

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JULY 1, 1998

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, July 1, 1998, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Mark F. Schroeder; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Melody C. Miller; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Marty Hughes, Grant Manager, Bureau of Finance; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; Mary Anne Nichols, Personnel Director; James Alford, County Clerk; Louanna Honeycutt Burress, Administrative Officer, Department of Housing and Economic Development; Bob Lamkey, Director, Central Motor Pool; Cecile Gough, Assistant Director, Department of Corrections; Stephanie Knebel, Project Manager, Capital Projects; Jim Weber, Director, Sewer Operations and Maintenance; Deborah Donaldson, Executive Director, COMCARE; and Ms. Linda Leggett, Deputy County Clerk.

GUESTS

Mr. Ross Viner, President, Drums Across Kansas.

Mr. Eugene Anderson, 1832 N. Poplar, Wichita, Kansas.

Ms. Dorothy Young, Senior Youth Counselor, Department of Corrections.

INVOCATION

The Invocation was given by Mr. David Cline of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES: Regular Meeting, June 10, 1998

The Clerk reported that all Commissioners were present at the Regular Meeting of June 10, 1998.

Chairman Schroeder said, "Commissioners, you've received the Minutes of the meeting, what's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the Minutes of June 10, 1998.

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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

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

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

Mr. Marty Hughes, Bureau of Finance, greeted the Commissioners and said, "I certify that there are funds available for those items that have been identified on the Regular Agenda requiring the expenditure of funds. A listing of these items was provided to you previously. I'd be glad to answer any questions you might have."

Chairman Schroeder said, "Thank you. I see no questions. Next item please."

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PROCLAMATIONS

A. PROCLAMATIONS.

1. PROCLAMATION DECLARING JUNE 27 - JULY 1, 1998 AS "NATIONAL ASSOCIATION OF STUDENT COUNCIL DAYS."

Chairman Schroeder said, "I have that Proclamation which I will read into the record."

PROCLAMATION

WHEREAS, Derby, Kansas is the host to the 1998 62nd National Association of Student Council, NASC Conference, June 27 through July 1, 1998, the community of Derby has come together to provide an array of services, financial support and hospitality; and

WHEREAS, NASC Conference is a yearly high school leadership conference sponsored by the National Association of Secondary School Principals and hosted by a sponsoring school;

WHEREAS, conference members and advisors represent all 50 states, Canada, Porta Rico, and Australia with more than 2,000 student leaders and advisors attending; and

WHEREAS, the schedule of diverse topics include leadership, education, group motivation, and service projects; and

WHEREAS, between 500 to 500 local students will be involved in the conference by hosting visitors, presenting curriculum during the five day event;

NOW THEREFORE BE IT RESOLVED, that I, Mark Schroeder, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim June 27 through July 1, 1998, as

"NATIONAL ASSOCIATION OF STUDENT COUNCIL DAYS"

in Sedgwick County, and support the future leaders of tomorrow."

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MOTION

Chairman Schroeder moved to adopt the Proclamation 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 W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, "Fred, do we have anybody here today to accept the Proclamation? Okay, thank you. Next item please."

2. PROCLAMATION DECLARING JULY 21, 1998 AS "DRUMS ACROSS KANSAS DAY."

Chairman Schroeder said, "Commissioners, I have that Proclamation that I will read into the record."

PROCLAMATION

WHEREAS, Drums Across Kansas Incorporated will welcome to Wichita Drum Core International 1998 Edition of the Summer Music Games on July 21; and

WHEREAS, Cessna Stadium will be one of the few stops on a nation wide tour leading up to the DCI World Championships in Orlando, Florida; and

WHEREAS, young people and directors from outlying communities will be coming to Wichita to few this event, which is an opportunity for local music students to see the highest caliber performers locally instead of traveling hundreds of miles to the nearest show; and

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WHEREAS, since drum core participation is extremely competitive and involves young people from 13 to 22 years of age, an event such as this can focus a child's attention on the opportunities available to them, give them goals, and provide positive alternatives to gangs, drugs, and alcohol;

NOW THEREFORE BE IT RESOLVED, that I, Mark Schroeder, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim July 21, 1998 as

“DRUMS ACROSS KANSAS DAY”

in Sedgwick County, and encourage area parents to make this opportunity available to their children by taking them to Cessna Stadium on July 21, 1998.

MOTION

Chairman Schroeder moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Miller 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, “Today we have Ross Viner with us, President of Drums Across Kansas. Ross, welcome.”

Mr. Ross Viner said, “Looking forward to this event. This is a great youth activity. This is the second year we've had it. We had it at Wichita South and sold out the stadium. This year we have moved it to Cessna Stadium so it should be a great event. Hope everybody can come.”

Chairman Schroeder said, “Let's hope you sell out Cessna Stadium.”

Mr. Viner said, “Big task.”

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Chairman Schroeder said, "I know. Good luck to you. Thank you for being here. Next item please."

APPOINTMENT

B. APPOINTMENT.

1. RESIGNATION OF MORRIS K. DUNLAP FROM HIS APPOINTMENT TO THE METROPOLITAN AREA PLANNING COMMISSION (MAPC).

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "Commissioners, we've received this letter of resignation and at this time it would be appropriate for you to accept it."

MOTION

Commissioner Gwin moved to accept the resignation.

Commissioner Winters 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

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

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2. RESOLUTION APPOINTING GEORGE FULP (COMMISSIONER GWIN'S APPOINTMENT) TO THE MAPC.

Mr. Euson said, "Commissioners, the Metropolitan Area Planning Commission is a 14 member board to which the Board of County Commissioners has 7 appointments. This particular appointment would fill the vacancy just created. It is for a term to expire on August 31, 1999. The Resolution is in proper form and I know that Mr. Fulp is present."

Chairman Schroeder said, "Thank you, Mr. Euson. Discussion on this item?"

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, "George, you are here with us today. Would you like to come up and be sworn in?"

Mr. James Alford, County Clerk, said, "Please raise your right hand and repeat after me."

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Metropolitan Area Planning Committee, so help me God."

Mr. George Fulp repeated the oath and said, "So help me God."

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Chairman Schroeder said, "George, thank you for offering to serve. Regardless of you being Betsy's appointment, we think you'll still do a great job. Welcome aboard, glad to have you here today. Thank you again. Next item please."

RETIREMENT PRESENTATION

D. PRESENTATION OF RETIREMENT CLOCK TO DOROTHY YOUNG, SENIOR YOUTH COUNSELOR, CORRECTIONS.

Ms. Mary Anne Nichols, Personnel Director, greeted the Commissioners and said, "It is my privilege this morning on behalf of the Board to present a retirement certificate to Dorothy Young. Dorothy is a Senior Youth Counselor with Corrections and she will retire August 1, 1998 after nine years of service. Dorothy was hired on February 27, 1989, as a Youth Counselor and was promoted to Senior Youth Counselor on January 1, 1992.

"Dorothy tells us that she plans to spend time with her son, daughter, and grandchildren. She has siblings in California and Connecticut and other relatives and friends in New England. Dorothy's hobbies include oil painting, swimming, theater, and church activities.

"Departments that she has worked in while at Sedgwick County include Youth Services, Judge Riddel Boy's Ranch, and the Chemical Dependency Program. Her job was never boring. It was full of varied experiences. She hopes that the County will continue to support youth and family treatment. She is pleased that she may have helped some young people and families to change the direction of their lives. We want to congratulate Dorothy on her retirement."

Chairman Schroeder said, "On behalf of the Board of Sedgwick County Commissioners, we want to present you with this 10 pound clock. Just don't put it on any shelf when you get home, because I'm telling you, it's heavy. We want to extend to you our sincere appreciation for the years of service you've given to us and to the community. We really appreciate it, and we wish you the best in your retirement. Congratulations."

Ms. Dorothy Young said, "It has been a pleasure to work with the youth and families and with the County. I started out with the State and kind of worked this way. I'm going to miss it, but I'm going to be glad to be around the pool and be able to take advantage of some of the things I've looked forward to. Thank you."

Chairman Schroeder said, "Thank you."

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Commissioner Hancock said, "Next item please."

PUBLIC HEARING

E. PUBLIC HEARING AND RESOLUTION REGARDING ISSUANCE OF INDUSTRIAL REVENUE BONDS BY THE CITY OF WICHITA TO FINANCE CERTAIN FACILITIES TO BE LEASED BY THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF WICHITA, KANSAS.

Ms. Louanna Honeycutt Burress, Administrative Officer, Department of Housing and Economic Development, greeted the Commissioners and said, "The City of Wichita has agreed to issue industrial revenue bonds on behalf of the Young Men's Christian Association, in an amount not to exceed \$8,000,000. The purpose of the issuance is to finance the acquisition, construction, and equipment of a new south branch YMCA in the City of Wichita. The same issue is planned to be used to finance the construction and acquisition of equipment and improvements at Camp Hyde, which is a YMCA Camp located in the unincorporated area of the County.

"Because a portion of the issue will be used in the unincorporated area of the County, outside the area that the City of Wichita can automatically issue IRBs, it is necessary for the County to approve the issuance of this issue of the bonds. Before you can take action on the Resolution, you also must conduct a public hearing to allow comment. The action that I'm recommending this morning is that you conduct a public hearing and then approve the Resolution allowing the City of Wichita to issue these bonds."

Chairman Schroeder said, "Thank you Louanna. Discussion on this item? At this time, we'll open up the meeting to public comment. If anybody would like to be heard on this item, please come forward. Seeing none, we will close the public comment and limit discussion to bench and staff. Commissioners, what's the will of the Board?"

MOTION

Commissioner Winters moved to adopt the Resolution.

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

Chairman Schroeder said, "Thank you. Next item please."

DEFERRED ITEM

F. DISCUSSION CONCERNING PROPOSED BALLOT QUESTION REGARDING CONSOLIDATION OF SEDGWICK COUNTY AND CITY OF WICHITA GOVERNING BODIES.

Chairman Schroeder said, "Discussion? Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. I had the County Manager put this item on our agenda as a result of two weeks ago the City Council taking action to go ahead and put the consolidation question on the ballot. I haven't visited with any of you about this too much, just in passing in the hallways. I'm not sure how any of you feel about us joining the City. I think it is pretty important, as far as I'm concerned, to have the whole County vote on the question and give everybody an opportunity to say what they have to say about it, either yes or no, as the City's question is asked.

"I've been, for some time, concerned about and wanting to have a look at governmental structures here in Sedgwick County and I think this is probably a first step. I'm not so sure it is the right step, but I'd be willing to go forward with it. I think it is important that Sedgwick County, we take a look at the structure that we have along with the City of Wichita, but for us, as a Commission, I think it is important that we take a look at the structures that we have here to see how effective we are today and how effective we think that we might be in the future.

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“It is an opportunity that we really haven’t had before. Many other counties and many other cities don’t have the same opportunity that we have to review our structure and look at its effectiveness and how it provides leadership to the community. We have an opportunity, I think, over the next couple of years to look at these things from a position of strength and desire. An opportunity to look at them because we want to, because we want to go from good to great. Not because we are in need, not because we are weak, and not because we are having some kind of crisis, but look at how effective we are and see what we can do to change how we operate in the near future.

“In these times of economic opportunity and growth and stability, with both the City of Wichita and Sedgwick County, it is a rare time for us to take a look at things and see how we can do a little bit better. However, I will say and probably tend to make a motion that we join the City and bring this question on the ballot. I will say as a Commissioner, this will be the last time that I will ever vote to put a non-binding question on a ballot. I won’t do it again. The ballot box is not a public poll, an opinion poll. It is where people go to cast votes where results are expected and known and will happen. I don’t care who comes to us again and asks us to join them, the answer is no. As far as I’m concerned, as long as I’m Commissioner, for the next 2 ½ years, don’t ask, because the answer is going to be no. If the Legislature feels that we ought to be able to do this, then let them pass a law and allow us to do it. If the Attorney General says that this is not lawful, then she needs to say so clearly and prohibit it, and not become as weak kneed as in my view she has been on this issue. She needs to state clearly that it is either lawful or it is not lawful and permit it or not permit it. This is the last time that I will be railroaded into putting something on a ballot, a non-binding question where it doesn’t belong without authority to do so. I would like to hear what the other Commissioners have to say about this idea that I’ve talked about and what they think we ought to do.”

Chairman Schroeder said, “Thank you. Commissioner Gwin.”

Commissioner Gwin said, “Thank you, Mr. Chairman. Commissioner Hancock, I certainly echo a number of the issues that you raised to us. I think one of the things that this body hoped to accomplish a couple of weeks ago was to persuade the City of Wichita to wait a little longer to ask this question. Again, I think we had some concern about a rather wishy-washy opinion from the Attorney General and I think the Board expressed its concern about putting non-binding questions on a ballot. I think in our way, we had hoped to persuade the City that they should maybe wait and let us formulate a better question, let us find an opportunity to get input from more citizens or even more voters by putting it on the November ballot. We were not able to do that and the City Council of the City of Wichita seems determined to ask this question at the primary. I’m going to support extending that question County wide.

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“The reason I’m going to do that is because I believe if a question is going to be asked of a particular neighborhood that is going to effect the entire community, then I think all the neighborhoods need to tell us or the people who care to go to the polls to tell us, all of the neighborhoods need to have input. This is an issue that we are certainly aware will effect every one of us who lives and works in this County. If we’re going to start down this road then I think all of us need to be a part not only of the problem but certainly of the solution.

“Even though I would like a better question, and this is not the method that I would prefer, I think there are citizens outside the corporate city limits of Wichita who want to express their opinion and I think we need to allow that. I would also say, however, that it certainly looks apparent to me that there is a very strong agenda by some to continue this. If that is the direction, I think this Board needs to continue with the idea of the mail survey or mail questionnaire that goes to every registered voter in this County to find more direction, to get more input, to ask different questions, to ask questions that will help us as we look at this issue more than just a yes or no question. I would support a resolution today making this non-binding question a part of the vote in August. I would also encourage us to continue with the idea of a questionnaire. Thank you, Mr. Chairman.”

Chairman Schroeder said, “Thank you. I see no other lights. I’m going to make a comment before we ask if there is anybody in the audience who would like to speak to this. I agree with going ahead with joining the City in this, and I also suggest as the others have that we do a scientific poll or survey and in that poll or survey that we get the variations of the question, whether we are talking about a total consolidation or functional issues. If you consolidate, what it really does for a community, what it doesn’t do for a community. I think there are some mis-conceptions out there about what consolidation really does for a community. I think it is upon us and it is only fair to us and to our constituents that we give them the right information so they can make an educated guess. Well, not a guess, but it is a guess in some ways. To make an educated attempt to answer the question. If we give them the right information, I think we can get a more accurate opinion of the public. That’s what I’m after. I’d like to know what everybody in the County thinks about this issue. I’m going to support it also. Commissioner Miller.”

Commissioner Miller said, “Thank you, Mr. Chairman. I do appreciate your stating that you will possibly be able to ask for any comments from the audience. I am not going to be able to support this action. It is based on the same conversation that I discussed with the Board two weeks ago.

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“The question, first of all, is non-binding and it is a question that has some ambiguity in it. In fact, it is filtered with ambiguity. I don’t see where the public will get anything out of it with the exception of being able to state their opinion, and it will be only a certain portion of the public that will actually respond at the ballot. I think we discussed this at some length two weeks ago. There have been at least two editorials that have spoken to this, that in placing this very important question on a ballot at the primary you will only, you’re results will be somewhat skewed. You will only get a certain percentage of the public that will go to the polls to begin with and that will actually cast their vote on this non-binding question.

“Two weeks ago we spoke very clearly of how we were opposed to that. It sounds as though there is going to be a majority of this board that is going to basically turn around and support that. I understand that it is because you are wanting to give those residents that live in the unincorporated areas a voice in this issue, just as the City is going to give, no matter what we do or say, the residents of the City of Wichita an opportunity to respond to this question. From an educator’s perspective, there are principles where at some point in time you need to be able to stand and stand firmly and that is what I intend to do with this question. Thank you.”

Chairman Schroeder said, “Thank you, Commissioner. Any other questions or comments at this time from the Commission? If not, I understand that we do have an individual, Mr. Anderson, that wants to speak to this item. Please come forward and state your name for the record. You’re limited to five minutes.”

Mr. Eugene Anderson, 1832 N. Poplar, Wichita, Kansas, greeted the Commissioners and said, “Mr. Chairman and ladies of the Commission, I appreciate this opportunity to share some remarks with you regarding this important matter. While I applaud Mayor Bob Knight for having the fortitude to champion the effort for citizens to vote on the question of a city county government merger, I must take exception to his approach in putting this matter before the voting public, or better yet, the citizens who reside within the corporate limits of the City of Wichita.

“This approach is flawed for several reasons. First, it denies the opportunity for other cities whose citizens are part of Sedgwick County to participate. Secondly, it places non-affiliated voters in a position of very limited participation in this decision making process. Lastly, it places a question of major importance on a primary ballot where voter turnout is often minimal. There are approximately 40,000 registered voters in the Fourth County Commission District where I live. Close to 10,000 of those voters are not affiliated with any political party. Those voters have known for years that they are not allowed to participate in primary elections to vote for the candidate of their choices.

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“Election Commissioner, Marilyn Chapman stated, standing at this podium last week, that non-affiliated voters can only vote on a primary on a ballot question. Realistically speaking, how many of those 10,000 voters do you think are going to go to the polls to vote on a ballot question while being denied the opportunity to vote on anything else?”

“Although the approach that the County Commission suggested on the meeting on June 17, 1998, does not resolve the question in a manner that tends to foster good government, that is in my opinion, however, it is a giant step above the approach pushed by Mayor Knight and supported by the City Council. At this point, let us all stop and step back and revisit a report presented to the Sedgwick County Commission and the City Council by the Partnership 21 Task Force on December 8, 1992. This report, entitled, Reshaping Wichita Sedgwick County Government was developed by a group of 20 citizens from throughout the County whose activities were supported by financial data compiled by the Hugo Wall Center for Urban Studies of Wichita State University. This report recommended what would be an ideal approach to getting this question on the ballot before the voting public.

“On page 43, and I would like to share that language with you from that report, we believe it is essential that the entire community of Wichita Sedgwick County, be given an opportunity to decide the issue of consolidation and that such decision be made by voting on a specific plan of consolidation. It is also recommended that any measure related to consolidation of Wichita Sedgwick County governing bodies be referred to the voters by way of a mail ballot. Kansas law provides provisions for such ballots which have been used in Sedgwick County and throughout Kansas. Participation in mail ballot referenda is substantially increased over referenda conducted in polling places. Every effort should be made to enhance voter participation and an election as vital to the community as merging city and county government. Costs for such a mail ballot election would be virtually the same as a speciality election held at polling places, but the cost per voter would be markedly decreased with the use of a mail ballot. You appointed this body, you and the City. That’s what they recommended. Election Commissioner, Marilyn Chapman has proof that mail ballots attract 75% of registered voters in Wichita Sedgwick County, Kansas. I strongly believe that this percentage of voters would provide much better reading on how the voting public really feels about this important issue.

“Some might argue the costs of a mail ballot report, but in reality, city and county government will waste more than it costs to include all the voters in this important decision making process before noon today. That again, is in my opinion. Thank you very much.”

Chairman Schroeder said, “Thank you, Mr. Anderson. There may be questions. Commissioner Gwin.”

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Commissioner Gwin said, "Just a comment. Mr. Anderson, thanks for being here this morning. I don't disagree with what the Partnership 21 task force said and recommended and I think speaking for myself, only that if you or others could get the City Council to back off and go about this in a more reasoned approach to learning what we need to know about how to proceed or how to govern our future, then I would be happy to encourage that also and to proceed in a more deliberative manner. Barring that, as I said earlier, however, as long as they seem dead set on asking this question at the primary, my support is going to be based upon the fact, although I don't like the question and I don't think it is going to get to many folks, you're sure right, but if the question is going to be asked, it needs to be asked of anyone who cares to come to the polls. But you made very good points and if we do adopt a resolution to proceed today, if you or others can get the Wichita City Council to step back from that and to reverse their previous decision, then I for one would support that also. You've made some very valid points and those are some of the things we've wrestled with. The only reason I would support this today is because the City is adamant about proceeding. If they do so, then I want to allow those people who live outside the City a voice too."

Mr. Anderson said, "That is well taken Commissioner Gwin. I appreciate that. I had no idea that after the June 17 meeting that the City Council would call a meeting that afternoon. I had every intention to state to them the same thing I stated to you this morning. Unfortunately, I did not have that opportunity. I have no reservations about calling Mayor Knight and expressing my views to him personally. I think it is wrong. I don't think we need to be this pushy on this matter. We've had this report since 1992 and we haven't done anything about it. So all of a sudden to push it and put it on the primary ballot where basically we are going to say to 25% of the voting public, you can't play, because that's the effect. If you look at all the districts you represent, it is about 25% of your constituents can't play in this game and that's not fair. Whether the City has any feelings on it I don't know. I know that it is wrong."

Commissioner Gwin said, "I appreciate your being here. Thank you."

Chairman Schroeder said, "Thank you, Mr. Anderson. Appreciate you coming. Are there other people in the audience who would like to speak to this item? Seeing none, we'll close the public comment. Commissioner Winters."

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Commissioner Winters said, "Thank you. I'm going to be supportive of the Motion, or certainly entertain a Motion, and would be supportive of one that would allow us to take this on to County-wide. I would say to Commissioner Miller, I understand exactly what you're saying because I agree with everything you said. You're right. But the City is not negotiating on this issue. I think it is the wrong question. I think it is the wrong time to ask it. But if the City is going to make the question available to Wichitans, then that gives us no choice but to make the same question to citizens in the smaller communities and the unincorporated area. I will be supportive, but Commissioner Miller, I certainly understand your vote and appreciate it, although I'm not going to change mine."

Chairman Schroeder said, "Further discussion on this item?"

Commissioner Gwin said, "Mr. Chairman, in anticipation of our action, Legal has prepared a Resolution and I think each of us got one of those."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

Chairman Schroeder said, "Discussion on the Motion?"

Commissioner Winters said, "Clarification, this would be a Motion that would allow this advisory question to be presented to the citizens of smaller communities and the unincorporated areas in the same manner in which it is going to be presented to the citizens of Wichita?"

Commissioner Gwin said, "Right."

Chairman Schroeder said, "Should we just read this into the record Mr. Euson so people will understand what we're doing?"

Mr. Euson said, "That would be appropriate."

Chairman Schroeder said, "Whereas, the Board of County Commissioners of Sedgwick County desires to give due consideration to the will of County citizens regarding the question of consolidated government; and whereas, the law allows for Sedgwick County to solicit the opinion of citizens in an efficient, fair, and economic manner through the use of a non-binding advisory only election, by placing the question on the August 4, 1998, primary election ballot.

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“Now therefore let it be resolved that on the First day of July, 1998, that one, the Sedgwick County Election Commissioner is hereby authorized to call and conduct a non-binding advisory election to be held in Sedgwick County Kansas on the Fourth day of August, 1998, along with other matters on a primary election ballot. The matter for consideration shall be in the form a of a question submitted, proposed and shall be posed to all voters in Sedgwick County who are eligible to vote in the primary election. This matter shall be subject to all state election laws governing balloting, ballot counting, poll places and election workers and judges. Two, the proposition on the ballot shall read as follows: advisory ballot question, should the City of Wichita and Sedgwick County be consolidated into one government, yes or no. Results of this advisory ballot question are not binding upon either the Sedgwick County Commission or the Wichita City Council. Three, notice of the election shall be given in the time and manner provided by KSA 25209. Four, this Resolution shall take effect upon adoption and publication in the official County newspaper.

“Then there will be a signature line for Commissioners present and voting on this First day of July, 1998. Commissioners, any other questions or comments? If not, Clerk call the vote.”

VOTE

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

Chairman Schroeder said, “Thank you, Commissioners. Thank you, Mr. Anderson for being here today and your comments. Next item please.”

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NEW BUSINESS

G. RESOLUTION AUTHORIZING NEGOTIATED SALE OF PERSONAL PROPERTY.

Mr. Bob Lamkey, Director, Central Motor Pool, greeted the Commissioners and said, "The Resolution before you authorizes disposal by sale of a 1984 Gorman water pump that is excess to the County's needs. The pump was purchased new for the Sewer Department to pump around the bottle neck in the old Timber Lake lagoon system. With the opening of the Four Mile Creek complex, the need for the pump declined dramatically. It has been seldom used since and in fact the last time that it was used that I could find out was two years ago. It appears prudent to declare the pump surplus and sell it and return funds to the vehicle reserve in support of future Sewer Department acquisitions. Opportunely, the City of Eureka, Kansas became aware of our plan to dispose of the pump. They were actively searching for just such a pump to aid in the delivery of an emergency water supply. Officials of Eureka made contact with the Motor Pool to express interest and to test and see the pump. They are satisfied that the pump will meet their needs and have offered \$4,689.12 for BOCC consideration. The acquisition cost was \$9,960. Their offer is fair and probably on the high end of what a public offering would bring. The pump would be sold as is, and it is in operable condition. This appears to be a good financial decision for Sedgwick County and aids another Kansas community in meeting the needs of its citizens. I recommend the Commission adopt the Resolution."

Chairman Schroeder said, "Thank you, Bob. Discussion on this item? If not, what's the will of the Board?"

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Miller seconded the Motion.

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

Regular Meeting, July 1, 1998

VOTE

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

Chairman Schroeder said, "Thank you, Bob. Next item please."

H. AGREEMENT WITH NORTH CENTRAL KANSAS REGIONAL JUVENILE DETENTION FACILITY TO PROVIDE OFFSITE JUVENILE DETENTION BEDS.

Ms. Cecile Gough, Assistant Director, Department of Corrections, greeted the Commissioners and said, "We are requesting approval of a renewal of our agreement with North Central Kansas Regional Juvenile Detention Facility located in Junction City. This agreement would allow us to continue to purchase juvenile detention bed space on a space available basis at a per client day rate maximum of \$140 a day. We currently need to house an average over-flow of 32 juvenile offenders each day in other detention facilities throughout the State. We request your approval of this agreement."

MOTION

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

Commissioner Miller 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, "Thank you, Cecile. Next item please."

Regular Meeting, July 1, 1998

I. AGREEMENT WITH MARIA SALAZAR, DBA KTCM RADIO, FOR USE OF PORTABLE BLEACHERS.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “The agreement before you is our standard equipment rental agreement. KTCM, a Spanish language station rented some of our bleachers to serve as spectator seating for a Mexican rodeo they produced. We recommend approval.”

Chairman Schroeder said, “Thank you. Discussion on this item? If not, what’s the will of the Board?”

MOTION

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

Commissioner Miller 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, “Thank you. Next item please.”

Regular Meeting, July 1, 1998

J. GRANT APPLICATION TO KANSAS DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FUNDING OF A DUAL DIAGNOSIS TRANSITIONAL HOUSING PROGRAM.

Ms. Deborah Donaldson, Executive Director, COMCARE, greeted the Commissioners and said, "This particular grant application is a result of a needs assessment which indicated one of the number one priorities in this area was transitional housing individuals who are homeless and also have a serious mental illness and a substance abuse problem. We have a certain population which we have difficulty getting into permanent housing. This would allow a transitional housing situation where we could help them stabilize and move towards that goal. I would recommend your approval and this particular item just requires approval and does not require a signature. I'd be glad to answer any questions."

Chairman Schroeder said, "Thank you. Discussion on this item? If not, what's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the Grant Application.

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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

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

Regular Meeting, July 1, 1998

K. CONTRACT MODIFICATION NUMBER TWO WITH THE LAW COMPANY, INC. FOR WORK RELATED TO THE DETENTION FACILITY EXPANSION.

Ms. Stephanie Knebel, Project Manager, Capital Projects Department, greeted the Commissioners and said, "This agenda item requests a time extension for the Law Company of 42 calendar days based on an unavoidable casualty clause in our contract with them. The basis of this request stems from surface water run-off problems, storms that occurred in June and July of last year. The contractor, the typical means and methods of protecting the construction site, these were extraordinary circumstances, extraordinary run-off, and those typical construction means and methods were not sufficient in this case. As you recall, we had 8 inches of rain in June of '97 and another 2 inches, but that fell in two hours in July. I request your approval for this item and I'm available for questions."

Chairman Schroeder said, "Thank you. Discussion on this item? Commissioner Winters."

Commissioner Winters said, "I just have a quick question. What does that then put the completion date to Stephanie?"

Ms. Knebel said, "We would have two modifications, a time completion phase one of the project would now be completed on March 4, 1999 and phase two would now be completed on May 3, 1999."

Commissioner Winters said, "I assume the phase two then would be project completion?"

Ms. Knebel said, "Project completion, absolutely."

Commissioner Winters said, "Okay, thank you."

Chairman Schroeder said, "Thank you. Any other discussion? If not, what's the will of the Board? I'm sorry, Commissioner Miller."

Commissioner Miller said, "Just a follow-up on Commissioner Winters question Stephanie. That is, is that backing us up approximately a month and a half?"

Ms. Knebel said, "About a month and a half."

Commissioner Miller said, "Exactly what they're requesting. Okay."

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Chairman Schroeder said, "Thank you. Further discussion? If not, what's the will of the Board?"

MOTION

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

Commissioner Miller 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, "Thank you. Next item please."

L. SEDGWICK COUNTY EMPLOYEE BENEFITS ADVISORY COMMITTEE (SCEBAC) 1998 ELECTION RESULTS.

- . **LUAN CHEBULTZ, COUNTY CLERK'S OFFICE**
- . **ED DOYLE, COMCARE**
- . **SHAWN HORNBAKER, CORRECTIONS**

Ms. Nichols said, "I'm here to announce the election results for our Employee Benefits Advisory Committee. The three people that were appointed to this Board for three year terms are Luan Chebultz, County Clerk, Ed Doyle, COMCARE, Shawn Hornbaker, Corrections, and the alternates this year are as follows: Margaret Weilert, COMCARE, Karmen Stamps, COMCARE, and Rick Nuss, Appraiser's Department."

Chairman Schroeder said, "Thank you, Mary Anne, appreciate it. Next item please."

Regular Meeting, July 1, 1998

M. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH RITCHIE PAVING AND CONSTRUCTION, INC. ON SEDGWICK COUNTY PROJECT ROCKY CREEK ADDITION, PHASE 4; ROAD, DRAINAGE AND SIDEWALK IMPROVEMENTS. DISTRICT #1.

Mr. Jim Weber, Director, Sewer Operations and Maintenance, greeted the Commissioners and said, "In Item M, we are requesting your approval of modification of plans and construction number one and final for a contract with Ritchie Paving for Phase 4, Rocky Creed Addition, paving project. Our contract will decrease by \$2,625 due to variations in planning quantities from actual field measurements. All costs of the project are to be paid by the benefited properties through special assessments. We request your approval of the recommended action."

Chairman Schroeder said, "Thank you, Jim. Discussion on this item?"

MOTION

Commissioner Gwin moved to approve the Modification of Plans and Construction 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 W. Hancock	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, "Thanks, Jim. Next item please."

Regular Meeting, July 1, 1998

**N. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JUNE 25, 1998
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the June 25 meeting of the Board of Bids and Contracts. There are four items for consideration.

**(1) UNDERGROUND STORAGE TANK COMPLIANCE - MOTOR POOL
FUNDING: MOTOR POOL**

"Item one is a contract modification number two for underground storage tank compliance by the Central Motor Pool. It was recommended to accept the addition to the existing contract of \$525 with Ray's Petroleum Equipment Company.

**(2) PAYROLL AGENT - COMCARE
FUNDING: COMCARE**

"Item two, payroll agent services for COMCARE. It was recommended to accept the low proposal of Dunning and Dunning LLC., CPA. There are six pages of recommendations and information attached for your review.

**(3) COMPUTER EDUCATION COURSES - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

"Item three, computer education courses for Information Services. It was recommended to accept the low proposal of New Horizons Computer Learning Center. That amount is \$12,500. There are two pages of information attached from Ken King, Director of Information Services.

**(4) TRANSPORTING OF VOTING MACHINES - ELECTION COMMISSIONER
FUNDING: ELECTION COMMISSIONER**

"Item four, transportation of voting machines for the Election Commissioner. It was recommended to accept the low bid of Jones Storage & Moving. That amount is \$19.80 per stop, for an estimated total of \$10,177.20.

Regular Meeting, July 1, 1998

ITEMS NOT REQUIRING BOCC ACTION

- (5) **SANITARY SEWER IMPROVEMENTS - BUREAU/PUBLIC WORKS**
FUNDING: BUREAU/PUBLIC WORKS

- (6) **X-RAY ROOM FLOOR CORRECTIVE RECONSTRUCTION - REGIONAL FORENSIC SCIENCE CENTER**
FUNDING: REGIONAL FORENSIC SCIENCE CENTER

“There are two items that do not require action at this particular time. Those include sanitary sewer improvements for the Bureau of Public Works, Davis’ Crestland Addition, those bids are being reviewed, and the X-ray room for corrective reconstruction for the Regional Forensic Science Center. Those bids are also being reviewed. I’d be happy to take questions and would recommend approval of the Minutes provided by the Board of Bids and Contracts.”

Chairman Schroeder said, “Thank you, Darren. Discussion on this item? If not, what’s the will of the Board?”

MOTION

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

Commissioner Winters 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

Chairman Schroeder said, “Thank you. Next item please.”

Regular Meeting, July 1, 1998

CONSENT AGENDA

O. CONSENT AGENDA.

1. Section 8 Housing Assistance Payment Contract.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>Landlord</u>
V98029	\$85.00	Brian D. Shepherd

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>
V97045	\$192.00	\$217.00
V72017	\$325.00	\$325.00
C95092	\$190.00	\$300.00
V97048	\$211.00	\$207.00
C97052	\$414.00	\$414.00
C97033	\$181.00	\$237.00
C97046	\$271.00	\$290.00
C98026	\$88.00	\$64.00
C98015	\$385.00	\$570.00
C93016	\$335.00	\$73.00

3. Resolution correcting omission of legal description for Case Number SCZ-0732 - Zone change from "SF-20" Single-Family Residential to "LC" Limited Commercial on property generally located on the northwest corner of 159th Street East and U.S. Highway 54, previously approved March 26, 1997 by the Board of County Commissioners.

4. Order dated June 24, 1998 to correct tax roll for change of assessment.

5. Consideration of the Check Register of June 26, 1998.

Regular Meeting, July 1, 1998

6. Budget Adjustment Requests.

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980303	Finance General Coroner	Transfer
980304	County Manager	Transfer
980305	Special Highway Improvement	Transfer
980306	Sheriff	Transfer

Mr. William Buchanan, County Manager, greeted the Commissioners and said, “You have the Consent Agenda before you and I would recommend you approve it.”

MOTION

Commissioner Miller moved to approve the Consent Agenda as presented.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Schroeder said, “Thank you. Any other business to come before this Board? If not, we’re adjourned.”

P. OTHER

Q. ADJOURNMENT

Regular Meeting, July 1, 1998

There being no other business to come before the Board, the Meeting was adjourned at 9:54 a.m.

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

MARK F. SCHROEDER, Chairman
Fifth District

PAUL W. HANCOCK, Chairman Pro Tem
Second District

BETSY GWIN, Commissioner
First District

THOMAS G. WINTERS, Commissioner
Third District

MELODY C. MILLER, Commissioner
Fourth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1998