

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **SPECIAL MEETING**

**DECEMBER 23, 1996**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Monday, December 1996, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Melody C. Miller; Commissioner Betsy Gwin; Commissioner Paul W. Hancock; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Mike Pepoon, Assistant County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Clarence D. Holeman, Assistant County Counselor; Ms. Karen Bailey, Operations Manager, County Clerk's Office; Mr. Daryl Gardner, County Controller, Bureau of Finance; Mr. Marty Hughes, Grants Manager, Accounting Department; Ms. Diane Gage, Director, Emergency Communication Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Sherdeill H. Breathett, Sr., Animal Control Department; Mr. Tom Pollan, Director, Emergency Medical Service; Ms. Deborah Donaldson, Director, COMCARE; Mr. David C. Spears, P.E., Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Luan Chebultz, Deputy County Clerk.

#### **GUESTS**

**Mr. Martin Maurer**, 904 Stetson Circle, Maize, Kansas

#### **INVOCATION**

The Invocation was given by Chairman Tom Winters.

#### **FLAG SALUTE**

#### **ROLL CALL**

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

#### **CONSIDERATION OF MINUTES:**

**Regular Meeting, December 4, 1996.**

The Clerk reported that all Commissioners were present at the Regular Meeting of December 4, 1996.

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**Chairman Winters** said, "Commissioners, you've had an opportunity to review the Minutes, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to approve the Minutes of December 4, 1996, as presented.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Next item."

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

**Ms. Becky Allen-Bouska**, Finance Director, greeted the Commissioners and said, "You have previously received the certification of funds for today's regular and sewer district agendas. I am available for questions if there are any."

**Chairman Winters** said, "Thank you. I see no questions. Thank you very much. Next item."

**CITIZEN INQUIRY**

- A. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SEDGWICK COUNTY EMERGENCY MEDICAL SERVICE.**

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**Chairman Winters** said, "Thank you. At this period in our meeting if citizens would like to address the County Commission by notifying the County Manager's Office a week prior to the meeting, you can get a slot on the agenda. Please give your name and address for the record and your remarks are limited to five minutes."

**Mr. Martin Maurer**, 904 Stetson Circle, Maize, Kansas, said, "Thank you. Thanks for letting me come and speak. I am coming to you today to speak about some proposed changes in the Department of Emergency Medical Services. I think I can speak to you educatedly on two fronts and then I've been involved with EMS since January of 1986. I've gone through this service when it was known as one of the top ten services in the country to what it is today. I also think that I can speak to you educated on your level in that I am myself an elected official. I sit on the City Council in the City of Maize. I understand budget constraints and what we need to do to save money, allocate funds appropriately. We have just proposed some changes in our service on two items. One was a \$389,000 shortfall in our budget and the proposal of reorganizing our structure as we now know it. We have been told that the budget shortfall is because of two reasons, number one, Medicare and their reimbursement for what they consider non-emergency or nonessential ambulance trips to the hospital as well as their change in our billing practices and how we bill. The girls who were doing our billing for us, were collecting approximately 68 to 69 cents on the dollar of what we billed out. The new service is collecting approximately 54%. Our director, Tom Pollan, has taken the ultimate responsibility for that and he stated that in a meeting that he had with Sedgwick County employees.

"In January of this year, we went through some mandatory meetings and we discussed the problems with Medicare reimbursement and what we could do to make that better. In the last year, we have made a diligent effort as a service coming up with ten critical billing elements that we need to acquire to get the maximum reimbursement from Medicare. I believe that has been taken on very responsibly by employees and we have come up with some ways in generating additional revenue through Medicare.

"The change in the billing company we did not have a lot to do with. I believe that is, in essence, the cause of our shortfall today. The proposal that was given to us at the meeting in essence tied together the budget shortfall with a reorganization plan. However, this reorganization plan or eight line items, thirty of which saved our department money. The other five items, actually, in the long run will cost our department money because they are promotions or demotions and by County policy, they can't reduce those peoples pay level.

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“We, as an organization and as a service, felt that we did not have any part in this decision making process. The County spent numerous amounts of time, money, and effort in this strategic initiative planning process that we have all learned in the last year or two and that system was not used. We felt that we were kept in the dark in this issue until the last minute. There was a press conference scheduled to propose this to the general public on what they were going to do and at that point in time, there were no employee meetings scheduled. Most of us felt that the only reason why the meetings were scheduled was because I had made a written request to speak to the Board on this issue.

“The newspaper has made several comments that service in general will not change. I believe that the majority of us feel that the overall patients that we transport will not be affected. The patients that will be affected are those who are the most serious and critical in nature. That is where our extra and additional training comes in. You could get by with this service if you were taking the elderly back and forth to nursing homes to the hospital, picking people up that had fallen. The level of care that you need to transport those more critical and more serious patients is what we have maintained and what we strive to keep getting better. Our service feels that this is not a step forward, but this is a step backwards.

“We’re losing a major supervisory role on the street level. The promotional opportunities will be next to none. The County Manager’s Office has stated to us through Jerry Harrison that for the most part, we haven’t had any promotional opportunities in the last 23 years either. If you look back in records, in 1955 with the Sedgwick County Fire Department, they didn’t have any promotions in the next 20 to 25 years either. We are getting to the point now where we have 23 and 24 year people on our service who will be looking at retiring. If you remove this major middle management position, there is no promotional opportunity for people. We have felt that it is going to end up being a revolving door. You have people who come to work for you for six or seven years and leave. You won’t have any of the 20 year valued employees that we have so strived to maintain at this point in time.

“The ambulances would not be taken off the streets. Last night was a perfect example. We had one Captain on the street, which is a position that they are wanting to eliminate, and because of sick leave, we had to shut a truck down at 1:00 a.m. this morning. That’s a loss in coverage for people who pay for that service with Sedgwick County. I guess my time is up.”

**Chairman Winters** said, “If you need to take a few more minutes that fine, we just don’t want to go on and on all morning for sure.”

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**Mr. Maurer** said, "I think the majority of this service feel that if we had been communicated with, if we had the opportunity to sit down with our management and go over some proposals, I believe that we all feel that our organization probably needs to be restructured. They say we're top heavy and that is mainly because of the Lieutenant level, which is what I am in the service. We act as teams in our ambulances. I don't really have a subordinate employee that works for me, I have a partner. We go in together. We can't work separately on a truck with just one person. Communication was the big issue. We weren't talked to about this. We didn't have a chance to give our ideas. It is something that is being forced upon us. The point that some people make when it comes to funeral arrangements and that you don't want to make funeral arrangements until the last minute because you end up getting something that you ultimately do not need. If we could deal with these two issues, one on budget shortfalls and number two, our reorganization, and deal with those two items separately, I believe we would not get something in our reorganization that we ultimately do not need. We'll be taken about a twelve to fifteen year step backwards in time. That's all I have. Thank you for your time."

**Chairman Winters** said, "Thank you for being here. Commissioner Schroeder."

**Commissioner Schroeder** said, "Yes Mr. Chairman, just a comment for the speaker and anybody else listening. We've been reassured by the County Manager's staff that there will be no change in service on the street. So if we have to shut down a truck because we don't have enough people then obviously we're going to have to change something there because we've been reassured that we will have the same amount of trucks, the same amount of people on the streets and Jerry Harrison has reassured me of that. We'll make sure that happens. What happened last night must have been a mistake that they weren't ready for, but I'm sure it will not happen again. We'll make sure that doesn't occur. My goal is like the rest of the Commissioners up here to make sure that we still get that Type II service that we have for so many years provided for the people in this County. We'll continue to do that. I know we're undergoing some changes because of some billing problems and some Medicare/Medicaid problems, but I've been reassured that we're working on those and trying to resolve those. We are, as a matter of fact, changing our billing agency and hope that will improve the status of our collections so that maybe hopefully the following year we can get back to a level that we need to be at. I've been reassured that we are not going to hinder our service in any way because of these cutbacks. I hope that we hold to that. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you very much. Madam Clerk, call the next item please."

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**DEFERRED ITEM**

**B. AGREEMENT WITH KANSAS PUBLIC TELECOMMUNICATIONS SERVICE, INC. TO PROVIDE LIVE TELEVISION COVERAGE OF REGULAR BOARD OF COUNTY COMMISSION MEETINGS.**

**Mr. Fred Ervin**, Director, Public Relations Department, greeted the Commissioners and said, "This is the standard broadcast operating agreement with KTPS for 1997. I say standard because it locks in 1996 funding levels. It has been viewed by the Legal Department and also by Channel 8. I am certainly open to answer any questions and also with us this morning is the General Manager, Paul Longhofer and Carl Chance, Vice President of Promotions and Operations. Carl knows just about everything at Channel 8. They are both here and would be more than willing to answer any questions. I would suggest the recommended action."

**Chairman Winters** said, "Thank you very much. Commissioners, any questions? Fred, I have just one quick question concerning the time frames in the morning. We'll have the time slot from 9:00 to 12:00 is that correct?"

**Mr. Ervin** said, "We have a minimum of two hours but the broadcast time is nine to twelve."

**Chairman Winters** said, "I know we've just discussed previously perhaps when we have a short meeting and we don't utilize all of that, that we would have an availability to use some of that other time if we, Sedgwick County had other promotional information or something we could utilize that time?"

**Mr. Ervin** said, "Well actually it is cost effective for us to do that since it is a minimum of two hours anyway. We're in the process now of attempting to fill a big portion of that time with interviews and promotional department programs so that we get what we pay for."

**Chairman Winters** said, "Very good. Commissioners, are there other questions? If not, what's the will of the Board?"

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**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you very much. Gentlemen, thank you for being here this morning. Next item."

**NEW BUSINESS**

**C. RESOLUTION AUTHORIZING CERTAIN PERSONAL PROPERTY TAX JUDGEMENTS TO BECOME DORMANT.**

**Mr. Clarence D. Holeman**, Assistant County Counselor, greeted the Commissioners and said, "I have before you today a Resolution that appears every year about this time. Under the statutes of this state, twenty years after an unpaid personal property tax goes delinquent, it becomes a judgement under our code and twenty years from that date that it becomes a judgement, you have the authority to cancel or order the cancellation of those unpaid personal property taxes that have not yet been collected and on which it does not appear that it is reasonable that they are going to be collected. Again, this appears every year. This year, the Resolution deals with the 1975 unpaid personal property taxes. I would ask that you adopt the Resolution."

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**MOTION**

Commissioner Hancock moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Commissioner Schroeder."

**Commissioner Schroeder** said, "Clarence, just one question. Do you know what the total amount of those is?"

**Mr. Holeman** said, "It is set out in the Resolution at \$456,047.62."

**Commissioner Schroeder** said, "All right, thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Madam Clerk, call the next item."

**D. RESOLUTION AUTHORIZING THE MAKING OF CERTAIN ADDITIONS AND IMPROVEMENTS TO THE EXISTING SEDGWICK COUNTY COURTHOUSE; PROVIDING FOR PAYMENT OF THE COSTS THEREOF; AND SUPPLEMENTING RESOLUTION NO. 125-1993 OF THE COUNTY.**



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**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "There are two items. This item is the first and the next item is the acceptance of the low bid for the construction of the addition and remodeling of the local Adult Detention Facility or the County Jail. I thought it would be helpful if we did one presentation and then separate the actions rather than have a disjointed presentation. It may be helpful if we did that and then could answer the questions here and then we can move through the process.

"Let me explain to you the first action is increasing the total amount of the project. This allows us to exceed, if we need to, to enter into the contract without having the cash in hand. Let's be reminded that because of the state legislature's position on local government, and this is one that is a pretty good position. It does not allow us to take action to proceed with projects without having the money in hand or having authorization to borrow the money.

"This action then allows us to indicate that we will have a project of a pretty large scope, \$38,500,000. This Resolution says \$37,500,000 and that is because you cannot include issuance costs and contingencies. So that means the Resolution will be for \$37,515,762. That will allow us then to accept the low bid. The next action is about having the cash in hand.

"We'll just go through this little presentation so you can see where we are. The reason we are back to you with this item is that you authorized us to expend \$35,100,000. I can tell you today that the project cost will not allow us to do what it is you told us to do. That was to build a new jail with 650 beds with a core for 1,400 inmates. I had the indication clear back in the spring that this was going to be possible but it is clearly not.

"The total project cost is \$38,445,923. The construction cost, as you can see, \$31,000,000. The furniture and equipment will be \$2,900,000, architectural engineering service and the cost for the expansion team. Now we've been paying a group of people for a couple of years and will continue to pay them another year and a half or so and that is part of that figure, almost a quarter of a million dollars or more for the expansion team. Contingency and issuance cost \$930,000. Other costs are things like sheets, dispensers, other things and equipment that are not included in the construction that we will purchase directly but are absolutely essential for the opening of the new facility.

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“How did we get here? Remember, some of us were around September 1, 1993, and we had authorization to issue bonds of \$10,005,000 to begin this project and we did that. Two months later on February 16, the architectural contract was approved and October 4, the designed facility of 650 beds and 1,400 core. If you recall, there was a lot of discussion about how large should the facility be. There was lots of discussion and debate about what was the right number. This Board of County Commissioners with the recommendation of the staff and the design team said we need to be at 650 beds but we need a core that will handle 1,400 beds. There is room to add two more pods north of this current facility and this core area, we’re designing that for the future. It is an investment and if that needs to be done and we have every indication that it probably will be, the core area is built for that function. On April 18, our recommended \$36,700,000 project on April 24, you indicated the project should be \$35,100,000. We thought that we could bring it in at that cost. In September, beds and specifications were approved and we received bids on November 14.

“The bids, as you can see, were received from five companies, all of whom are companies with which we like to do business. The Law Company was the low bidder. It is a local firm and you can see that the bids, that the low bid total is about 5.5% lower than everybody else. We think that is a darn good bid. If you look at these numbers on the face bid, you can see that there is not a lot of variation between them except for the Law Company and that would reflect in that final total. We did some alternatives trying to see which way we may want to end up with the situation. Some of them went to the electronic controls, we need some sort of electronic controls. We can’t eliminate \$3,000,000 from the project otherwise the doors would close but wouldn’t lock. That doesn’t sound like the kind of thing we want for our jail. There were other alternatives that were built into the system to see if we could get better prices and in fact it may have been a very wise thing to do. But the low bid was received with all the alternatives we wanted for \$31,592,000.

“We began at that point with some negotiations with the Law Company and really went through the alternatives as indicated with \$31,592,000, we met six times with the Law Company and their subcontractors over items on the Contract. You have seen those items, there are page after page of items that we have talked about and reviewed. The staff held four internal evaluations over that period. I met personally with people at the Law Company two different times and resulted in a negotiated price of \$31,079,680. Although we sat at a table and there is a \$500,000 reduction in cost, this is not changing the foot print of the building, this is not changing the way we are going to operate that facility, it will not change the number of people that we can incarcerate there, it will not change the 1,400 person core area.

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“What it was, as you saw that list, was some ideas and suggestions by the contractors of the way in which to construct the facility and save some money without hurting the integrity of the building itself, the security or the operations. So we are pleased with those negotiation processes.

“The project costs varies over time and if you remember clear back to ‘93, we thought 10 million dollars and we might have to borrow another \$5,000,000 or so. Now that’s not the case because the project kept growing. So rather than go through that history, let me just show you what the purpose of this slide is. Construction cost is \$31,000,000. The other projected costs are \$7,000,000 for a total of \$38,000,000. We’ve been asked why didn’t we get closer to what was recommended or why didn’t we get closer to the \$35,100,000? There are two factors that are overwhelming and that is the inflation rate. We anticipated about 4% inflation rate. A lot has occurred in Sedgwick County Kansas in ‘96 and in the last several months, and that is that the economy has been good and things are in fact pretty well in the economy and construction costs have increased about 10%. So there is a 6% difference in inflation more than what we anticipated. The other point is that the construction length of time has extended and so it will take longer to build than what we expected which also has an effect on the cost. Now had we begun a year ago, had we not made those negotiations with the First National Black Historical Museum regarding their concerns, would the price have been different? We think so. But there are clearly two factors. One is that the inflation rate has increased and the length of construction time has increased.

“For your consideration, there are some fast facts, if you will, regarding this structure that you need to consider. The first was price per bed on the existing facility was \$50,132. The price per bid of new construction on this addition we have added, the bed cost will be \$46,908. So we’re putting more beds in the area and reducing the cost per bed which is a good and efficient thing to do. The cost per square foot of the existing facility is \$1.05. You can see the cost per square foot of new construction is \$1.22. That’s for several reasons, the cost of construction has increased over the last several years and the existing facility was built in 1990. The last item on this is the cost per square foot for jails completed, the lowest 25% were \$118 a square foot. The highest was \$196. We fall somewhere below the lowest and the median in jail construction cost in 1996. Another piece of information that may be helpful to you also is to understand that in our financial planning for this facility, we had estimated that the jail would be up and operational by April 1, 1998. With personnel costs and operations and outside housing costs all figured in here and we would have a cost of \$7,000,000 to \$7,500,000.

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“You can see that under the bid price, the facility would not be open until February 1, resulting in an expenditure of only \$2,500,000 in that time period, for a savings of \$5,000,000 in operation costs. I am not suggesting that it will all in fact be saved, I am suggesting that money can be put to use in other places including the increased cost of this facility.

“I think it is important to note that in fact the team, who has spent a year and a half to two years working on this, the Sheriff’s employees and the people from the Capital Improvement Projects, the architects and the engineers, have created a document, have created a design that is helpful and reduces and eliminated some of the work that we had to do. Every question, I can tell you that when we set down at the table, was raised by either the contractor or the subcontractor regarding where the windows needed to be, what kind of floor coverings, they had an answer. Some of us may or may not have liked the answer, but the answer always revolved around safety for the employees, safety for the people in the facility, what the standards were, long term investment costs for the County, would we be in a better position when we get sued. It is not if we get sued, it is when. Can we defend that design? And finally, long term operation costs. As you can see, operation costs of this facility is the single most important item. Construction costs, although expensive, \$38,000,000 for a project is expensive, continuing operation costs of seven, eight, or nine million dollars a year, is the one that we need to pay attention to. With that information, I’d be happy to answer any questions. I would recommend that you adopt the Resolution. Joe Norton is here to answer any questions you may have regarding that issue.”

**Chairman Winters** said, “Thank you Mr. Buchanan. Commissioner Schroeder.”

**Commissioner Schroeder** said, “Mr. Chairman, if you please. Mr. Manager, I guess I’m going to be one of those that explains what I’m going to do today and I was one of those who suggested a few months ago that we go with your \$35,100,000 figure. After proper time and consideration and work by the staff, it has finally been realized that we cannot meet those expectations. But, at the same time, we have saved, how much did you tell me the other day, over \$2,000,000, in the process of reviewing the plans, looking at ways that we could cut back. So that in itself is a worthy savings and I appreciate the effort of everybody’s staff, the Sheriff’s staff, the Manager’s staff, for putting that work into it along with our architect who has been very diligent in dealing with these problems. I am really surprised when I see those numbers up there regarding the cost of the facility being in the lower percentile of costs for facilities around the country and that gives me a little more comfort in that we’ve tried to do everything we can to cut the cost of the jail.

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“I know we had high expectations about how we were going to bring this down in price but sometimes that just doesn’t happen and in this case I think our priority is to get these people off the streets and keep them in there. I think that is becoming the bigger issue, is how long can we keep them in there? Can we keep these people in there as long as the judge would like us to keep them in there? I know that has been a strain on the Sheriff’s staff. There are nights over there that are basically nightmares for the staff because of the problems with overcrowding and the fluctuation of the numbers of people that are in our facility. I guess you gather by what I am saying today is that I’ll probably support this. None of us are happy to have to spend this kind of money to incarcerate individuals. That a lot of them don’t deserve this kind of attention and could do with a lot less, but we’re required by judges of the United States District Court, that we treat these people in a humane manner, which we went through this before as the Sheriff well remembers and we’ve done that. I think we have more than accomplished that task and we’re doing a good job of it. That’s what we’re here to do and I appreciate the hard work that everybody has put into this and I guess I will support this and hopefully we will get this project started and get it open and get these people off the streets. Thank you.”

**Chairman Winters** said, “Thank you Commissioner. Commissioner Miller.”

**Commissioner Miller** said, “Thank you Mr. Chairman. I understand that necessity dictates that we house and thereby build and provide an appropriate institution or building facility for criminals who are on the street. I do challenge that when we, as a governing Board, say to the public that we believe that this facility can be built within the budget constraints that we need to be able to hold to in order to go to our constituents and say this is what we intend to do. This is the length of the rope that we’re going to extend on this particular issue. At that point in time, it was \$35,100,000. Yes, you did say Mr. Manager, that you could fall within those guidelines and I do understand that inflation does have a role to play when it comes to construction costs. I also understand that when you look at how it is that we are basically in the business of publicly housing individuals to the tune of \$38,000,000 and you and I both know that cost overruns will take this project far above \$38,000,000. I respectfully decline to support this supplemental to Resolution 125-1993. Thank you very much Mr. Chairman.”

**Chairman Winters** said, “Thank you Commissioner. Commissioner Gwin.”

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**Commissioner Gwin** said, "Thank you Mr. Chairman. Mr. Buchanan, first of all, there are a couple of pages that I found interesting and one that I think created some questions for me. First of all, you showed a slide about budget settings for fiscal year '98 that personnel and operations were not necessarily funded because the facility isn't going to be opened. At what point then are we going to have to face those costs, personnel and operations? When will those show up on our budget?"

**Mr. Buchanan** said, "They will show up on 1999. We believe that some of it will show up in 1998. If we prepare for '99 and '98, we may have the flexibility of using those funds a different way to reduce the bond issue or to reduce the personnel costs in future years so we will put together a financial plan and present it to you real soon regarding that issue. The tax impact to the public may occur as early as budget year 1998."

**Commissioner Gwin** said, "Secondly, I think Commissioner Schroeder alluded to this, on the fast facts. We're building an expanded facility or an expansion facility at a lower price per bed than we did the existing facility. I think that really shows some innovation and changing in the way we are going to house prisoners in the Adult Detention Facility and I appreciate that. Secondly, quite frankly, on a cost per square foot of the existing facility of \$104 a square foot as compared to the proposed cost of new construction of \$122, I think that is very modest given the local economy, the construction times, and the kind of business that we're seeing construction companies and developments happening and conducting in this County. So I was interested in that fact and again particularly interested in the fact that we're going to be able to complete this expanded facility at almost near the lowest 25% of the facilities that have been built in this country. I was one of the Commissioners who did not support the vote of \$35,100,000 and I will tell you the reason is that all along I've anticipated my number was \$37,000,000. Just in my head, from discussion, the things that I had heard people say, and I just didn't think it could be brought it at \$35,100,000. I am not going to say I told you so because I know that you've made every effort to do it. I just didn't want to limit us because I felt that was a number that we just couldn't obtain. I just didn't believe that we could get there.

"I understand the importance of this facility. I think the public understands the importance of this facility. I'm going to support the total project cost of \$38,445,923. Unlike Commissioner Miller, I think the contingency costs and everything else are included in that and we'll keep it there.

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“I believe that is the cost of this facility that I’m willing to support and obviously operations and other things are not a part of certainly not enough in here, but I’m going to support it because it was more than I thought it would cost but I don’t think that surprises any of us. I do appreciate the negotiations of the Law Company, the help of the Sheriff and his staff, the architects and their very important staff. I think this is the best facility that we can build to incarcerate people who need to be incarcerated, to provide decent work environments for those men and women who work in that facility, let’s not forget them, because they are quite frankly the back bone of this entire organization. I believe the taxpayers will understand. They have been understanding as to the need and in acceptance and I believe given the information that you have today, we can share it with them and make sure that they understand. That they see what we see. I think they’ll be able to support us in our decision. Thank you Mr. Chairman.”

**Chairman Winters** said, “Thank you Commissioner. I guess I would say just a couple of words. I was one of those Commissioners who early on supported the \$35,100,000 goal and objective. The sole reason that I was supportive of trying to limit the project at \$35,100,000 was I wanted to have some confidence that all of those who were working on the project were doing the best that they could to make this project come in as economically as possible. I don’t know that I really had that much confidence before that time we voted on the \$35,100,000, but since then in watching how the team that is working on this project, the Sheriff and his staff, Schaeffer, Johnson, Cox and Frey, the Manager’s staff. I’ve heard from them, I’ve had reports, they’ve showed me the ways that they were trying to reduce costs. So in that time frame, I’ve become very confident in my mind that they are building this facility and their proposal is as cost effective and is a project that I cannot look at them, they looked at us, I can look at my constituents and say this thing is going to be constructed as economically as possible, because I watched them try to take all the fluff out of it that was there. So today I’m going to be pleased to go ahead and support supplementing the Resolution and accepting the bid of the Law Company, because I’ve got confidence that the Sheriff, architect, and Manager’s staff, have worked very diligently. Commissioner Hancock.”

**Commissioner Hancock** said, “Thank you. Mr. Buchanan, we keep bringing up this original \$10,000,000 and I’d like to remind everyone, we never thought we’d built a jail for \$10,000,000. We just had ten million dollars of authority that we could issue bonds for early and save some money so I don’t want the media out there to assume that our project went from \$10,000,000 to \$38,000,000.

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“It didn’t, it was never intended to do \$10,000,000 for the jail. Besides, I think three years ago when we started this and two years ago when we had the jail committee forming, we went over to what is now COMCARE, we were looking at a significantly reduced number of beds at that time also. I was setting here trying to recall the numbers, it seems like it was 260 or something like that. So the project is not the same project that it was at that time. I don’t want this information going out and saying we went from ten to thirty-eight. I just wanted to straighten that out.

“Too, I just wanted to say that I appreciate everyone who has worked on this. The bids look real good. I know the base bids across the board were really solid. There were good numbers all the way through and I think they were very competitive. I appreciate the Law Company working with us to negotiate some of the things down and sharpen the pencil a little bit and I think we’ll make good partners. Appreciate your work, the staff’s work and the Law Company. Let’s get going, let’s did some dirt out there and get going.”

**Chairman Winters** said, “Commissioner Schroeder.”

**Commissioner Schroeder** said, “Mr. Chairman, if you please. Bill, just one last comment and that is you mentioned the personnel issue is one that we’re really going to have to watch closely as it impacts the budget much more than the construction costs. I agree with you 100%. That’s why I will say in the next couple of budgets it is going to be very difficult. My task, as Commissioner, is to try to keep the taxes down as much as we possibly can and I’m going to be asking over the next couple of budgets for our department heads to look at any and everywhere they can to cut their budgets to reduce this impact.

“I’ll go back to a conversation I had with David Spears, our County Engineer, probably about four years ago and I told Dave our priority right now is roads and bridges. We got through the first jail project and I said someday, the priorities will be changing, probably quicker than we expect. There will be a shift in funding for all kinds of different departments that we’re going to have to concentrate more on law enforcement, incarceration, jails, and that there will be a little bit less attention given to others who had most of the funding and most of the attention for the last two years and that is just nature. That is how government works. That’s how the public sees issues. This is the one that bothers me the most right now, I want you to give it the most attention, the most money, on and on. I think that’s what we’re doing. I am going to be looking very closely at the next couple of years budgets. I think we owe it to ourselves to do that. I think you stressed to department heads too that there are going to be some tough times ahead when it comes to budgeting.



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“I just wanted to make everyone aware that this just isn’t simply a slam dunk deal, with whatever you need we’re going to do. It is going to take some real innovation on our part as a Board of County Commissioner and on the Manager’s part, the elected and the other department heads throughout the County to come up with as much savings as we possibly can in our future budgets in order to try to accommodate the growing need to have a larger facility to incarcerate criminals in Sedgwick County. I think that is going to be one of our main goals in the next couple of years. Thank you Mr. Chairman. Thank you Mr. Manager.”

**Chairman Winters** said, “Thank you Commissioner Schroeder. Commissioners, you’ve heard the Manager’s report, we’re going to act on these two items separately. We’re going to take Item D first, supplementing the Resolution number 125-1993.”

**MOTION**

Commissioner Hancock moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	No
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, “Thank you very much.”

**E. RECOMMENDATION OF THE BID BOARD TO ACCEPT THE LOW NEGOTIATED BID OF THE LAW COMPANY FOR CONSTRUCTION OF THE ADDITION TO AND REMODEL OF THE SEDGWICK COUNTY ADULT LOCAL DETENTION FACILITY.**

**Chairman Winters** said, “Commissioners, we now have Item E. Mr. Manager, do you need to make a comment about that?”

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**Mr. Buchanan** said, "Yes, if you please. I just want to let you know that in my dealings over the last month with the Law Company and Mr. Rich Kerschen, the President, that I have all the confidence in the world that the project will get done on time, within the budget that we have established and I'm pleased that we're doing business with them. We have spent a long time looking over every one of those details so there should be no surprises for anyone. It is with a great deal of confidence that I would recommend that you accept this low bid."

**Chairman Winters** said, "All right, thank you. Commissioner Schroeder."

**Commissioner Schroeder** said, "Just a quick comment. I wanted, as Betsy mentioned earlier, to thank the Law Company for being so gracious as to sit down at the table with us and negotiate with the lowest possible price on this project. Thank you, we appreciate that. I'm looking forward to working with the Law Company. I don't think I've had the opportunity or the pleasure to work with them on any major projects since I've been here and I'm looking forward to see how we do. Thank you."

**Chairman Winters** said, "All right, thank you. Mr. Manager, we have in the regular minutes of the Bid Board, we have all the tabulations so that actually is the item that we're going to be voting on now, is that correct? Is this Item E something else?"

**Mr. Buchanan** said, "This Item E is the acceptance of this bid specifically. Darren Muci will come to you at the end of the meeting and talk about the Bid Board items and you can accept it again, but what you are really doing is accepting the minutes of the Bid Board. It is the recommendation of the Bid Board to accept this bid and it is the architect's recommendation and the staff's recommendation to proceed."

**Chairman Winters** said, "And all the back up for it is in our Bid Board minutes?"

**Mr. Buchanan** said, "Yes."

**Chairman Winters** said, "Okay."

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**MOTION**

Commissioner Hancock moved to approve the recommendation of the Bid Board and accept the bid.

Chairman Winters seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	No
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you very much."

**Mr. Buchanan** said, "Thank you Commissioners, we appreciate it."

**Chairman Winters** said, "Sheriff, Joe Johnson, the Law Company, we certainly appreciate all the work that you've done. Don Brace, Stephanie of Capital Projects, thanks for all your work on this Board. Now we've started on a whole new phase. We have an Off Agenda item."

**MOTION**

Commissioner Schroeder moved to take an Off Agenda item.

Commissioner Hancock seconded the Motion.

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

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**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Commissioner Hancock** said, "Mr. Chairman, this is to adopt a Resolution appointing Mr. Earleywine as Clerk of Riverside Township."

**Commissioner Schroeder** said, "Do we have a resignation we need to adopt?"

**Chairman Winters** said, "We need to adopt the resignation."

**MOTION**

Commissioner Hancock moved to accept the resignation of Kelly Walton from the position of Clerk of Riverside Township.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you."

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**MOTION**

Commissioner Schroeder moved to adopt the Resolution appointing Bill Earleywine as the Clerk of Riverside Township.

Commissioner Hancock seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you very much. Is Mr. Earleywine here? Could you please come to the podium and we're going to have Karen Bailey from the Clerk's Office swear you in."

**Ms. Karen Bailey**, Operations Manager, County Clerk's Office, said, "Repeat after me.

*I do solemnly swear to support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Riverside Township Clerk."*

**Mr. Bill Earleywine repeated the oath**

**Ms. Bailey** said, "Thank you very much."

**Chairman Winters** said, "Thank you very much. We appreciate your willingness to serve and Karen needs your signature there before you get too far away. Madam Clerk, we'll be back to the regular agenda, please call item F."

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**F. RESOLUTION AMENDING CHAPTER 20, ARTICLE IV, OF THE  
SEDGWICK COUNTY CODE RELATING TO RULES AND REGULATIONS  
FOR THE USE OF SEDGWICK COUNTY PARKS, LAKES AND  
RECREATIONAL FACILITIES.**

**Mr. Jarold D. Harrison**, Assistant County Manager, greeted the Commissioners and said, “When we were developing the 1997 budgets, the staff recommended and you approved a license fee for Sedgwick County Park. This would be a joint license for both Sedgwick County and Lake Afton Park for fish. In October of this year, we were contacted by the Park and Recreation Department of the State and they indicated that this would put us in a different class for stocking of lakes, if we would be charging a fee for fishing. We are currently being stocked twice a month and in addition to that we have the trout stocking program for six months of the year. These programs would not be carried out if we charged this fee and we’ve calculated the loss in revenue from having to actually purchase twice a month and we think that at this point we would recommend to you that we eliminate the fee for a fishing license at Sedgwick County Park. We think we’ll be money ahead to do that. Be glad to answer any questions.”

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, “Thank you Jerry. Next item.”

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**G. EMERGENCY MEDICAL SERVICE (EMS).**

**1. AMENDMENT TO CONTRACT WITH UNIVERSAL MANAGEMENT SERVICES FOR EMERGENCY MEDICAL BILLING SERVICES AND ACCOUNTS RECEIVABLE ACTIVITIES.**

**Mr. Daryl Gardner**, County Controller, Bureau of Finance, greeted the Commissioners and said, "In October of 1995 we entered into an agreement with Universal Management Services to do our billing services and accounts receivables activities for the Department of EMS. At this time, due to lack of revenue and different situations surrounding that contract, we are asking for an Amendment to that Agreement to end those services as of February 15, 1997. Item two here will be to contract with a new company for services to be picked up at that time. If you have any questions, I'd be happy to answer them."

**Chairman Winters** said, "Okay. Commissioner Miller."

**Commissioner Miller** said, "Thank you Mr. Chairman. Daryl, what will be the provisions that are included within the contract that will allow for any additional billings that come through in the interim period to be taken care of."

**Mr. Gardner** said, "The existing company right now, with the terms and conditions of the amendment, will be for them to continue billing new charges through February 15 and allow them to follow up and collection activities on those accounts they have billed for approximately 120 to 180 days following that period of time. It is our intent not to completely stranglehold the company but to allow them to slowly phase out their activities and by doing this it will not choke the new company also. It will provide a lot of additional work on them by having to convert those old accounts."

**Commissioner Miller** said, "So this will allow them to continue the services without being choked up at either end."

**Mr. Gardner** said, "Correct."

**Commissioner Miller** said, "Thank you. Thank you very much Mr. Chairman."

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**Chairman Winters** said, "Thank you. Commissioners, any other questions regarding Item G-1?"

**MOTION**

Commissioner Miller moved to approve the Amendment to Contract and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	No
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you. Next item."

**2. CONTRACT WITH HEALTH CARE BILLING CONSULTANTS, INC. TO PROVIDE EMS MEDICAL BILLING SERVICES AND ACCOUNTS RECEIVABLE ACTIVITIES.**

**Mr. Gardner** said, "This Contract is with Health Care Billing Consultants, Inc., a local company on Rock Road, to provide services for EMS Billing Services and Accounts Receivables Activities. Under this Contract, the Accounting Department will oversee the activities of the company and work with the Contractor to make sure everything is collected on time and will work with them."

**Chairman Winters** said, "Okay, thank you Daryl. Commissioner Gwin."

**Commissioner Gwin** said, "Daryl, tell me what gives you confidence that this new firm will do any better job than the previous firm."



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**Mr. Gardner** said, "Tom Pollan and I have been through the company and we have observed their billing practices, the software they use, the organizational structure that they have in place to follow up on bills and invoices that they have sent out. We feel that this company is currently doing a volume of business that they can handle our activities. We have seen the operations and software that they have and we feel that they can do the job."

**Commissioner Gwin** said "The Account Department supervision, is that a new wrinkle to this?"

**Mr. Gardner** said, "Yes."

**Commissioner Gwin** said, "I'll tell you, that probably says more to me than what experience the company may or may not have. I think that is probably something that will give me more confidence in the future than I've had in the past. A combination of the two. I hope they'll be successful and if you feel it is not working, I expect you to come to us very quickly."

**Mr. Gardner** said, "Yes ma'am."

**Commissioner Gwin** said, "Okay, thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you Commissioner Gwin. Commissioners, are there other questions of Daryl? Commissioner Hancock."

**Commissioner Hancock** said, "Thank you Mr. Chairman. I just want to comment and Daryl I appreciate your staff and you taking the time to look over and keep watch over the billing company. We weren't happy with our own personnel doing the billing. Collections were about 60%. That seemed to us not a good idea so we made some changes. We tried something different and I think that was the thing that we were supposed to do. We took a look and we went through this experience. We took a look at that company and it seemed like not a good idea and not a good thing to do so we are on a new organization and we're going to try them. Now all this seems like some kind of a big mistake. Well, it depends upon how you look at it. We are trying to improve our collections in the area of EMS. Sometimes you do go backwards when you make changes. You do have to look at new alternatives and sometimes it doesn't work out. That's the way it works and that's the way it did work. Anybody out there is in business knows that is the way it works and often we're not successful. The important thing is we are aware of the situation and we are trying to make good decisions to remedy this situation."

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“Appreciate your work on this. Let us know, as Commissioner Gwin has said. Keep us abreast of how the collections are going. We’d certainly like to get back to where we were about two years ago but I do believe that we still made the right decision, 50% was not good enough for EMS billing collections. I think we should be doing better than that or find out why. So not everything goes as planned in this life, that’s one of those things, but we’ll keep punching away and maybe we’ll find the right answer here before long. Appreciate what you’re doing. Keep us atop of it. Thank you Mr. Chairman.”

**Chairman Winters** said, “Thank you. Commissioner Schroeder.”

**Commissioner Schroeder** said, “Mr. Chairman, if you please. Daryl, you and I had conversations on and off last week about this process and I appreciate all the work that you’ve put into this. If you like the idea of having somebody in the Accounts Receivable area to oversee the process and for years I’ve advocated that we do have a point of reference, a focal point if you will, on collections. Maybe we can work on this process through EMS on how that works, if it can work. We have others like Mental Health and I know there are others throughout the County that do their own collections. I think, if we put our heads together, and all the people involved in this process have a chance to look at any problems in any given departments that make collections like EMS that we can find some good solutions for what we’re doing and improve our collections as Commissioner Hancock says is our goal. I agree, our goal is to improve collections and do a better job in all those areas. I commend our staff for trying to make this better and I hope it will be better. If there is anything we can do to help in the process, we’re here to help and we hope that this one works out. Thank you. Thank you Mr. Chairman.”

**Chairman Winters** said, “Thank you.”

### **MOTION**

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

Commissioner Hancock seconded the Motion.

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

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**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you very much. Next item."

**H. CONTRACT WITH REGIONAL PREVENTION CENTER FOR USE OF 1997 COUNTY SPECIAL ALCOHOL AND DRUG PROGRAM FUNDS IN ACCORDANCE WITH THE 1997 BUDGET APPROPRIATION OF \$25,000 TO THE REGIONAL PREVENTION CENTER.**

**Mr. Marty Hughes**, Grants Manager, Accounting Department, greeted the Commissioners and said, "The Contract you have before you, the annual contract, with the Regional Prevention Center to fund the cost of the comprehensive drug alcohol abuse education, information, referral, and intervention services for people of Sedgwick County. The funding is provided through the 1997 budgeted alcohol funds generated by the State liquor tax. The County Counselor's Office has reviewed the agreement and approved as to form. I'll be glad to answer any questions that you have about it."

**MOTION**

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

Commissioner Hancock seconded the Motion.

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

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**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you."

**Mr. Hughes** said, "Normally the Director of the Drug Prevention Center comes by and gives us a brief report but I don't see them in the audience this morning. But they do regular reporting to Larry Davis at the City and so we keep up on that every month?"

**Chairman Winters** said, "Thank you. Next item."

**I. MEMORANDUM OF AGREEMENT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES COMMISSION OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES WHEREBY THE SEDGWICK COUNTY BUREAU OF COMPREHENSIVE COMMUNITY CARE WILL PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED PERSONS.**

**Ms. Deborah Donaldson**, Director, COMCARE, "All that really means is this is part of the refinancing that we went through which allows us to pay County dollars and resubmit to the State and then match them in federal dollars and essentially what that does is provide services to individuals who are developmentally disabled throughout Sedgwick County. Our ability to do this financing has essentially eliminated the waiting list I know you've heard so much about for so many years. I'd be glad to answer any questions."

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**MOTION**

Commissioner Hancock moved to approve the Memorandum of Agreement and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you. Next item."

**J. APPLICATION TO KANSAS DEPARTMENT OF COMMERCE AND HOUSING FOR AN ALLOCATION OF THE STATE'S PRIVATE ACTIVITY VOLUME CAP TO CONTINUE THE COUNTY'S MORTGAGE CREDIT CERTIFICATE PROGRAM.**

**Mr. Buchanan** said, "Commissioners, you have the information before you. Let me remind you that at the end of every year the State has funds that they haven't lent to small businesses for economic development or IRBs or other purposes which is reallocated. We are asking for the Commission to file an application to stand in line for those remaining funds."

**MOTION**

Commissioner Hancock moved to approve the Application and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

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**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you. Next item."

**K. FINAL ACCEPTANCE CERTIFICATE FOR THE 800 MHZ RADIO ENHANCEMENT PROJECT.**

**Ms. Diane Gage**, Director, Emergency Communications Department, greeted the Commissioners and said, "Back in December of last year we signed a contract with Motorola to have them install a four-site trunk 800 MHz system for Sedgwick County. We started this back on the second of January."

**Commissioner Schroeder** said, "It's still not ready to operate."

**Ms. Gage** said, "Last year we signed a contract with Motorola to have them install a four-site trunk 800 MHz system which we use for public safety in Sedgwick County. The system went live back on the 7th of October and we actually finished the project on the 19th of November. We have been working with our consultant, Ronald Vegemast, and have determined that the project meets specifications and in fact the workmanship on this project has been excellent. Some of you have toured up on the 12th floor and seen the site here at the Courthouse. With the final outcome was is we have a four site system. There is a site out by Goddard, by the Greyhound Park and the Greyhound not only included putting in a repeater we also built a tower out there. In addition, we have a site down by Haysville and one on the top of this building.

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“Before we put in this radio system, as you can see, kind of a small coverage on the left-hand side, that’s what our 800 system covered before. The people in the areas that aren’t shaded in would have to switch to conventional radio which meant they weren’t allowed to operate with the other public safety agencies for instance the cities of Cheney, Garden Plain, Mount Hope. If they wanted to talk to our communication center, they couldn’t interact with the Sheriff’s Department while doing so. This is the coverage that we have now on the right-hand side. We do have County wide coverage with the 800 MHz system. What we’re asking for today is that we sign off on the system. We have everything that we’ve asked for with it. All the work has been completed and we have all four-sites. We have a backup system better than what we had before. Our backup system now is up at the Epic Center and so should we, God forbid, lose this system or enough components of the system to take the entire system down, we’d be back to where we were before we ever did the enhancements. We have a very good backup system. I do have some peak users here with me today, members of the law enforcement community, our advisory board that are currently on the 800 system. What I’m asking for today is that we sign the final acceptance so we can complete our Contract with Motorola. I’d be glad to answer any questions.”

### **MOTION**

Commissioner Schroeder moved to approve the Final Acceptance Certificate and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

**Chairman Winters** said, “Commissioner Gwin has a question.”

**Commissioner Gwin** said, “Diane, when you and Mr. Vegemast were in my office, we talked a little bit about a problem we have out east and northeast with some overlapping and static. Talk to me a little bit about that.”

**Ms. Gage** said, “What it is, the Courthouse site only goes so far east. There’s a ridge when you get past Woodlawn, some sort of geographical ridge when you get out there, so when you get east of Woodlawn, the units that operate out there operate out of the Greyhound tower or the Haysville tower. The strength from both of those towers is about equal and there is a little bit of a popping sound that comes on the radio system out in the area. The field units are usually undisturbed. We don’t usually have problems hearing them, it’s just that there is some background noise in that part of the County.”

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**Commissioner Gwin** said, "Thanks. Is there any way to fix that or is that just one of those things?"

**Ms. Gage** said, "There's nothing we can do right now. It just has to do with us operating off of four different sites and before we only operated off of one so we never had signals from two different towers. It all came from one before and now there are two different towers that are synchronized so we get a little bit of noise in the background when they are about equal distance from two different sites."

**Commissioner Gwin** said, "But units operating out there can hear and can be heard, is that correct?"

**Ms. Gage** said, "Yes."

**Commissioner Gwin** said, "Okay. Thank you. In the western part of the County we were also concerned I remember because a lot of it didn't reach. I remember that the town of Cheney was one who had a real problem."

**Ms. Gage** said, "We aren't having that problem anymore. In fact, our Police Chief from Cheney is here with me today. I've gone out there and drove out in that area and I can't believe how good the signals are and I drove out there before and I would fall off the previous 800 system. You couldn't transmit on it when you got halfway between Goddard and Garden Plain. This goes well into the next County which we're not really trying to cover Kingman, but the fact that it overlaps that far allows us, if we did get into something such as a chase, that we had about the second week that this was in use, we never lost our units when we did stop the vehicle in Kingman County."

**Commissioner Gwin** said, "Thank you. Thank you Mr. Chairman. I know there are several individuals here who are going to use the service and I wondered if any of them want to get their two cents worth in before we move on."

**Chairman Winters** said, "Are any of the folks here who are users or stakeholders in this, would anyone like to say anything to the Commissioner at this time? Kind of a shy bunch."

**Commissioner Gwin** said, "Knowing some of them, I'm surprised. If they had a radio they could call us."



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**Chairman Winters** said, "Sheriff Hill or Chief Curmode, do either of you have anything you'd like to say? Everything seems to be working in an acceptable manner and Chief Garcia, I see you are here and we're glad you are here at our meeting today. I'm confident that if any of them had a problem they would be standing up and heading to the microphone. We appreciate you all coming in today and being here."

**Commissioner Hancock** said, "Are any of the Motorola people here?"

**Ms. Gage** said, "I have Bill Bruce here. He's been the project manager for Motorola for this entire project."

**Chairman Winters** said, "Okay, good. Commissioner Hancock."

**Commissioner Hancock** said, "I just wanted to say if anybody can remember back when we started this project and everybody up here had a cold. I was pretty hard on Motorola and was looking for alternatives. I just wanted to say that when a guy is wrong he should say so. I appreciate everything they've done. From what I hear from the staff and the people who have been doing this work and Mr. Vegemast, Motorola has been exceptional and we really appreciate their efforts, time and energies on this. It is a pretty good sized project for us and I want to thank them that I'm back on the team. Thank you very much, appreciate it."

**Chairman Winters** said, "Thank you Commissioner Hancock. Any other questions or comments? We have a Motion to accept the Final Acceptance Certificate on the project. Any other discussion? Seeing none, call the vote."

### VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "We thank all of you who are here today showing support for the system. Thank you for coming in, we appreciate that. Thank you Diane, appreciate all your hard work. Next item please."

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**L. KANSAS COLISEUM.**

**1. FACILITY AGREEMENT WITH WICHITA BASEBALL, INC.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "We have a couple of relationships with Wichita Baseball. The first one on this agenda here is a facility agreement which contracts Select-A-Seat to sell tickets for Wrangler Baseball and all other events held at large at Dumont Stadium. We do this separately because we are dealing with two different funds."

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Next item."

**2. TICKET OUTLET AGREEMENT WITH WICHITA BASEBALL, INC.**

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**Mr. Nath** said, "This second relationship we have with the Wichita Wranglers. This Agreement authorizes them and enables them to act as a ticket outlet on the Select-A-Seat system, making available at their location all the other event tickets that are currently on sale on the system. We do this separately because we are dealing with somebody else's money, it is a separate fund."

### **MOTION**

Commissioner Hancock moved to approve the Ticket Outlet Agreement and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

### **VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Next item."

### **3. RENTAL RATES FOR KANSAS COLISEUM AND ADJOINING FACILITIES FOR THE 1997 CALENDAR YEAR.**

**Mr. Nath** said, "Commissioners, we are required by resolution to submit minimum rental rates for the Coliseum at the beginning of every year. These rates have not been modified since 1989 and basically what we're trying to do is cover our base costs such as utilities. What we've set is a minor increase in livestock shows. What that is set to do, not to cover so much utilities, but to cover the dumping and tipping fees that we have to dispose of the refuse afterwards. We went from \$14 a ton and we just had notification about a month ago that it went to \$26 a ton. So we've increased stall rentals on horse stalls and the base rental by \$50 a day, which is kind of inconsequential but it will help us recover those costs."

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“The rates on the Coliseum have remained the same except that we have taken up our base rate \$1,000 to \$2,500 a day which really doesn’t affect the majority of our events since we are a percentage of ticket sales rental anyway.”

**Chairman Winters** said, “All right, thank you.”

**MOTION**

Commissioner Miller moved to approve the 1997 rental rates.

Commissioner Hancock seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, “Thank you very much John. Next item.”

**M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' DECEMBER 19, 1996 REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, “You have before you minutes from the December 19 meeting of the Board of Bids and Contracts. There are twelve items for consideration this morning.

**(1) READER/PRINTER - DISTRICT COURT  
FUNDING: DISTRICT COURT**

“Item one is a digital reader/printer for the District Court. Recommended to accept the low bid of Ikon Office Solutions in the amount of \$21,926.

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(2) **INTERLINK MAINTENANCE AGREEMENT - INFORMATION SERVICES**  
**FUNDING: INFORMATION SERVICES**

“Item two, maintenance agreement with Interlink Incorporated for Information Services. It was moved to accept the sole source bid of Interlink Computer Sciences, in the amount of \$33,377.20. That is maintenance for 1997.

(3) **SOFTWARE MAINTENANCE AGREEMENT - INFORMATION SERVICES**  
**FUNDING: INFORMATION SERVICES**

“Item three, again software maintenance agreement for Information Services. This time, Computer Associates for the various software packages you see listed. It was recommended to accept the sole source bid of Computer Associates in the amount of \$36,957.90.

(4) **HARDWARE MAINTENANCE AGREEMENT - INFORMATION SERVICES**  
**FUNDING: INFORMATION SERVICES**

“Item four, hardware maintenance agreement for Information Services. It was recommended to accept the sole source bid of Storage Technology, in the amount of \$29,928.36. That is maintenance for the Iceberg database equipment for 1997.

(5) **COPY MACHINE - DISTRICT ATTORNEY**  
**FUNDING: PROSECUTING ATTORNEY TRUST FUND**

“Item five is a copy machine for District Court. It was moved to accept the low bid meeting specifications of Business Systems, Inc., in the amount of \$13,062. That is the outright purchase price.

(6) **PERSONAL COMPUTER HARDWARE & SOFTWARE - SHERIFF**  
**FUNDING: SHERIFF**

“Item six, personal computer hardware and software for the Sedgwick County Sheriff. It was recommended to accept the low bid of Computerland East. That was an alternate bid without installation, for \$19,018.24. You will note that since we make use of existing funds, it was recommended to increase that order by one PC, token ring, and WordPerfect software and an additional printer and the total with this particular vender is \$22,417.59.

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**(7) INTERMEDIATE 4 DOOR SEDANS - MOTOR POOL**  
**FUNDING: MOTOR POOL**

“Item seven are intermediate four door sedans for Central Motor Pool and the Sedgwick County Sheriff. It was recommended to accept the low bid meeting specifications of Don Schmid Dodge in the amount of \$52,542.

**(8) TRUCK WITH UTILITY BODY - MOTOR POOL**  
**FUNDING: MOTOR POOL**

“Item eight is a truck with utility body for Central Motor Pool and the Sewer Department. It was recommended to accept the low bid of Frye Chevrolet, with trade, in the amount of \$19,591.

**(9) THERMAL CYCLER - FORENSIC SCIENCE CENTER**  
**FUNDING: DNA GRANT**

“Item nine is a thermal cycler for the Forensic Science Center. It was recommended to accept the sole source bid of Perkin Elmer in the amount of \$13,952.05.

**(10) SECURITY FENCE - CAPITAL PROJECTS**  
**FUNDING: CAPITAL PROJECTS**

“Item ten, security fencing for Capital Projects and the Juvenile Detention Facility. It was recommended to accept the low negotiated bid, the only negotiated bid, of Neal’s Construction, in the amount of \$88,550.

**(11) TRASH SERVICE - VARIOUS DEPARTMENTS**  
**FUNDING: VARIOUS DEPARTMENTS**

“Item eleven, trash service for various departments. It was recommended to accept the low bid of BFI Incorporated in the estimated yearly amount of \$54,168, based upon current departmental requirements.

**(12) EXPANSION OF ADULT DETENTION FACILITY - CAPITAL PROJECTS**  
**FUNDING: CAPITAL PROJECTS**

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“Item twelve is the expansion of the Adult Detention Facility for Capital Projects. This item was recommended to you earlier to accept the low negotiated bid of The Law Company. There are six pages of tabulation for the expansion of the detention facility.

### **ITEMS NOT REQUIRING BOCC ACTION**

**(13) FUME EXTRACTION SYSTEM - MOTOR POOL**  
**FUNDING: MOTOR POOL**

**(14) CHAIR STANDARDS - VARIOUS DEPARTMENTS**  
**FUNDING: PURCHASING**

“There are two items that do not require action at this particular time. Those include a fume extraction system for Central Motor Pool and it was recommended to table this item indefinitely for review and chair standards for various departments and Capital Projects. It was recommended to table and receive and file the information received for this particular solicitation.”

### **MOTION**

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

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, “Commissioner Miller.”

**Commissioner Miller** said, “Yes Mr. Chairman. Darren, Item 11, regarding BFI, the Contract with BFI, is that going to include the proposed rate changes?”

**Mr. Muci** said, “Yes, it does?”

**Commissioner Miller** said, “How much is it in comparison with what we paid last year?”

**Mr. Muci** said, “This is a significant increase and that is based upon the tipping fees that have increased for our local landfill. Mr. Nath alluded to this a little bit earlier for the Kansas Coliseum.”

**Special Meeting, December 23, 1996**

**Commissioner Miller** said, "Can you get me the actual amount?"

**Mr. Muci** said, "Quick estimate based upon our last bid, which was finalized in 1993, there has been a \$30,000 increase. However, that includes several additional sites and some sites that have required additional services."

**Commissioner Miller** said, "Okay, very good. Thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "I was going to say that it must have been some time ago because I can't remember when we had this bid previously."

**Mr. Muci** said, "It was a three-year contract."

**Chairman Winters** said, "Very good. Commissioners, other questions? We have a Motion. Any other questions or discussion? Seeing none, call the vote."

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you Darren. Next item."

**CONSENT AGENDA**

**N. CONSENT AGENDA.**

**1. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C96110	\$470.00	5	Helms Rental Property
C96109	\$169.00	5	William Favreau



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2. **The following Section 8 Housing Contracts are being amended to reflect a revised monthly amount due to a change in the income level of the participating client.**

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V96009	\$204.00	\$178.00
V95016	\$39.00	\$25.00
V95030	\$473.00	\$162.00
C96017	\$172.00	\$163.00
V93063	\$274.00	\$264.00

3. **Contracts with March, Inc., d/b/a Assisted Healthcare, Life Patterns, Inc., Caring Touch Home Health Services, Progressive Home Healthcare, Charles Collier, Epimelos Associates, Mi Casa Bridge-Point Home Health Care Services, Wichita Lifeline, Inc., Special Care Services, Dependable Home HealthCare Inc., Craig Resources, d/b/a Craig HomeCare.**
4. **Order dated December 18, 1996 to correct tax roll for change of assessment.**
5. **Consideration of the Check Register of December 20, 1996.**
6. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960806	Animal Control	Transfer
960807	Code Enforcement	Transfer
960808	Geographic Info Systems	Transfer
960809	Emergency Medical Svc.	Transfer
960810	Information Services	Transfer
960811	Auto License	Transfer
960812	COMCARE-Outpatient Svcs.	Transfer
960813	Central Motor Pool	Transfer

**Special Meeting, December 23, 1996**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960814	COMCARE-ATS	Transfer
960815	Community Policing	Supplemental Approp.
960816	Finance General	Transfer
960817	Capital Projects	Supplemental Approp.
960819	Housing-HUD Vouchers/ Certificates/Gateway	Supplemental Approp.
960820	Corrections	Transfer
960824	Detention Facility Expansion	Supplemental Approp.
960825	Savanna at Castle Rock 8th Addition-Street	Supplemental Approp.

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda before you and I would recommend you approve it with one exception, item three. We wish to defer item three."

**MOTION**

Commissioner Miller moved to approve the Consent Agenda with the exception of item three which will be deferred.

Commissioner Hancock seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you. Next item."

**O. OTHER.**

Special Meeting, December 23, 1996

**1. RESOLUTION AMENDING CHAPTER 5, ARTICLE I, OF THE SEDGWICK COUNTY CODE RELATING TO ANIMAL PICKUP FEES.**

**Mr. Sherdeill H. Breathett, Sr.**, Director, Animal Control Department, greeted the Commissioners and said, "This again is based on our meeting that we had back in July. The cost for pickup of animals that were for euthanasia as well as dead animal pickup based on a 1982 costs, \$5 and it is a little lopsided because our cost to take them to the Shelter that we contract with the Wichita/Sedgwick County Health Department at that time was \$12. Our cost will increase as of January 1, 1997. An animal alive would be \$16 and we're asking that the costs be amended to reflect the 1997 costs and be at \$20 per animal that would be picked up. We're asking that you accept the change."

**MOTION**

Commissioner Hancock moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, "Sherdeill, who will be paying these increased fees? Who are the folks that are going to see the increase?"

**Mr. Breathett** said, "The residents or the person who has called to report that an animal is deceased and they need to have it removed, that person is also responsible to pay for pickup costs as well."

**Chairman Winters** said, "Okay, how about the smaller communities? What's their involvement here? Goddard, Cheney?"

**Mr. Breathett** said, "The impact upon the smaller cities is basically the same thing, one of the things that we're looking at. We'll be coming back to you in the first part of the year, is the local agreements that have been established with the second and third class cities. One thing that has occurred is that there has been a violation of County Code for some years now because we have been delivering service to the incorporated cities where there has been no agreements established."

## Special Meeting, December 23, 1996

**Chairman Winters** said, "Okay, so this change here won't be a change in what we've previously been doing whether it was right or wrong. This is not the one that is going to shift the costs to the local communities?"

**Mr. Breathett** said, "That's correct, this is not."

**Chairman Winters** said, "Okay, Commissioner Schroeder."

**Commissioner Schroeder** said, "Mr. Chairman. So I understand this clearly, and I didn't get a chance to talk to you Friday. If I had a pet or an animal that is deceased and I asked the County to come out and pick that animal up, then I am charged to do that?"

**Mr. Breathett** said, "Yes sir. In the past it was a \$5 fee."

**Commissioner Schroeder** said, "And it is going to what now?"

**Mr. Breathett** said, "Twenty dollars."

**Commissioner Schroeder** said, "How does the City of Wichita handle the same kind of call? Do you know, what kind of fee they charge?"

**Mr. Breathett** said, "I'm not sure they provide that service, as far as the dead animal pickup. Again, if the person wants the animal euthanised, that's also a part of this. If they were to take that animal to a veterinary services, it is going to cost them \$26 and they are also going to the work of taking that animal to the veterinarian for that euthanasia purpose. I'm not sure if the City provides this service."

**Commissioner Schroeder** said, "This is the unincorporated areas?"

**Mr. Breathett** said, "Unincorporated as well as incorporated."

**Commissioner Schroeder** said, "Okay, if we do it within the incorporated areas, we have got to have an interlocal agreement with that City."

**Special Meeting, December 23, 1996**

**Mr. Breathett** said, "As far as this is concerned, I don't see how it would have any impact as far as an interlocal agreement. We are, right now, I've met with Derby and things look very favorable. If the cities do not come into an agreement, they can provide their own services and there are others that are not willing to adopt County Codes, but what they're going to ask us to do is pick up their animals at a holding facility and then deliver those animals to the shelter."

**Commissioner Schroeder** said, "Then do we charge?"

**Mr. Breathett** said, "Yes, there will be a charge for that."

**Commissioner Schroeder** said, "Thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Commissioners, we have a Motion and a second, is there any further discussion? Seeing none, call the vote."

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Next item."

**2. RESOLUTION ACCEPTING AND SIGNING AN ANIMAL SHELTER AGREEMENT WITH THE WICHITA-SEDGWICK COUNTY HEALTH DEPARTMENT TO PROVIDE ANIMAL SHELTER SERVICES TO SEDGWICK COUNTY ANIMAL CONTROL.**

**Mr. Breathett** said, "This is a piece that we definitely need since we don't have a holding facility for animals in Sedgwick County. We do contract with the City of Wichita and the Health Department. They have come to us with a new shelter agreement and we have visited on a regular basis with the Advisory Board for Animal Control in Sedgwick County and we have sent this through Legal. We ask that you adopt the Resolution."

**Special Meeting, December 23, 1996**

**Chairman Winters** said, "Commissioner Schroeder."

**Commissioner Schroeder** said, "Mr. Chairman, a quick question. Sherdeill, both of these issues, were they passed by the advisory board?"

**Mr. Breathett** said, "Yes sir."

**Commissioner Schroeder** said, "And they were unanimously approved?"

**Mr. Breathett** said, "Yes sir."

**Commissioner Schroeder** said, "Okay, thank you."

**MOTION**

Commissioner Miller moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "That is all the regular scheduled items I believe. At this time, I'm going to recess the Special Meeting of December 23, 1996."

**The Board of Sedgwick County Commissioners recessed in to the Fire District Meeting at 10:35 and returned at 10:40.**

**Chairman Winters** said, "I call back to order the Special Meeting of December 23. We do need an Executive Session. I think probably twenty minutes will be sufficient."

Special Meeting, December 23, 1996

**MOTION**

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for twenty minutes to consider personnel matters of non-elected personnel and that the Board of County Commissioners will return from Executive Session no sooner than 11:00 a.m.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "We are in recess for twenty minutes."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 10:40 and returned at 11:03.**

**Chairman Winters** said, "Let the record show that there was no binding action taken in Executive Session. Is there any other business to come before this Board? Seeing none, we're adjourned."

**P. ADJOURNMENT**

Special Meeting, December 23, 1996

There being no other business to come before the Board, the Meeting was adjourned at 11:03 a.m.

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

\_\_\_\_\_  
**THOMAS G. WINTERS**, Chairman  
Third District

\_\_\_\_\_  
**MELODY C. MILLER**, Chair Pro Tem  
Fourth District

\_\_\_\_\_  
**BETSY GWIN**, Commissioner  
First District

\_\_\_\_\_  
**PAUL W. HANCOCK**, Commissioner  
Second District

\_\_\_\_\_  
**MARK F. SCHROEDER**, Commissioner  
Fifth District

ATTEST:

\_\_\_\_\_  
**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1996