

**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Tuesday, January 20, 2015**

The meeting of the Administration and Human Services Standing Committee was held on January 20, 2015, at 6:20 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Markley, Chairman; Commissioners Walker, Kane and Philbrook. Commissioner Maddox was absent. The following officials were also in attendance: Gordon Criswell, Assistant County Administrator; Joe Connor, Interim Assistant County Administrator; Rob Richardson, Director Urban Planning & Land Use; Renee Ramirez, Director of Human Resources; Shakeva Christian, Human Resources; Henry Couchman, Legal Risk Management; and Jody Boeding, Chief Legal Counsel.

Chairman Markley called the meeting to order. Roll call was taken and all members were present as shown above.

Approval of standing committee minutes from October 13, 2014 and November 17, 2014. **On motion of Commissioner Kane, seconded by Commissioner Walker, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 150009...COMMUNICATION: STUDY/RFP ACTIVITIES

Synopsis: The County Administrator's Office will be providing a report on the status of Study/RFP Activities that are underway and planned, submitted by Joe Connor, Interim Assistant County Administrator.

Joe Connor, Interim Assistant County Administrator, said this was a report that was requested previously just from all the different activities from the budget from last year on different study activities that we are currently undertaking. I broke that down in three different ways. You've got completed, those that are in process and those that are in development. I'll answer questions on each one individually if you would like, but I would just kind of like to hit the high points on the report.

The only one that is completed to date is the Multipurpose Event Center. That was one that we worked on during the summer. We got the final report out to you late October. I wanted to make sure on the Key Dates part that notice has been given to the Hollywood Casino for their hotel project to get that started. Based on the study results and based on that information they've got enough information to move forward. We started the clock ticking with them to break ground based on the previous agreement. **Commissioner Philbrook** asked that's 90 days from now or that date. **Mr. Connor** said it was 100. That notice was given mid-December.

So the In Process, just going down that list we've got our Employee Compensation, the CVB/WYEDC/Chamber Consolidation, our Fire Service study, the County Fair which was asked for in the budget, the Employee Health Clinic/Occupational Health Services, that's an active group that we're working on through a contract negotiation as we speak, our Hotel Brokerage Services which has to do with the Hilton Garden Inn and the Reardon Convention Center, the Sheriff's Office-Adult Detention Center, that RFP is nearly complete, and the Tri-City Multi-Modal Redevelopment Plan (K-32), the quiet zone around K-32 through Edwardsville and Bonner Springs and KCK. Those are all in development at certain phases. We expect almost all of those to be underway before the end of this calendar year and a lot sooner rather than later. Those are all the ones that are in process.

The only one that is planned at this point is on the Police services. We talked about that previously with you about starting later in 2015 as the new Police Chief was coming on the first of 2015. We didn't want to hit that person with here's a welcome to the job, now you've got to start a police study. We want to do that in the second half of 2015. That one is still being planned and is on the Police Chief's radar screen.

Commissioner Philbrook said I have a question about when you mentioned the quiet zone. How far east does that extend? **Mr. Connor** said that's a question I'll have to get back to you on the specific details unless Rob's here and he can answer. **Rob Richardson, Director Urban Planning and Land Use**, said the grant from MARC starts on the east side of the Turner Diagonal, I believe. **Commissioner Philbrook** asked on the east side of the Turner Diagonal. **Mr. Richardson** said at the east end of the project is the Turner Diagonal and then goes all the way into Bonner. **Commissioner Philbrook** said okay. That's great. Of course I would have wanted to know that. **Mr. Richardson** said I'll check to validate that, but I'm pretty sure.

Chairman Markley said I think that's correct from my discussions with Commissioner. **Commissioner Philbrook** said so from the east side west. Okay, that's great.

Chairman Markley said this item does not require action. Are there any additional questions? Hearing none we'll thank Mr. Connor for his presentation.

Action: No action required.

Item No. 2 – 150011...COMMUNICATION: PROPOSED CHANGES TO AMEND FMLA

Synopsis: Proposed changes to comply with Federal Regulations and Department of Labor Regulations for Family and Medical Leave Act as amended, submitted by Renee Ramirez, Director of Human Resources.

Henry Couchman, Senior Attorney, Legal Department, said what I've handed out to you is a Family and Medical Leave Act policy that has a few changes from the one that was attached to the RFA. I went back through the regulations and made a few changes to make sure that we were paralleling the language there. Most of them are not major, but there are a couple. They're highlighted in yellow on the copy that I handed out to you there.

Commissioner Philbrook said before you go any further, the black is stuff that we already had that we're either getting rid of or keeping. **Mr. Couchman** said that's true. **Commissioner Philbrook** said the red is the new stuff. **Mr. Couchman** said yes. **Commissioner Philbrook** said I like that, a few changes. I was cracking up when I started looking at the red. The yellow is---**Mr. Couchman** said those are the changes that have been made to the copy that you had in the RFA. **Commissioner Philbrook** said stuff that you found that needed additional changes. **Mr. Couchman** said yes. **Commissioner Philbrook** and that means it's either staying or leaving. **Mr. Couchman** said yes, depending on whether it's crossed out or not. **Commissioner Philbrook** said not that I'd understand any of this anyway. **Mr. Couchman** said well, you're not the only one.

The FMLA, there have been numerous changes passed by Congress since our original policy in 2005. There were changes in 2008. There have been several enactments of military leave by Congress and then new regulations in 2013 that incorporated all those enactments and then redid some other things. This has been a project that we've been working on for several years and finally have gotten it to the point where we're able to bring it to you.

There's 79 pages of regulations just on the FMLA. This policy is a lot longer than our old policy but it's a lot shorter than the regulations which I kind of consider an extension of our policy. We tried to keep it relatively brief. A lot of the additional length is due to the military provisions which were not in our policy in 2005. They didn't exist and they have since come down. They're lengthy and there are a number of definitions that deal with military leave. We've tried to put those into the policy and at the same time keep it relatively short.

Chairman Markley asked are there a lot of operational changes that come with this or is this more just a matter of making our language match. **Renee Ramirez, Director of Human Resources**, said no, this is more of just making our language match. The entire time when the regulations were changing we continuously practiced what the regulations stated.

Commissioner Philbrook said do you mind if we just take a question about, like on page 13, Relationship and Paid Leave, on A, for instance. Reading that over, when it says paid leave that is classified as FMLA, leave constitutes part or all of the 12 or 26 weeks. Is there like certain things that allow for 12 weeks and certain things that allow for 26 weeks and they fall into those two categories. Do you really mean "or" or do you really mean somewhere in between there. **Mr. Couchman** said most FMLA is for 12 weeks. There's one category of FMLA regarding military caregiver leave that is 26 weeks. **Commissioner Philbrook** said so it's directly related to those two. That's why I'm asking. **Mr. Couchman** said that's all in the first part of the box. **Commissioner Philbrook** said I believe you. I just wanted to make sure that as I read this that that's exactly what the case was. I appreciate that, thank you. I know I was nitpicking, but it was hey I might as well find something to ask you a question about.

Mr. Couchman said there are a couple of changes that I thought I would bring to your attention that I made to the copy that you had in the RFA. One is on page 7, there's a subsection 9 there. One of the issues that we have is if we give someone FMLA can they go out and work

at some other job while they're on FMLA. Our sick leave policy says if you're on sick leave you can't work somewhere else. We've incorporated that language from our sick leave policy into 9.

We initially went beyond that to cover some additional types of leaves. For example, for newborns, to adopt a child, we said well if you're on that kind of leave you can't work during your regular hours. I'm not comfortable that that provision is supported by the regulations, so at this point in time we've taken that out. If we do decide to go that direction I think we probably need to look at some of our other policies as well so that they're all together on this. That's why that change was made and that's one of the main substantive changes.

The other change that I would point out is on page 13, 5A, which is the provision that you were just asking me about. Initially we had excluded compensatory time as leave that had to be taken before unpaid FMLA could be taken. That was based on the regulations as they existed before 2013, but looking at the 2013 regulations we can require compensatory time be taken as well before someone is eligible for unpaid FMLA. We went ahead and struck the language for compensatory time out of that. **Commissioner Philbrook** asked do you want to translate that real quick for me. **Mr. Couchman** said well, basically FMLA leave is unpaid, but the employer can require the employee to use their paid leave time before they take any unpaid FMLA leave. Under this provision before an employee can take unpaid FMLA they have to exhaust their vacation, their sick leave through FMLA. Basically, you're on FMLA but you're burning your sick leave, you're burning your vacation, you're burning your comp time. Only after all those things are exhausted can you just take unpaid FMLA.

The idea is we want them to use their leave, if possible, so that we can reduce their leave banks in conjunction with FMLA. **Commissioner Philbrook** said so, in other words, if they have 12 available and eight of it can be burned up, then there's four left of unpaid. **Mr. Couchman** said right, but they have to take the paid first. **Commissioner Philbrook** said right.

Commissioner Walker said I've glanced through this, obviously I haven't read the entire thing, but it does suggest that we're required to grant, is a federal regulation that we're required to grant leave for the placement of a foster child. **Mr. Couchman** said yes. **Commissioner Walker** said interesting.

Mr. Couchman said I don't have anything further unless there are questions. This should bring our policy pretty much up-to-date with the regulations as they exist now.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve with the changes the staff made.** Roll call was taken and there were four "Ayes," Philbrook, Kane, Walker, Markley.

Item No. 3 – 150001...GRANT: REACH

Synopsis: The Latino Health for All Coalition successfully applied for and received a grant from the CDC called Racial and Ethnic Approaches to Community Health (REACH), submitted by Terry Brecheisen, Interim Director of Public Health. Because the activities of the grant in the active living/infrastructure are so aligned with the work of our infrastructure team, Healthy Communities Wyandotte submitted a letter of involvement to participate and receive money from the grant.

Terry Brecheisen, Interim Director of Public Health, said the Latino Health for Coalition group has received a grant and Healthy Communities Wyandotte said that we would like to subcontract some of that work. It's another one of those CDC grants for healthy lifestyle living and changing the environment for the community. What Healthy Communities Wyandotte wants to do is be involved in the bike trails and the walking lanes. It's a \$15,000 grant for three years for \$45,000. Then we will do, yet to be named activities, which include enhancing the bike trails and the walking paths, publicizing them, making them more aesthetically pleasing, maybe put some park benches in there, maybe getting an advocate for some activities like a friend of the trail or something like that. So it's yet to be determined activities that Healthy Communities Wyandotte feels like they would be good at and so subcontracting with them. They're happy to have us do that.

Action: **Commissioner Walker made a motion, seconded by Commissioner Kane, to approve.** Roll call was taken and there were four "Ayes," Philbrook, Kane, Walker, Markley.

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Item No. 4 – 140426...ORDINANCE: VENDING MACHINES

Synopsis: A review of the ordinances regulating vending machines has been requested by Commissioner Walker, submitted by Ken Moore, Legal.

Jody Boeding, Chief Legal Counsel, said he did not brief me on this. I think what he has done is attach the existing ordinances as they are. I think before staff will draft an ordinance we need direction about what you want in it. Rob Richardson, Director of Planning, is here and these are ordinances in Chapter 27, which is the Planning chapter, and he would be able to speak to these.

Commissioner Philbrook said Rob, can I have your opinion on some of this. Is there some of this you'd like to see changed or not or do you have any opinion on any of this. **Mr. Richardson** said I don't really have an opinion on it. I think that this part of the Code helps to keep the community clean and the buildings looking nice and neat and clean up front. That was the intent when it was originally adopted. That's probably all the commentary I would have.

Commissioner Walker said we have many machines that exist throughout the community in front of buildings that may or may not be in violation of these particular ordinances. We have many ordinances that look good on paper and make us feel good when we adopt them, but we don't fund them and we don't enforce them.

The Legends has, at last count that was given to me, seven or eight vending machines on their premises out in front of buildings. It's not that I want vending machines in front of every building. I certainly think there are places such as liquor sales, perhaps in front of convenience stores, maybe filling stations, where there needs to be some limitation. This idea that they're prohibited in front of grocery stores and every other use just carte blanche I am opposed to and want to change.

The reason that it's up here tonight is because Legal wanted to have some discussion before they drafted an ordinance. I think that we have unequal enforcement. We have hammered the Walmart in Argentine for having a Coke machine out in front. At the same time we've done nothing about the Legends. Just drive, just drive through any business area and count the number of machines. Why, to Mr. Richardson's stated thing, wants to keep the area clean. I don't think a vending machine makes it look unclean. That's my opinion.

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I think its business unfriendly for us to deprive a businessman of an opportunity to increase his revenues. It's just another ordinance that we are not going to fund the people required to enforce these ordinances. I could give you example after example. The biggest one is banner signs. This town is littered with banner signs, but I doubt seriously that any commissioner is going to take up the cause of going around and having every liquor store, grocery store, automobile store, any kind of business within their own districts, take down those banner signs that are up on an almost permanent basis because it's business unfriendly. It will cause a great deal of angst among our business community because advertising sells product.

To me, I don't believe this is, why the Walmart, a brand new store? It looks beautiful. It doesn't face the street. It's off the street. You'll be able to see it when you go down 24th. You would be able to see it, perhaps, but you won't be able to see it from Metropolitan, certainly not when the other outbuildings are completed. I think the definition of clean and beautiful is in the eye of the beholder. When it's late at night and you don't want to go into a store and you want something to drink and you don't want to go to a fast food place, I don't see the harm in a vending machine that's maintained. Certainly there should be a requirement that it be maintained and in good working condition and so forth.

Again, these accessory uses, ancillary uses, have been out there at the Legends for years and there was never any discussion about it until one was put in front, I bet there has not been one ticket written for a vending machine in the last 10 years. Am I right or wrong? **Mr. Richardson** said you're correct, but we have asked them to take them off of site plans on many occasions. The interior part of the Legends is treated like an enclosed mall based on the original agreement with the developer. So when they're inside the enclosed area we don't have them get signed permits. We don't require them to do other planning related activities for the interior part of the Legends mall. **Commissioner Walker** said so we've adopted our ordinance to suit the Legends.

Chairman Markley said I feel like there are kind of two issues here. One is whether or not our ordinance should apply the same throughout the county. Currently it obviously has some differences related to the overlay of districts and other issues. That's one issue. Do we want it to apply the same throughout the county? The second issue of how we feel about vending machines generally.

For my part, I think it should apply the same throughout the county. I just think it's easier. It's easier for us to enforce. It's easier for the citizens to understand where the vending machines can be and can't be if it's the same for everyone. Also, for me, I don't mind vending machines. I think particularly in our areas that have bus stops, especially bus stops that are well used, it's actually an amenity because a lot of times if you're waiting for the bus you don't necessarily want to go back into the store. You're afraid that you're going to get stuck in a line or something's going to happen and you're not going to get back out to the stop in time. So it's easier for someone to run up to the front of the store and grab a pop out of the machine or a water of the machine and run back to their stop. That may apply differently in different parts of the city because not all areas of our city use our buses equally. I think particularly in those areas it can be a big benefit. I would be supportive of an ordinance that is across the board in our county but with limitations. As Hal Walker expressed there are certain limitations that will keep our sidewalks from being too cluttered and from cutting off walkers and not allowing transit the way that we want it to be allowed.

Commissioner Philbrook said I believe it should be the same across the board. My reservations come with we're already not funding things to be taken care of, looked at, code enforced and we want to put something else out there for Code Enforcement to have to go through and say you're not maintaining this when it's sitting out there. It's getting torn up and broken into all the time, because it will be. I wish that in a perfect world that nobody's going to come along and break into one of these machines, but I will tell you that they are definitely a big target the minute there's a chance. You almost have to have it guarded. I think that's probably one of the reasons why, and I'm not making excuse for them, because I don't believe they should have them outside either, is that they are patrolled regularly and they have TV cameras all over the place. If you were to try to break into one of those machines out in the Legends your face would be easily seen or you'd be found quickly.

To just put them randomly outside, I think we're asking for another source of police action on a regular basis, that there's going to be a lot of calls on it. I hope I'm wrong, but I really see that as a big possibility. That's all I have to say on that.

Chairman Markley said I would say two things just sort of piggybacking on that. One is that I think, assuming this moves on to the full commission in one form or another, I would ask Jody or someone in Legal to be prepared to talk about what our Code says because I'm guessing our Code as far as code enforcement already addresses dilapidated equipment in some form without us passing something new that says we can't have dilapidated vending machines. I'm guessing it falls under existing law.

As far as enforcement issues, there are vending machines all over already so I guess, I don't know if we keep statistics on vending machines being broken into, but I wouldn't imagine it would change that much since we already have them all over already. They're either being broken into or not already.

Commissioner Walker said let me make a comment about this kind of activity. Vending machines, I suppose, are susceptible to crime. You go to these various grocery stores that they vend if vending is used in the sense of to sell. My grocery store, apart from having two outdoor Coke machines that have been there more than 30 years and never been moved, they also vend wood, they vend garden plants during the summer, they vend propane and they vend piles of salt, dirt and various assorted and sundry gardening supplies. You'll find that at Quik Trip. You'll find that at almost every convenience store that they're selling something out on the front of their business establishment. I don't get how that is viewed as attractive, and a machine, a brightly colored lit Coke or Pepsi or whatever it might be is somehow viewed as deteriorating to the environment because the same places we won't allow them to do this, they are allowed to sell those kind of products, to have propane exchanges. To me, we're already letting them do vending from the front of their business establishments.

I don't know if Walmart will sell plants at their particular market, but most grocery stores do. My CVS has plants out in front of it during the spring. I assume all CVS's do, or most of them. They vend other things on a seasonal basis. I can tell you the plants are pretty unattractive after they've been out there for a couple of months and not taken care of. So the aesthetics of it are not all that are involved.

It makes no sense to me to ban a vending machine in front of Walmart when there are vending machines within a half mile of that business that have been in the Argentine area forever. I don't see anybody going down there and saying get that out of here. I think it was set

one or the other. We're either going to enforce this and make them take them all out. I don't see why there's some kind of enclosed mall consideration. Pedestrian traffic walks, is it only vehicular traffic we're protecting from the hideous sight of a vending machine. When you go out to the Woodlands you're walking around, you're a tourist. You're going to say oh my God, there's a horrible vending machine up against that building. Come on.

This is one of those things where it feels good on paper, it looks good on paper, but in practical reality we don't do anything about it. We're not going to do anything about it. We're not going to fund it. If they really became a problem, remember when we used to have all the telephones, pay phones everywhere. Everywhere in the right-of-way somebody was sticking a pay phone until cell phones put them out of business. How ugly were those pay phones on every street corner and we couldn't do anything about that.

I'm wanting to move this forward directing Legal to prepare an ordinance that addresses what we've spoken about here tonight that permits it in front of grocery stores of 5,000 square feet. Pick a number. I'm not sure what number is fair. **Commissioner Philbrook** said why are we limiting? **Commissioner Walker** said well, I don't know, because some people don't want them everywhere. As far as I'm concerned if you can put a vending machine and it pays for itself and makes you a little money, it'd be alright for me to put them anywhere.

Commissioner Philbrook said I just want to understand what you're saying. **Commissioner Walker** said well let's just get something to the full commission. **Commissioner Philbrook** said no, I understand. **Commissioner Walker** said I am prepared to accept limitations or some kind; I don't want a guy to come out of a liquor store with a bottle of whiskey and buy a bottle of pop to mix it with. I mean there's just a certain bad karma with having a vending machine in front of a liquor store. Now, oddly, what we do allow is the liquor store to be here and then by just having a wall and a door you can go in....**Commissioner Philbrook** said they can go in and buy soda. **Chairman Markley** said Commissioners, is it safe to say that they could pull some of the limitations from the existing ordinance and make it a countywide ordinance utilizing some of those limitations that are in existence today? **Ms. Boeding** said our planning is only applicable in the City limits. **Chairman Markley** said technicalities.

Mr. Richardson said the ordinance does apply countywide. When the Legends was developed there were many, many exceptions given, Sign Code and other things. One of the

administrative things that they asked for was not to have to get sign permits and other things within the mall. So we kind of drew that boundary around it. There might be other exceptions but with that one primary exception it is uniform countywide.

They put machines in front of Target and the whole west side of the Legends. We worked through the developer to make them take, we didn't have to write a ticket, we just said this is against our Code and they said okay we'll take them out. They wanted to make sure they were within their limits in where they put them inside the Legends.

It was kind of the same issue with where we make them get sign permits or don't get sign permits. For instance, where Outback was and Jose Peppers went in they had to get a sign permit because it's on the outside, but if you're inside where Eddie Bauer went in they don't get sign permits. They follow their own design regulations because it's interior to the mall. That's the only real exception to it being countywide that I'm aware of. There might be something else but that one's the most significant and noticeable to a large number of people.

Commissioner Walker said what I'd like to do is get an ordinance up in front of the full commission and either everybody lives with it or we go around it. I know how I feel about it. I don't think it's, we interfere in the operation of business constantly and make it difficult when we ought to be making it easier for business people to work here. Rob's a good planner. Planners go to a school that tells them, teaches them various things and I understand that. I don't know that in all circumstances that point of view would be wrong. I think it's wrong for Kansas City, Kansas. I think it's wrong for the businesses in this community to be deprived of an opportunity to enhance their revenue. It's just my opinion. Now other people may disagree, but at least if we get it up for a vote, we'll put an end to it one way or the other.

Commissioner Philbrook said so Commissioner, I have a question for you. If this blows up in our face, we put it through and in a couple of years it looks like there's been a potshot at our community with all kinds of weird looking stuff out there and we decide maybe we don't like this overall, it'd be okay to go back and revisit this in your mind and maybe reconnoiter. **Commissioner Walker** said I don't know what you mean by all kinds of weird stuff. **Commissioner Philbrook** said I don't know yet because I'm not there.

Commissioner Walker said we have difficulty, one of the most progressive cities in the country allows food trucks to take one of their parks, Portland, Maine, over and park there every

day in the middle of their downtown where other competing, indoor, capital-heavy restaurants are and sell food from all parts of the world. They don't think that that is ugly. We have trouble letting one food truck-- **Commissioner Philbrook** said park in our ugly lot. **Commissioner Walker** said I just have to say that, you're going to get tired of me before I'm gone. **Commissioner Philbrook** said I doubt it. **Commissioner Walker** said one size does not fit all. What works in Portland, Oregon, or in Leawood, or in Overland Park, may or may not be the model that Kansas City, Kansas ought to follow. Just because Overland Park is this shining star of the metropolitan area to some people doesn't mean that we're any less so because we allow a vending machine in front of a grocery store. I think we need to move forward on it and let the whole commission either up or down an ordinance and we can always restrict it at the council meeting.

Commissioner Philbrook said call for the question. **Commissioner Kane** said second.

Ms. Boeding said I wanted to know if the motion is to direct Legal to draft an ordinance that permits vending machines in front of grocery stores, if that can be interpreted under the Code. Is grocery stores a defined term that we know what that means. **Mr. Richardson** said I'll have to look that up. **Commissioner Walker** said I don't necessarily want a grocery store that is a convenience store. They make their money selling pop on the inside by the individual bottle. Not all grocery stores can you go buy an individual bottle of pop. They might have a restaurant inside there where you can get a drink or a beverage, but I can see this is going to be a nightmare working this out. **Ms. Boeding** said I'm just trying to get as much direction as I can at this meeting. **Chairman Markley** said is that clear as mud. **Ms. Boeding** said Rob will look it up and see if it's enforceable if we can work with it. If not, he'll bring something that would work.

Action: **Commissioner Walker made a motion, seconded by Commissioner Kane, to direct Legal to draft an ordinance to allow vending machines.** Roll call was taken and there were four "Ayes," Philbrook, Kane, Walker, Markley.

Commissioner Walker said now, if I understand correctly, just for the record so you all know, once we approve an ordinance, we'll have to send it to Planning and it will have to come up from the Planning Commission back to us. Is that correct? **Ms. Boeding** said yes. **Mr. Richardson** said I'm not sure that you all can approve an ordinance and then send it through Planning

Commission by state law. We'll have to check that out. I think it has to go through Planning Commission before it comes to you. **Ms. Boeding** said I think we just want to get a sense of the commission, a direction. **Commissioner Walker** said if we recommend sending a proposed ordinance to the Planning Commission for consideration, we're not approving the ordinance, we're just sending it to them for review. **Mr. Richardson** said okay.

Measurable Goals:

Item No. 1 – 120153 ...MEASURABLE GOALS

Synopsis:

- Aging
- Human Services

Gordon Criswell, Assistant County Administrator, said well I have more paper, Commissioner. We ran out of time.

What I have is a goal for the Human Services division and a goal for a part of the Aging. On the Human Services, they have a division that deals with adults that have developmental disabilities. One of the criteria per our contract with the State is that if someone applies to be determined eligible for services if they have a developmental disability or mental retardation, we have to respond to that eligibility assessment in seven days. That's per our contract and we comply with that now. We have a way to measure it and so forth.

Similarly with the Area Agency on Aging, under the State's Medicaid system we have what's called waivers. Kansas has 17 different waivers under Medicaid. One of those waivers is called the physical disability waiver which is generally a child or an adult with some kind of physical disability that limits them. Per our contract with the Kansas Department of Children and Families there are adults and children, particularly adults, who have been on a waiting list for two years or more. The State has basically said to Aging departments, identify these individuals who've been waiting for two years or more, get them off the waiting list in five working days. They measure Aging on this goal as well.

Commissioner Philbrook said explain to me what that means, get them off the waiting list. Does that mean take action or does that mean just dump them off? **Mr. Criswell** said it does not mean dump them off. It means take action. They're waiting on a waiting list because

there are services that they are eligible for that they have not received yet. So getting them off the waiting list means they will now get the services for which they have been waiting. **Commissioner Philbrook** said what kind of a backup do we have on that, I mean really. **Mr. Criswell** said well, the State keeps a statewide waiting list. Clearly the waiting list for this waiver is probably statewide 8-10,000 people. I don't know exactly what it is for our county. **Commissioner Philbrook** said that's kind of what I was after. Is that going to affect us and the amount of people we have down here. **Mr. Criswell** said I can find that out. I'm sure we know, but I'll get that for you. **Commissioner Philbrook** said I would appreciate that. **Mr. Criswell** said generally we look at the statewide waiting list and that's what the Department of Children and Family sort of measure how well the agencies across the counties are doing.

Commissioner Philbrook said so that means we, in particular, Wyandotte County, are responsible for getting those people that are in our region off that list. **Mr. Criswell** said correct. **Commissioner Philbrook** said so you're going to let us know what kind of money difference that's going to be and what kind of employee difference, the whole nine yards right? What do you think it is? **Mr. Criswell** said I'm going to let you know how many people in our county are impacted by this two year waiting list. Now just because you get off the waiting list doesn't necessarily mean that you are employable or you can go to work. It may mean you may need services like homemaker services, or you may need transportation services, but I'll get you a number. **Commissioner Philbrook** said give me a little bit more depth in that information. I'd appreciate that.

Action: No discussion

Chairman Markley adjourned the meeting at 7:00 p.m.

mls