWAY PROJECT AT LAKE
AFTON PARK – FACILITIES DEPARTMENT
FUNDING – REPAIR LOWER SPILLWAY LAKE AFTON PARK

“The recommendation is to accept the low proposal from MKEC Engineering Consultants, Inc. including alternate #1 and alternate design services for a total cost of \$463,245. Item 3;

3. AUTOMATED EXTERNAL DEFIBRILLATORS – FORENSIC SCIENCE CENTER
FUNDING – CONSTRUCTION REGIONAL FORENSIC SCIENCE CTR ANNEX &
CNTRL

“The recommendation is to accept the low bid meeting specifications from AED Authority for an initial purchase of \$2,814 and establish contract pricing for one year. Item 4;

4. AT&T PRI LINE CONTRACT RENEWAL – DIVISION OF INFORMATION &
OPERATIONS
FUNDING – NETWORKING AND TELECOM

“The recommendation is to accept the quote from AT&T for a total cost of \$29,040. And Item 5;

5. AT&T T-1 LINE CONNECTION RENEWAL – KANSAS COLISEUM
FUNDING – KANSAS COLISEUM PAVILIONS

“The recommendation is to accept the quote from AT&T for 60 months for a total five-year cost of \$16,260. I’ll be happy to answer questions and recommend approval of these items.”

MOTION

Commissioner Parks moved to approve the recommendations of the Board of Bids and Contracts with the exception of Item 1.

Commissioner Welshimer seconded the motion.

Chairman Peterjohn said, “Motion and second. I’m going to just correct for the record that I believe Item 5 is for the Kansas Pavilions as opposed to the Kansas Coliseum pavilions.”

Mr. Thomas said, “Yes. Coliseum pavilions, yes, sir.”

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Parks</i>	<i>Aye</i>
<i>Commissioner Welshimer</i>	<i>Aye</i>
<i>Chairman Peterjohn</i>	<i>Aye</i>
Approved	

Chairman Peterjohn said, "We're back on Item 1. What is the will of the Commission?"

MOTION

Commissioner Unruh moved to approve the recommendations of the Board of Bids and Contracts for Item 1.

Commissioner Welshimer seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "We've got a tie vote. And..."

Commissioner Welshimer said, "Did I vote no? [inaudible] Park City."

Chairman Peterjohn said, "This is..."

Commissioner Unruh said, "This is classroom..."

Chairman Peterjohn said, "For the classroom furniture."

Commissioner Welshimer said, "Oh, I'm sorry. My vote's yes, I'm sorry. I got lost in the [inaudible]."

Chairman Peterjohn said, "Okay. So we've got a tentative vote. Does anyone wish to change their vote? Okay."

Commissioner Welshimer said, "I change my vote to yes."

Chairman Peterjohn said, "Well, I wasn't sure."

Commissioner Welshimer said, "Yes."

VOTE

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

Chairman Peterjohn said, "The yes, Commissioner, okay. We've got a vote of 3-1 on Item 1 and that item is passed."

Mr. Thomas said, "Thank you."

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

Approved

CONSENT AGENDA

- L [10-0375](#) Amendment to the April 14, 2010 agreement between the Mental Health Association of South Central Kansas and Sedgwick County for the Girl Empowerment Program.

Attachments: [MHA - Signed Copy](#)

Approved

- M [10-0428](#) 2011 Wichita-Sedgwick County Flood Control Agreement.

Attachments: [10-03 Copy of 2011 City County Flood Control Agreement](#)

- N [10-0431](#) 2011 Wichita-Sedgwick County MAPD Agreement.

Attachments: [2011 MAPD Wichita-Sedgwick County agreement](#)

- O [10-0441](#) Affiliation Agreement with Trust Home Care.

Attachments: [FY2010 Trust Home Care 2010-08-31](#)

- P [10-0449](#) Resolution stating findings made by the BoCC at the post-annexation hearing held on September 1, 2010 - City of Colwich

Attachments: [Resolution Finding Services were Provided Colwich hearing 9 1 10](#)

- Q [10-0450](#) Resolution stating findings made by the BoCC at the post-annexation hearing held on September 1, 2010 - City of Kechi.

Attachments: [Resolution Finding Services were Provided Kechi hearing 9 1 10](#)

- R [10-0452](#) Resolution stating findings made by the BoCC at the post-annexation hearing held on September 1, 2010 - City of Park City - Ord. No. 709-05.

Attachments: [Resolution Finding Services were Provided Park City hearing 9 1 10](#)

- S [10-0402](#) General Bill Check Register.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, you have the Consent Agenda before you and I recommend you approve it."

MOTION

Commissioner Unruh moved to approve the Consent Agenda.

Chairman Peterjohn seconded the motion.

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "I did want to for the record state that on Item M in the Consent Agenda, it does include a 2011 budget, includes the county contribution of \$960,979 for the purpose of flood control. And I think when we're spending that much money; it just needs to be brought out in the meeting. So I will support it, but I just wanted to bring that out. Thank you."

Chairman Peterjohn said, "And I appreciate the comments of Commissioner Parks and would just add that, my understanding, this is an extension of our existing agreement, so there's no changes in that regard, but that is certainly a significant expenditure. It's down from what it's been in the past. And I recently saw an article that appeared in USA Today talking about a number of places in the country where they have not been able to get their levies recertified and it's having some negative consequences in those areas. And so having this flood control agreement in place and continuing to work on that area is an important task that's ongoing for both Sedgwick County, and the City of Wichita and our community. And seeing no further discussion on the Consent Agenda, please call the vote."

VOTE

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

Chairman Peterjohn said, "And next item."

OTHER

Chairman Peterjohn said, "Commissioner Parks."

Commissioner Parks said, "I just wanted to say that some of the people living along the Valley Center Wichita [-Valley Center] Flood Control [Project] have been contacting me about vegetation and trees that have been cut down. Some of those trees are like 50 years old. And they seem to think that they were their trees. But the survey's been done and Bergkamp Construction has been out there and we are trying to get this certification done on the levee. And if there are trees anywhere within that system, whether they're outside the ditch or not, and some of these trees have been outside of the ditch and have been pretty close to the line, have been providing shade for some of the people's residences, in fact. But it's one of the things that is still within the flood control and the, to get that certification, we need to make sure all that vegetation is out of there. And I appreciate the quick action from Director Spears' office that determined that the other day to avoid any confusion on that. It is not necessarily the county that's doing that, but it's the FEMA (Federal Emergency Management Agency) and the Corps of Engineers and everything that goes together with that. And just wanted to let the people know that live along the ditch that that could continue."

Chairman Peterjohn said, "Commissioner Unruh."

Commissioner Unruh said, "Thank you, Mr. Chairman. I just wanted to make mention of the fact that Eula West, who is our receptionist for our information desk in the main lobby of the county courthouse, she's been a long, long time employee, she celebrates her 83rd birthday today. So want to wish Eula a happy birthday. I mean, that's..."

Commissioner Welshimer said, "Absolutely."

Commissioner Unruh said, "...pretty significant. Yeah. And along that line, I think it's also noteworthy that one of our administrative assistants, Carol Cole, celebrates her 30th year of service in county government."

Chairman Peterjohn said, "I just wanted to, I hope you had the permission to...when you provide a lady's birthday, that's always...I've always discovered that you may be treading on tender ground there."

Commissioner Unruh said, "Well, you know I might be, but Eula is a great personality and represents Sedgwick County well, and I think we deserve to recognize someone who has that kind of a birthday."

Chairman Peterjohn said, "Well, that's a good example for all of us. I'm going to segue off that a little bit, and because I provide my weekly update on some interesting numbers, and with 1,641 people in the jail today. That is a large number. It's larger than I'd like it to be. But to put it in a little bit of context, it's 86 people lower than it was roughly a year ago. And of those people, we've got 1,133 in the main jail facility, 151 in Work Release, 357 out of county. And what's also interesting is we've got the, categorized as maximum for security purposes, 500, 519 medium and 572 who are minimum, and the rest are others. Now, I throw that out because I had a person who I know follows jail issues very closely point out to me recently that we had had another, unfortunately, we had another homicide in our community. A person's been arrested on that. And we have approximately, and there may be as many as 30 people who are facing either capital, or second degree, or manslaughter charges, awaiting trial in the Sedgwick County jail, and that's a significant number. And I throw it out, throw these figures out in light of the fact that I still believe that, in terms of people who've been convicted in the prison system, we still have, at least the last numbers I've received, more people serving felony sentences than misdemeanor sentences in our jail.

"We also have a significant event coming up this week, in terms of our first graduation from Drug Court. And with the economic problems we face, I think there are more people involved in the criminal justice system than we've had in the past. And having an overall picture of the numbers, with the expansion we've had with our SCOAP (Sedgwick County Offender Assessment Program) program, drug, we've had a lot of discussion about mental health and mental health courts, and that ties in to some of the earlier discussion we had on health. I really do believe that having better numbers available for the public and a better understanding of the challenge we face in keeping this community safe, and whether we're operating at the county level, municipal level, or any other governmental level is important. Commissioner Welshimer."

Commissioner Welshimer said, "Well, in response to your report on the jail population, I think we've learned in the work we've done over the last couple of years that that's a good indication that we have something that is not functioning at its normal pace within the system. And we need a person over in the...who works over in the jail who can analyze that...analyze that situation, and report back to us and keep us informed on where those bottlenecks are and why, so that we can address them. And that's a part of my jail plan and it's also an issue that's now being considered by the CJCC (Criminal Justice Coordinating Council). And we'll need to make some decisions ourselves on...and be informed on what our role will be in working with a person like that. But I just wanted to put that out there that we're not just bypassing this and saying, you know, population's up; we can't do anything about it, because we can and we are."

Chairman Peterjohn said, "Seeing nothing else under 'other,' I'm going to recognize Commissioner Welshimer for a motion."

No Action Taken

EXECUTIVE SESSION

MOTION

Commissioner Welshimer moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation, legal advice and preliminary discussions relating to the acquisition of real property for public purposes, and that the Board of County Commissioners return to this room from Executive Session no sooner than 12:10 p.m.

Chairman Peterjohn seconded the motion.

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

VOTE

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

Chairman Peterjohn said, "We're in recess for Executive Session."

The Board of County Commissioners recessed into Executive Session at 12:00 p.m. and returned at 12:15 p.m.

Chairman Peterjohn said, "We're back from recess and I'm going to recognize our County Counselor."

Ms. Magana said, "No binding action was taken during Executive Session today."

Chairman Peterjohn said, "Seeing no further business before us, I'm going to accept a motion to adjourn."

MOTION

Commissioner Parks moved to adjourn.

Chairman Peterjohn seconded the motion.

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

VOTE

<i>Commissioner Unruh</i>	<i>Aye</i>
<i>Commissioner Norton</i>	<i>Absent</i>
<i>Commissioner Parks</i>	<i>Aye</i>
<i>Commissioner Welshimer</i>	<i>Aye</i>
<i>Chairman Peterjohn</i>	<i>Aye</i>

Chairman Peterjohn said, "We're adjourned."

Passed

ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:16 p.m.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

KARL PETERJOHN, Chairman
Third District

DAVID M. UNRUH, Commissioner
First District

TIM R. NORTON, Commissioner
Second District

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner
Fifth District

ATTEST:

Kelly B. Arnold, County Clerk

DATE APPROVED:
