

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

December 8, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, December 8, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. Bob Lamkey, Director, Division of Public Safety; Mr. Chris Chronis, Chief Financial Officer; Ms. Nola Foulston, District Attorney; Dr. Charles Magruder, MD, MPH, Director of Community Health; Mr. David C. Spears, Director, Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Heather J. Knoblock, Deputy County Clerk.

GUESTS

Mr. Kevin Kallen, Bond Counsel, Gilmore & Bell, P.C.

INVOCATION

The Invocation was given by Kevin Clark of Inter-Faith Ministries.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, November 10, 1999.

The Clerk reported that all Commissioners were present at the Regular Meeting of November 10, 1999.

Chairman Hancock said, "Commissioners, you received copies of those Minutes for your review. What's the will of the Board?"

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MOTION

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of November 10, 1999.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

NEW BUSINESS

A. RESOLUTIONS REGARDING TAXABLE INDUSTRIAL REVENUE BONDS (IRB'S).

- 1. RESOLUTION AMENDING RESOLUTION NO. 141-1996, WHICH AUTHORIZED AND DIRECTED THE ISSUANCE OF TAXABLE IRB'S, SERIES A, 1996 (COUNTRY ACRES SENIOR RESIDENCES) IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,562,300.**

Mr. Kevin Kallen, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "I work with Joe Norton, who was to be present this morning, but he had to go out of town, so I'm pinch hitting."

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“What we have, with these two resolutions, are basically a restructuring in certain ways, of taxable Industrial Revenue Bonds that were issued in 1996. The principles in those transactions were Metro Senior Residences, a limited partnership, which is the Mennonite Housing group and old Bank Four, which is now Bank of America. Those parties have agreed to certain restructuring items on those transactions. The bond documents provide to carry those restructuring items forward. The County, as the conduit issuer of those revenue bonds, does have to consent to those changes. That’s what these two resolutions accomplish. I’d be happy to address any questions you might have.”

Chairman Hancock said, “Okay, thank you. Commissioner Winters.”

Commissioner Winters said, “I need to address this to Rich. Rich, as far as you’re concerned, this is the proper action for us to take on these items?”

Mr. Rich Euson, County Counselor, greeted the Commissioner and said, “Yes, this is actually rather routine.”

Commissioner Winters said, “Thank you.”

Chairman Hancock said, “Thank you. Further questions or comments?”

Commissioner Gwin said, “I guess my question is, Rich, they’re separate resolutions, do we need to take them under separate motions?”

Mr. Euson said, “They should be taken separately, yes.”

Chairman Hancock said, “Okay, thank you. If there’s no further questions, Chair would entertain a motion on Item A-1.”

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

- 2. RESOLUTION AMENDING RESOLUTION NO. 142-1996, WHICH AUTHORIZED AND DIRECTED THE ISSUANCE OF TAXABLE IRB'S, SERIES B, 1996 (BENTON SENIOR RESIDENCES) IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$442,400.**

Chairman Hancock said, "Thank you. Now, the Chair would entertain a motion on Item A-2."

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 Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. You didn't know Joe had such an easy job, did you?"

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Mr. Kallen said, "Yeah, this wasn't bad."

Chairman Hancock said, "Next item please."

B. PRESENTATION REGARDING Y2K UPDATE.

SLIDE PRESENTATION

Mr. Bob Lamkey, Director, Division of Public Safety, greeted the Commissioners and said, "We are only twenty-three days from the Y2K rollover point and as you know Sedgwick County, the City of Wichita and key providers have been preparing for a long time for this event. This appears to be a very good time to review where we're at.

"I'm going to keep it fairly simple. I'm going to use a basic indicator key. Green means that the systems are ready, unaffected, and there are contingency plans in place. Yellow means that the systems are mostly ready, or there is some level of uncertainty about being prepared by the 31st of December and red means the system is non-compliant.

"I'm going to focus on public safety systems and key business systems. This doesn't refer to the PC on somebody's desk that may have a bug that doesn't affect our ability to provide basic services and core businesses.

"Here are the key providers, from the public safety perspective, power and gas, telecommunications, water and sewer, and that's primarily the City of Wichita water and sewer that we're talking about here and our hospitals. All of these folks have worked very hard, made tremendous investments, have tested, verified, double-checked and are very, very confident that their systems are going to work. I must say that the City of Wichita's water system, of course, is dependent upon power. They do have three, they do get service off of three grids and so if, in the unlikely event one or two of the grids do go down, they'll still be able to provide water service.

"The hospitals are all prepared. A number of them are going to have increased staffing to handle any event that might occur but again they've checked their equipment, they've checked their systems, they have every belief that they are going to provide all the services in the same manner that they always provide.

"From a critical safety and health systems perspective, our 911 system is compliant, we have backup

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power, we have contingency plans in place to operate, again, in the unlikely event that there is an issue. The Sheriff's systems for law enforcement and detention are ready. He also has significant contingency plans, in the unlikely event that there is an issue and that involves increased staffing, supplies, operational procedures. Corrections is ready.

“EMS (Emergency Medical Service) and fire are primarily effected by embedded systems. We've checked. There are no embedded chips that are date-sensitive in any of our equipment, so we expect our ambulance to run, our automatic electronic defibrulators to work, our life-packs to work, our fire systems to work just fine.

“Our EOC (Emergency Operations Center) is compliant. We have made some adjustments in the operations to enhance operations. Those who have mobile computer terminals in their vehicles, now can communicate with them, from the ELC. That wasn't true before. Only 911 could communicate with them. We've added additional phone lines. So, we'll be ready.

“With regards to Public Works, there are two issues. That's the County Sewer System and the stop lights. I've talked to Jim Weber and he said our system doesn't depend on the computers to operate, so those who are served by the County Sewer System will work just fine. As long as we have power, the stop lights will work fine, as well. If they don't, it becomes an intersection at which people have to follow normal rules.

“Our key business systems, the courts, the DA, the Treasurer, the Clerk, the Register of Deeds, the Appraiser, our financial and personnel systems are compliant. As you know, we have plans, during the transition, to bring those systems down on the 31st and bring them up sequentially but they've been tested. Our key business processes will continue.

“Our rollover preparedness plans are, I think, are well thought and ready. The EOC will be activated at 7 p.m. on the 31st and operate until 3 a.m., assuming there are no significant events and we're prepared to operate indefinitely, should that be necessary. The ELC will be staffed with public safety folks from the City, and the County, as well as Public Works folks from the City and the County. Utility providers will have someone there from Western Resources, Kansas Gas, the telephone company. We'll have linkages to the hospitals, we'll be in contact with State and Federal authorities, checking to see what's going on in the country and around the world. I think we're well prepared to operate from our Emergency Operations Center.

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“Increased resources availability, all providers, both City, County service providers will have additional staff, folks in position, people who can reach out and touch, again, in case they would need them.

“We’ve talked a little bit, and I think you’ve been extensively briefed by Kathy Sexton, the rollover plan for our information systems. We’re going to take them down for you first and bring them back up, in a priority order on the 1st and through that weekend.

“Departments have submitted contingency plans to Emergency Operations Center, so, we’re ready for everything from commercial gas stations don’t work, our County gas station has back up power capability. We’ll have a generator standing by. So, our vehicles will be able to take care of themselves. The contingency plans for handling those who require mental health services from us during that period of time, so we’re well ready.

“Again, the bottom line is, key systems are ready. They have high confidence of a relatively benign Y2K event, however, we will be ready for a worst case and I threw in a BP2, that is Be Prepared Too, those citizens that are watching, we’ve just suffered a snow storm. If you were prepared for that, you should be prepared for the Y2K transition. So, ask you to continue to do those smart things that you do to prepare yourself for any event that might occur. That’s it. Do you have any questions?”

Chairman Hancock said, “Okay, thank you. Commissioner Winters.”

Commissioner Winters said, “Thank you. Bob, I appreciate the report. As with most people, the items that I’m most concerned about are those that do directly relate to public health and safety. So, I think your group has done a good job. I appreciate the update.

“One question that I do have concerns 911 and the number of calls we receive. I’m not an expert about that facility, but I kind of believe that on past new year’s eve, that one of the highest call volumes of the whole year is on, or immediately after new year’s eve, and I would expect this one would be more than normal. Is there a plan for that at all?”

Mr. Lamkey said, “Yes, we have increased staffing. First thing, we’ll ask folks, if you don’t have an emergency don’t call 911 to test your phone. As we do with any holiday, any anticipated disaster, we bring some extra folks in. We have the capacity, actually, now to expand our 911 operation into some terminals in the EOC if that should become necessary. So, I think we’re well prepared for that. We’ll answer the calls sequentially. Again, we’ve asked folks, unless it’s really an emergency, not to call.”

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Commissioner Winters said, "Well, I know, a couple of years ago we were looking at like a 10 or 15 minute backup on the calls and if somebody really does have an emergency, that absolutely, makes it more difficult to get to somebody who really need help. Thanks, very much."

Chairman Hancock said, "Thank you, Commissioner. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Bob, at the beginning of your presentation you showed us three colored balls, compliant, somewhat compliant, and non-compliant. I don't know if I want it, if you have it, but is anything somewhat compliant or not compliant. If not, why do we even have the little balls up there?"

Mr. Lamkey said, "Well, no, in fact all of our key businesses are compliant. There are some small issues out there, with individual PC that need to be replaced, that are planned to be replaced, but in terms of key business systems, we're going to be able to provide the services that we need to provide to our community. So, we're all great."

Commissioner Sciortino said, "Okay, thank you."

Chairman Hancock said, "Thank you, Commissioner. Further questions? Well, I don't see anything. Thank you, very much, for being here today. This is the final one?"

Mr. Lamkey said, "This is the final one unless I have to call you on the 31st and then you'll get an update."

Chairman Hancock said, "I think I plan on being in the EOC during the evening, so I'll be available. Thank you."

MOTION

Commissioner Winters moved to receive and file.

Commissioner McGinn seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

C. RESTRUCTURING OF THE COMPREHENSIVE COMMUNITY CARE (COMCARE) FINANCIAL SYSTEM, APPROVAL OF SUPPLEMENTAL BUDGET AUTHORITY AND ADDITION OF ONE GRANT MANAGER POSITION, RANGE 24, TO THE DIVISION OF FINANCE STAFFING TABLE.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "COMCARE is a mental health system that incurs about \$18,000,000 worth of expenditures each year. In other words, it's a good sized public health system. The financial system that we've used to account for COMCARE over the years is quite complex. It's a vestige of past grant requirements, which no longer apply to it. The financial system can be simplified to provide easier access to budgetary details by service managers and improved quality of information for financial decision making. We have recommended a new account structure, which is included in your packages as attachment #1 and I've met with each of you to speak about that proposal with you.

"Upon approval of this agenda item, all current balances would be transferred to that new fund structure and all current budgets, other than those which are supported by property tax, would be transferred as well. They would be modified by the items that are included on your attachment #2 in the package. Those are items for which we are requesting supplemental budget authority. Those actions, those supplemental budget authorities will merely provide the earmarking of funds. The actual use of those earmarked funds will be subject to further approval of the specific program, by you, in all cases other than those requiring expenditures of less than \$10,000 or in a couple of cases where you have already approved the action in a prior meeting."

"Accountability for COMCARE's financial condition can be enhanced by the addition of a grant manager, which would be dedicated to COMCARE financial activity and paid for by COMCARE grant funds, but housed in the finance division. The allocation of a position dedicated to COMCARE grants, we feel, will

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increase the level of effort devoted to providing timely, accurate information to service managers and to COMCARE and County management and to you, the elected officials of this jurisdiction.

“These actions will result in simplification of the financial structure. The existing cash balances that are available to COMCARE will be allocated as we’ve shown in attachment #2 and those allocations, once again, will merely provide budget authority but expenditures exceeding the thresholds that are provided in the procurement code will require further action by you before they can be undertaken. The grant manager position, once again, will be funded in COMCARE, funded by COMCARE grant funding and the changes, all of these changes have been reviewed and approved by our external auditor. With that, I will be happy to answer any questions and I would recommend your approval of the recommended action.”

Chairman Hancock said, “Okay, thank you, Chris. Commissioner Gwin.”

Commissioner Gwin said, “Thank you, Mr. Chairman. Chris, there are several items on attachment #2 that you indicated are going to need to come back to us for approval at a later date. Will you be bringing those items to us, or will those come from Ms. Donaldson?”

Mr. Chronis said, “Most likely, from Ms. Donaldson. Some of them may come from me.”

Commissioner Gwin said, “Do you have any estimation of a time frame of any of those items, at this point?”

Mr. Chronis said, “No I don’t.”

Commissioner Gwin said, “As soon as possible, on a couple of them that I see that I think would be pretty valuable to the community.”

Mr. Chronis said, “I think her staff and our staff are all working on those items right now and they’ll come to you as they become available.”

Commissioner Gwin said, “Okay, thank you. Thank you, Mr. Chairman.”

Chairman Hancock said, “Thank you, Commissioner. Commissioners, further questions on this item?”

MOTION

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Commissioner Gwin moved to approve the transfer of current COMCARE balances and budgets to the new account structure, the addition to the Division of Finance Staffing Table and allocation of supplemental budget authority.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you, Chris. Next item please."

D. WAIVER OF POLICY TO RESTRUCTURE ATTORNEY POSITIONS IN THE DISTRICT ATTORNEY'S OFFICE, AND PROPOSED DUTY PAY INCENTIVE PROGRAM.

Ms. Nola Foulston, District Attorney, greeted the Commissioners and said, "I'm being educated right here by your personnel department. They really ought to get some kudos for the work that they've been doing on the computerization and Rita Evans has been helping us, as well as Doug Russell and Jane Moralez, on some very significant issues that I think the commission will enjoy a presentation on. I think Commissioner Sciortino, because I know that he's been very promotive of presentations and I think this is a good opportunity for us to review with you some points about some of the issues that we face.

"I know, on Monday in the newspaper, there was a very large article about the report of the Eisenhower Institute and we talk about crime trends and we say 'you know, it looks like crime is down.' So, how does that impact the criminal justice system. Well, our tentacles, and what we are required to do by law

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goes much deeper than just the filing of cases, although the filing of cases is up. We commend the law enforcement agencies in our community, because they have done a tremendous job in solving crime, and as a consequence we see more crimes coming into our system but our community is safe, in that respect, that our law enforcement is working diligently, while crime stats look like they may be down, and violent crimes, the solve rate on older crimes and other crimes is up. With the Eisenhower Institute, I would echo what they have to say, which is we cannot be complacent about the crime issues at this time because we're looking forward, into the millennium for increases in crime, based on the age of the young people moving up.

"That's another issue, aside from this, but we were very lucky to work with COMCARE, Deb Donaldson, in obtaining a grant that will assist our community in diverting young people, through the criminal justice system, into those necessary areas where they may get treatment in lieu of incarceration, which benefits us all, and helps those young people. This is exactly what we need in our community. So, with those thanks to those different organizations and to their management staff, I really appreciate the opportunity to bring this to you.

SLIDE PRESENTATION

"Fact versus fiction; we have talked about crime trends and crime is down. While it's unfortunate, but the case filings is up. We are also talking about myths that the lawyers are a dime a dozen. It's kind of a unfortunate circumstance that lawyers face, but I have to tell you, I wouldn't hesitate to look at the fact that the training costs are expensive for lawyers and that I have one of the most phenomenal staffs assembled, of good, dedicated individuals. One of the things that we look at, I have been not only in the prosecution but in the private practice of law, and I have chosen prosecution as my advocacy and the area that I really want to be in. Many lawyers are now finding that prosecution is now a career. It's not a stepping stone, as it used to be in years past.

"The fact is that lawyers are paid a living wage. Is that true or is that false. The fact of the matter is, when you get out of law school, one of the first things that you do, after that incredible amount of training and passing of the bar, which is probably worth 30,000 in and of itself, is an instant debt to begin paying for law school. We find that many young lawyers who come to us, starting families, working through their issues of getting into the career path that they have chosen, are finding that it is very difficult and their living

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wage is not appropriate and we see trends of attorneys moving into the private sector, into other federal government jobs that pay significantly more.

“The question is, is our community at risk? The answer is that we must retain the qualified attorneys that we have. Our attorneys now, in the trial division and in the other areas, are responsible for not only duty, 24 hours a day, on a volunteer basis, but their also responsible for some of the highest level cases. Very unfortunately, when you look at the distribution of what we do in our community, versus the State of Kansas, you will see that we are the largest contributor, unfortunately, to the criminal justice population, with 22% of the State, only rivaled by all the other counties in the State, combined, for 47.3%. So, that is a big chunk that we contribute to the criminal justice system.

“The number of cases that we’ve handled in the juvenile area, as you will see, has exploded. In 1998, at the total of the year, we had 1,546 cases. In October, through October, we have already surpassed that number and it’s projected that we will see over 1,800 cases in the year 2000.

“The child in need of care cases are very poignant, in the fact that we are working with children who are abused, neglected, sexually assaulted. In 1998, 379 young children were seen in our courts, by the judges, to be placed for safety and protection but through October of 1999 we’ve already surpassed that number, in 384 and we’re projecting 484 for next year. It’s not unusual to see those changes. One of the changes has been precipitated by changes in the State Social and Rehabilitation Services, the investigators and social workers have all been now geared to handle all case, instead of just a small unit. That’s why we saw an explosion of these number of cases, because they have branched out to say “you know there are significantly more children that are effected’ and we cannot just have a very small unit that only takes a selected number of cases. We need to get out there and find these children, before they turn into criminals in the criminal justice system or become debilitated more than they already have.

“The turnover rate in the District Attorney’s office is very interesting. The turnover rate, County wide, you’ll see is in these numbers: 14% for 1999 but when you compare what the District Attorney’s Office has had, only in the Attorney’s rates, you’re talking about 20%, and the question is, ‘is that management or is that opportunity?’ We have been successful in keeping many of the individuals who reached the seven year peak in their jobs. Those are individuals who want career prosecution. When you look at the turnover, compared to attorneys only, you will see that, in 1999 we shot up to 17%, of which 10% of

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those were in that range of attorneys, 25% in the range of attorneys that we're talking about. That's a 59% turnover in the range of attorneys only, in our office in a one year period of time. That is significant. Most of those attorneys are in the 2.9 year range. Young attorneys, that are moving through the system, becoming more qualified, have been with us nearly three years. When I started prosecuting, in 1977, one of the things that was very standard, in the industry of prosecution, was that you stayed about 3 years and then you left. You went to other big firms, because it was a stepping stone. We don't want to use our dollars in training, and in education, because people find that they can't have a living wage and they move on to higher paying jobs. I had one attorney that left the District Attorney's Office at this approximate pay scale and she left for a job that was paying over \$70,000 in another government agency. It almost doubled her pay check. She had a great deal of difficulty in determining whether she was going to go, because she really loved her job here, but the fact of the matter is, economics weighs out and she took the other position.

"The request that we're making, and it's a little bit incorrectly stated in the Board of County Commissioners proceeding schedule, this waiver of policy. Well, the policy is actually not being waived. The District Attorney is asking that the statutory authority for the administration of the salaries of the district attorneys be recognized and we're asking for \$4,526, that would be, in this year, that is available to us to do these restructuring of positions. In the year 2000, we requested \$200,000 to restructure salaries. For information purposes and comparison, the court trustee enters people at a range 23. We enter people at a range 22 and we're seeking to move that up. The County Counselor's office brings in attorneys at range 25, and with same like qualities and credentials. We feel that there was a need to put a restructuring in place and so we did work with the commission and with the Manager and our request for \$200,000, which was supported in documents, we felt should be incrementally increased, rather than one big lump, in fiscal notes and so the \$50,000 was agreed to be appropriated for 2000 budget and that's one quarter of what we felt was appropriate, to change the attorney's salaries in the office.

"Of the 50,000, there's \$3,516 that we believe should be available, through proposed salary savings for next year. What I'm saying is that these changes are not costing anything, other than what has been allocated and that which has already be appropriated. So, the total cost this year, \$53,000 would go into, or has already been given to us through our budget process.

"One of the things that we are asking for, which I think actually requires a waiver within the financial offices, because there's some way to put that, required to put that into place, is a duty incentive plan. What this is is that the attorneys in their job descriptions, are required, during the day, to perform some

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duty, responsibilities by assisting law enforcement. We have 20 law enforcement agencies in the County. All of those agencies rely on the District Attorney's Office to assist them in the drafting of search warrants, preparing correct legal documents, and doing that work. Well, it is a burgeoning business. In 1998, so far this year, unfortunately, we have had 28 homicides. That's about 2 a month. When those occur and when other crimes occur in the community, they take an inordinate amount of time and so the attorneys are required, on a day to day basis, to be available 24 hours a day. What we did was to review all of the attorneys who are in place at this time, to determine how many times they served, on duty, and we developed a scale that is, I think, very reasonable, in that it provides for \$100 for a week service for duty, for individuals that are serving of the higher level duty, which is homicides, \$100 for those who are working on the drug and back up duty, which would be the same, homicide, and deadly force cases, and then \$25 a day for those prosecutors who are working within the jails. I don't know if you're aware of this, but some of the attorneys are required to get up at 5 o'clock in the morning, to go down on Saturdays and Sundays, so that they can call the judges and tell them who's in jail and they have to accommodate the judges schedules and it's often very difficult and very time consuming and this is something that we believe should be accounted for and there is precedent in the County for this.

"We're asking for the approval of our restructuring and duty incentive plans and ask that you continue to work with us and we're very pleased that personnel has been working so diligently, to assist us. I hope this presentation has somewhat broaden the scope of knowledge of all the individuals who are watching and the individuals on the Commission."

Chairman Hancock said, "Thank you, Nola. There are some questions. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. I had conversations with the District Attorney yesterday and she's mentioned some things here, in her presentation, and I'd like to direct the County Attorney to maybe visit directly with the District and I think her position is, #1, this isn't a waiver of policy and also she indicated to me that she felt quite comfortably, that under state statutes, she has the right to do what she's proposing to do without our authority and if she does, I don't see why this has to be an item and I just need to get clarification, if her assumptions are correct, and I would ask that you could visit with her and get, clearly, what her position is and then research it out and maybe back to us, in the form of a memo or something to just find out, once and for all, if this is something that is required, that she comes to us every year or if this is something that under state statutes, she can do without our authority. I need, at least for my own edification, to find out whether or not we need to look at this every year or not. I'd appreciate if you'd look into that."

Mr. Euson said, "I will be glad to do so."

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Ms. Foulston said, "Thank you, Mr. Sciortino, and I do appreciate the opportunity to come before the Commission, because it's an education process, not only for the public, but it's an education process for all of those in County government that are learning more about the District Attorney's Office. So, it's appreciated that you've taken that interest."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, further questions or comments? I don't see anything. If not, what's the will of the Board?"

Commissioner Gwin said, "I guess I have a question about the motion. The motion calls for approval of the policy waiver. Is it in fact a policy waiver? I want to say the motion properly to get done what Ms. Foulston has asked us to do."

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "It's my pleasure to offer you legal advice. This District Attorney's staff is currently in the personnel system that we've created. The District Attorney, we believe, has the authority and the right to work outside that system. She has opted to work within that system and this is the way in which we could accomplish those salary increases and do exactly what she wants, by waiver of the policy. At some point, if she would choose, those employees could be outside the personnel system or she could function in ways differently than the personnel system that we've created works. We've chosen not to do that, so the act that you are asked to do today may be redundant, and may not be totally necessary but I think it provides us the opportunity, on the public record, that as long as the employees of the District Attorney's Office are in the personnel system, this is how we're going to accomplish what we intended to accomplish and you've so approved, in an open and public meeting. So, I would recommend that you take the appropriate action, as indicated on the Agenda."

Commissioner Gwin said, "Thank you for the clarification."

MOTION

Commissioner Gwin moved to approve the policy waiver and duty pay incentive program proposal.

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Commissioner McGinn seconded the Motion.

Commissioner Sciortino said, “Well, yeah, Nola, I need to get clear. Are you comfortable with staying under this present policy and staying under the personnel department or do you want to set . . . I’m confused.”

Ms. Foulston said, “Well, Commissioner, thank you for the question. I have to tell you that when I came into office in 1989 it was my election to bring our people and our staff in, under the personnel umbrella of the County and I believe it was well run, I believe that it has good structure and I believe have nothing but very good and positive comments about the way personnel has worked. This has always been an area of confusion and it’s one that I don’t mind bringing to the Commission because it’s an approval issue that allows you to say ‘yes, we’re aware of this and we sanction it.’ The District Attorney’s Office continues to be in the personnel system and I, while I have the right to structure salaries if I wanted to, after appropriation by the Commission, I find it to be, it would be expensive to have my own personnel department, it would cost more County dollars and I don’t think that’s appropriate, when you have a very good structure in place. That’s why we’ve elected to continue to work in that area.

“It’s a legal issue that we are working within but still counting on our County to work with us and it’s been a good relationship for the past eleven years and we want it to continue and we’re asking it to continue.”

Commissioner Sciortino said, “So, okay, we had a conversation, and I’m trying to support your position, but I’m unclear now what it is. Are you waiving some of your alleged state rights?”

Ms. Foulston said, “No, no, no I don’t waive any state rights. Not Miranda or anything. What we’re talking about is, as I understand, in the larger scheme of things, in County finance, there’s a requirement that money be put from one area to another and it requires some type of a waiver in there and so, in that essence, the word waiver of policy would apply only to a limited portion of what I’ve asked for. By State Law, and as you’ve asked Mr. Euson to go forward with a review on that, and we’ll certainly assist him by giving him the cases. The law is that the District Attorney, subject to appropriation by the Board of County Commissioners, shall set the salaries of her staff. It says his staff, but I think that applies to me as well, and that’s the facts. We have elected to work within that framework of the County structure so that we can say we’re going to change it from a level this to a level this. That is using the personnel system for that purpose but the ultimate legal authority, under the law, for the setting of salaries belongs to the District Attorney.”

Commissioner Sciortino said, “Okay, just one other one and then I’m going to get past it. In order to

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exercise your full state rights, would you then have to set up your own personnel department and do it autonomously or while under our area of jurisdiction, is it always going to be our authority to approve or disapprove these items?"

Ms. Foulston said, "That's a difficult question to answer in a short period of time but the bottom line is that the County Commission appropriates the funds. We have elected to use the structure, just as an example to us of how we should be structuring because this is a good structure and the salaries are set by the District Attorney. There really would be no need to bring it to the Commission, under state law because we're not waiving anything, as far as State law is concerned. We can't. We're not allowed to. Therefore, it's more of an education process and a waiver of only the financial question that has arisen on the one portion of our request. I don't know if that made any sense."

Commissioner Sciortino said, "Clear as mud. Thank you."

Chairman Hancock said, "Well, basically, what Nola's trying to say is we can determine the amount of the appropriation and she can determine how it's going to be used, and funded, to pay salaries but she's chosen not to totally do that but used the County system as, basically, a guideline to determine those salaries."

Commissioner Sciortino said, "I understand that. Now, I'll work with the Attorney. I want to know, is this a waiver of policy, do we have the authority to do it, is this just a facade? I'm totally confused, based on the conversation, that I thought you were wanting some relief, when I'm trying to support it and I'm very confused here and I hope our County Attorney can clarify for me and I think I've said enough at this time."

Chairman Hancock said, "Let me say this, it's a waiver of policy but not a suspension of policy."

Mr. Buchanan said, "John Smith is going to get 100 more dollars a month. The District Attorney would like John Smith to get \$100 more a month. We have no authority to do that. The District Attorney can't tell the Chief Financial Officer or the Payroll Office to do that. To do that, it needs to come in front of the Board of County Commissioners to waive the policy so that John Smith gets \$100 more a month."

Commissioner Sciortino said, "I understand that."

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Ms. Foulston said, "I can order the salary but I can't order the payroll individuals to put it into effect. The County Manager, we've had some issues that have arisen in the past and if I bring all these reclasses to Personnel, Personnel is going to say, you're going to have to talk to the Manager, so we go to the Manager, and the Manager says we need to waive this policy because we have to implement it."

Commissioner Sciortino said, "I understand that. My point is, your comfortable with continuing operating status quo, that way? So long as we never disapprove it?"

Ms. Foulston said, "That's good."

Commissioner Sciortino said, "I'm trying to make a point here. If you're comfortable with us staying this way, then you have to be comfortable if we ever decide to disapprove it."

Ms. Foulston said, "Well, under State law, I think that there's a real legal question there."

Commissioner Sciortino said, "Mr. Euson, I need some relief, and you're going to work with Nola and, for my own edification, I need to know what we have the right to do and not have the right to do because if the District Attorney is correct, that we have no authority over this, I think it's silly for us to continually have to be approving something that we have no authority to disapprove."

Mr. Euson said, "I will be glad to work with Ms. Foulston on this and I think it's simply a matter of when we appropriate her budget, we give her so much money, and we're using our system to distribute that money to personnel. That's what we're doing now but we could opt to give her that pot of money and have her distribute it in whatever manner she feels fit to do. So, I will work with her and make sure that you have the appropriate . . ."

Commissioner Sciortino said, "I just need for my own knowledge."

Chairman Hancock said, "I think you should understand, though, that this is a waiver of policy and this is not the first time we have done this. We do this with folks that are strictly within our system. We're just doing this for a department right now. There's really no difference, as far as I can tell except that Nola has reminded us that there are certain statutes that allow her to exercise certain authority, outside of County rules."

Ms. Foulston said, "I just enjoy coming up before the Commission to educate everyone about these

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issues and to hope and pray that, in the future, we'll continue to enhance salaries consistent with what our community needs for prosecution."

Chairman Hancock said, "Are there further questions or comments? If there's no further discussion, Clerk call the vote please."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you."

Ms. Foulston said, "Happy Holidays."

Chairman Hancock said, "You, too. Next item please."

E. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Dr. Charles Magruder, MD, MPH, Director of Community Health, greeted the Commissioners and said, "I wanted to give you an update on a program that I had discussed previously, our immunization program. I had presented to you that within our population that we follow in the Health Department we had had a very low rate, one of the lowest in the State, at approximately 22%, of the proportion of two year old children who had completed their immunization series. We instituted a joint program with WIC, in order to enhance that. Our latest figures show that we are now up to 44% and we anticipate further progress over the year. The next challenge will be examining methods by which we can determine the rates of this proportion for all of the children in Sedgwick County, not just the ones that the Health Department serves.

"In terms of an update, regarding the Olds model implementation, I'll simply provide you some new information that is not in the latest document that I sent to you. An additional presentation was given, very briefly, to the KDHE (Kansas Department of Health and Education) Secretary followed by a more formal presentation to his assistant and also to his new state health officer. Our site visit was completed last week

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and we have been formally approved for implementation of the program. In addition, they have given us five training slots in the January schedule, so that we can have an opportunity to at least begin to meet the schedule that the County Manager requested that we begin to meet.

“Finally, just to give you some kudos, that the Health Department has received. The Kansas Association for the Medically Undeserved has recognized our dental clinic and has awarded them, on the basis of the fact that they provide 100% access and 0% denial. The local Cancer Society has recognized the Health Department as the agency of the year and cancer detection and awareness and it named one of our employees, his name is Gaylen Grimmel, as the cancer detection volunteer of the year. I’ll be very happy to answer any questions you might have.”

Chairman Hancock said, “Thank you, Doctor. Commissioners, questions on the items? Commissioner McGinn.”

Commissioner McGinn said, “Yes, I was reading in the paper this morning, there was a hazardous spill down there at 57th and Hydraulic, the sewer plant. That didn’t have anything to do with the Household Hazardous program?”

Dr. Magruder said, “Not to my knowledge. That circumstance has not been brought to my attention, so I’m assuming that it was a normal process of a spill that was detected and managed quite easily within normal parameters but that issues has not been brought to my attention so I’m not aware of anything unusual related to that, nor am I aware that it’s in any way related to the Household Hazardous program but I will check into that, and if I find out anything, I’ll get back with you today, and let you know.”

Commissioner McGinn said, “I probably should have asked you, ahead of time, on this. Could you tell me where the permits that are issued on septic and lagoons, the money that you received, where does that go? How is that money used?”

Dr. Magruder said, “My understanding of funds that come from inspection fees and so forth, within the Environmental Health Division, go back into a general fund, which is then subsequently, distributed on a proportional basis between the City and the County, to be used for two purposes, either to maintain our existing salary structure and expenses or to go back into the overall general fund for either the City or the County afterwards, at the end of the fiscal year. This is how it has been explained to me. I have not

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looked into that particular issue in any greater detail than that but again I will be very happy to examine and make certain that that is the case and if there is additional information, I'll get that to you."

Commissioner McGinn said, "I just wondered if it was specifically allocated to go back to doing inspections and that type of thing but you're saying it's a general fund, and taken out that way."

Dr. Magruder said, "The Health Department has two separate mechanisms. In part of our organization, fees we obtain go directly back into increasing services within that area. In other parts of the Health Department, the fees we obtain go back into the general fund to be managed by the City accounting system. Portions of that money may go directly to supporting our personnel and expenses but on the other hand, it's also available to go back into the overall general fund. Again, my understanding is that there is a proportional distribution between the City and the County of any leftover funds. I do not have a detail knowledge of all of those processes. I would have to check with the City of Wichita accounting department to get specific details for you."

Commissioner McGinn said, "I'd appreciate that. Thank you. Thank you, Mr. Chairman."

Chairman Hancock said, "Thank you, Commissioner. Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. Doctor, as you talk about immunizations and how we're kind of lagging, do we have goals set for improving those percentages?"

Dr. Magruder said, "Yes, ma'am. We do have a time line where we hope to be by the end of 2000. As I mentioned, we've gone, in a few months, from 22% to 44%. Our hope is, by the end of the year, to be in the 80 to 90% range, if not 100%."

Commissioner Gwin said, "That would be great. The dental clinic seems to work very well for children. Has there ever been any discussion about expanding that to adults?"

Dr. Magruder said, "That clinic has operated in that fashion for approximately 22 years, having as a specific mission its financial support comes from maternal and child health funding. So, the focus, from KDHE, has been to hone in on children. The other important thing to note about that dental clinic is that it does provide care totally free of charge. If we were to expand that, it wouldn't be impossible, and we could certainly consider it, we have a very good staff and a very nice infrastructure in place, so it would be feasible."

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Commissioner Gwin said, "But like a fee for service or a sliding scale, based upon ability to pay, something like that?"

Dr. Magruder said, "If we were to explore expanding the dental clinic for adult services, and we were to go to a sliding fee scale, or something similar, we would want to make absolutely certain that we distinguish between that clinic operation and our children's clinic because our children's clinic functions specifically on the basis that we do not charge any money for our services, whatsoever. That is the basis on which we are able to get dentists in the community to volunteer. We have a very, very wonderful group of over 35 dentists in this community that come in, and very generously, give of their time. They do that because we charge no fees. If we entered into a process with adults, where we were charging fees, it would kind of be a different sort of a system, and would not be voluntary, for the most part, but we'd have to hire a dentist and try to make that function, within a fee structure."

Commissioner Gwin said, "Just thinking out loud, and certainly I don't want to do anything that would harm that successful program. Also then and finally, I was at the Cancer Society Dinner, where Gaylen was recognized, and my congratulations to her on behalf of all of us cancer survivors for her community involvement, for her work. Thank you. Thank you, Mr. Chairman."

Chairman Hancock said, "Thank you, Commissioner. Doctor, on the 57th Street thing, I think that might have been an exercise that was required by the Federal Government, in the event that there was a chlorine spill. I think that's what I understood through reading about that. You might check on that. Further questions or comments? If not, Chair would entertain a motion."

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. At this time, we'll take a five minute recess."

The Board of Sedgwick County Commissioners recessed at 9:50 a.m. and returned at 10:00 a.m.

Chairman Hancock said, "I will bring the meeting back to order. Welcome back. At this time I'll call the next item please."

F. PUBLIC WORKS.

1. RESOLUTION DESIGNATING AND CLASSIFYING 73RD STREET NORTH CIRCLE TO THE KECHI TOWNSHIP SYSTEM. DISTRICT #1.

Mr. David C. Spears, P.E., Director/County Engineer, greeted the Commissioners and said, "I have a couple of items before the road show. On Item F-1, it is standard procedure that after a road is constructed within a platted residential subdivision in accordance with County standards, that road is then assigned to the township road system. In this particular case, 73rd Street North Circle, located in Wildwood Acres Addition will become the responsibility of Kechi Township. The Kechi Township Board was informed that this resolution would be on the County Commission agenda, by letter, dated October 18, 1999. I recommend that you adopt the resolution.

Chairman Hancock said, "Thank you, Mr. Spears. Commissioners, questions on this item?"

MOTION

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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 Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Item 2."

2. RESOLUTION DESIGNATING AND CLASSIFYING SAGEBRUSH, TIPPERARY CIRCLE AND SAGEBRUSH COURT TO THE MINNEHA TOWNSHIP SYSTEM. DISTRICT #1.

Mr. Spears said, "This item is similar to the previous item. In this particular case, Sagebrush, Tipperary Circle and three Sagebrush Courts, located in Crestview Country Club Estates- Overbrook 2nd Addition- Phase II, will become the responsibility of Minneha Township. The Minneha Township Board was informed that this resolution would be on the County Commission agenda, by letter, dated October 27, 1999. I recommend that you adopt the resolution."

MOTION

Commissioner Gwin moved to adopt the resolution.

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Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Item 3."

3. PRESENTATION DEPICTING ROAD, INTERSECTION AND BRIDGE CONSTRUCTION PROJECTS COMPLETED DURING 1999. ALL DISTRICTS.

SLIDE PRESENTATION

Mr. Spears said, "I would like to report to you on the projects that were constructed in 1999, including roads, bridges and intersections. The map shows all projects that were funded in 1999. Also, all of the skim coating and chat sealing projects completed by our road crews are shown on the map.

"This year, we completed 21 miles of skim coating, which is a cold mix that we do, and 8 miles of chat sealing. The roads are selected by our staff in January and you are notified by memorandum, accordingly.

"In addition to these projects, the 1999 construction program can be summarized as follows: 8 ½ miles of road were constructed by contract this year, 28.5 miles of roads were overlaid with one inch of BM-1 hot mix. One interchange was constructed at K-96 and Greenwich. Fifty-five miles of road were treated with a latex modified slurry seal. Eighteen bridges were constructed or are under construction by contract. Ten bridges were constructed by our crews. Forty-five and three quarter miles of shoulders on both sides of the road were constructed by our crews and seven miles of asphalt rejuvenation was constructed by Cutler Repaving, and that was on four lane roadways.

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“All of the projects are in accordance with Sedgwick County’s Capital Improvement Program. The exact locations of all the improvements are shown in your back-up material. In total, improvements were made to 173.75 miles of the 500 miles of paved roads that Sedgwick County is responsible for. This means that 34.75% of the County’s road system was improved in 1999, in some manner.

“A memorandum depicting the expenditures on our projects was sent to you on November 29th. In general, the expenditures for 1999 were \$12,000,000 in sales tax, \$3,400,000 in General Obligation Bonds, \$2,500,000 in bridges, and \$8,100,000 out of our highway budget.

“I would also like to mention the special assessment projects; ten sewer projects were constructed, or are in the process of being constructed, at a total cost of \$924,689.06 and eight special assessment street projects, at a total of \$2,948,599.02. These keep Jim Weber and his staff extremely busy. The specific projects are also attached to your back-up material.

“Now, we are ready to view the slides and I simply want to remind you that infrastructure is the mother’s milk of economic development.

“This first project, this is under construction now. This is the Derby bridge, what we call the Derby bridge. \$4,300,000, BRB contractor. You see, the bridge is back in this area. A road that we improved to get to the bridge. Commissioner Hancock lives down there and inspects that, just about every day. You can see the bridge itself.

“In most of the pictures, we’re going to show you the contrast between the old and the new. This is up in Mount Hope, a carryover project. That’s the old and there is the new. There’s the Mount Hope sign. Cornejo, \$765,000. Before, after. Before, after. Old and the new. Same project, Mount Hope. Had a lot of good comments about it from folks up there. There’s the old, new.

“Okay, next project, out in Commissioner Gwin’s district, Central between Greenwich and 127th. This is before and this is after. Quite a significant difference. Four lanes, sidewalks, Central Paving, \$2,500,000. Before, after. Here’s the intersection before. This is Greenwich Road itself, between Central and 54. Ritchie, \$1,400,000, sales tax. Before, after. There you see Raytheon.

“This is 63rd, between K-15 and Buckner, which we won an award for this year. Ritchie, \$1,100,000. Before, after. Before again, after. And before, after. Looking north on Buckner. This is after. You can see the Oliver project to the north. That’s coming up next. Those were the carry overs. That’s a before picture, of course, before we even started, because we realigned Oliver to tie into Buckner. There’s from

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on top of the mountain of dirt, looking down on it. Before, of course, after.

“Next project, 13th Street North, this is between the east city limits of Wichita and K-96. Central Paving, \$2,200,000. Before, that’s after. Before, after. Before, after. Before, after. At 13th and Greenwich.

“This is the interchange, half interchange, at K-96 and Greenwich. This is, of course, a before picture. This is the on ramp, where you get on K-96. We shared in the special assessment and sales tax. Only one in the State, to my knowledge, that’s been done this way. Course, we had to work with KDOT (Kansas Department of Transportation) to get the interchange approved. This would be where the off ramp will be. The bike path, the little structure we had to put in for the bike path.

“Now, our work with BM-1 overlays. We did 28 ½ miles of these this year. This is 159th, that’s before, there’s after. That’s in Commissioner Gwin’s District, on the County line. A road we took over this year. That road didn’t cost that much. That’s for the 28 ½ miles, \$647,000. Still, 159th, see it’s in pretty bad shape. There’s a structure we had to pull down. There was some squashed culverts there before.

“This is West Street, still being one project. Just have a couple more of the BM-1s. 21st, near West Street. Sedgwick County Park, overlays in there, with the BM-1 on the road and the bike path and the parking lot.

“Now, the latex modified slurry seal. Fifty-five miles of this we did this year. Sales tax, \$1,200,00, Ballou Construction. Kansas Coliseum. This is Hydraulic. This is on 77th, just to the south of the dog track. Another project, we’re in charge of, on the road system now is the parking lot at the Coliseum. We’ve been improving that for several years and we’ll continue that program, \$245,000 this year. Before, after.

“Now, here’s the miscellaneous hot mix. This is the job we did, up near Kechi, Sioux and 61st, out of our miscellaneous. See the dip there between 61st, 61st is this road and this is Sioux. There is a bad dip and we had several complaint, City Hall is right here, several complaints, especially in the winter. That’s what it looks like now. The dip is gone. There’s the old, before. New. Before. This is another location. You can see these patches. KDOT did this job, on our roads, for another job they were doing that we got them to do this and then it started going bad, so we had to fix it.

“Now, we’re to the Cutler Repaving. This is something we do about once every five years, and this is on our four lane roads that have curb and gutter, because you can’t overlay them, or you mess up the drainage in the gutter. So, you have to recycle and add a little bit of virgin material and put back in and

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they do a fantastic job. Also, the great thing about this, you can see this is north of 47th looking north on Oliver, and this is of course, Boeing, and the great thing about this is you can do it at night and not have to fight the traffic. Seneca, same type of project. This is after the tornado. This is Rock Road and Arnold. This is McConnell Air Force Base.

“Cold mix overlays and chat seals by County personnel. I won’t show all of these. Just a few. Like I said, we use over 900,000 gallons of oil this year. I tell you, the guys caught up well. We didn’t expect to use that much, especially since we were cleaning up the tornado for about six weeks and they really worked hard. We got everything achieved that we wanted to. We take the oil and mix it with several ingredients and make a cold mix and then we lay the cold mix down with the motor grader and put it with limestone and sand and mix them. We used about 900,000 gallons of oil, which comes right out of the budget. That’s on 125th Street.

“Rock shoulders, just to show you, \$222,000 worth of rock. When you overlay the roads then you have to come back on the shoulders and put that up so there’s not a drop off. We have a machine that does that. Forty-six miles, plus or minus on that.

Now, we’re to the bridges. These, like the roads, we’ll show old and new. It’s a pretty drastic contrast. This one is on 23rd Street South, between 343rd and 327th. Same bridge, old, there’s the new. Another structure on 31st, between 263rd and 247th. We’ve got some dandies out there. A lot of these were built in the ‘30s. The new one, Klaver Construction, \$134,000. Old, the same bridge. This is on 231st Street West, between 23rd and 31st South. Old, in this case we put some pipes and those are gabions around there, they’re rock-filled wire cages. This is another one, on 23rd between 231st and 215. Same type of deal there as the previous one.

Commissioner Winters said, “Dave, I see you’ve got a contractor doing those. Can our crews do those? They don’t look like major projects.”

Mr. Spears said, “Yes. They can, but you’ll see, later on, we keep them busy with the wooden bridges, and they built several of those this year. Yes, we can do that.”

This is on 31st Street South, between 199th and 183rd. A new one, old, new. Next project, on 31st, between 183rd and 199th. I don’t really know how water got through that before. Klaver, \$72,000. Same bridge. 87th, between 199th and 215. Klaver, again, \$138,000. That’s kind of dark. Same bridge. 247th, between 87th and 95th. That’s the old and that’s the new. 87th, between 327th and

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343rd. 60,000, Klaver. That's the same structure. This is the bridge on 119th, between 343rd and 359th. Guard rails not up yet. Old again. 111th, between 391st and 407th. See that weight limit, 4 tons. Keep in mind, we have 650 bridges that we're responsible for, 95th, between 391st and 407th. 13th, between 375th and 391st. Bridge on 359th, between 21st and 29th. Utility, \$105,000. Old, new. A picture, above, showing you a narrow bridge, how it was on top there, 279th, between 61st and 69th. That's how it is now.

"We widen these about 28 feet wide. Most farm machinery can get past that. Pretty good size bridge here. This is 279th between 117th and 125th. Dondlinger, \$352,000. I don't think we have any before. They started on that before last February, before Jerry could get out and get pictures. This is 183rd, between 53rd and 61st. Another \$300,000 bridge. Donlinger did this one. Before."

Commissioner McGinn said, "Dave, where are we at on all of these? You said a lot of them were built in the 30s. Are we half way yet or more than half way?"

Mr. Spears said, "Yes, we've put a dent in it. We had a \$3,000,000 program and now we're down to \$2,000,000 program. We'd like to talk to everybody about increasing that back to \$3,000,000 at some point, but we put that other million in roads, now. We didn't eliminate it. We just shifted."

Commissioner McGinn said, "But are we about to get all of these?"

Mr. Spears said, "I'd have to get back to you on that. We've put a good dent in it, but we still have many bridges out there that are not open bridges, meaning that an open load can't, not supposed to go over. Many of them won't take a legal load. Let's put it that way. You saw one before that was a 4 ton bridge. What we're trying to do is do the 3 tons, 4 tons, 5 tons, and then we also get with the townships and see which ones they want done. Even if it's on a township road, a bridge is our responsibility. I'd say we have at least 150 more that we need to do, Commissioner, round numbers.

"Now, this is the ones we did. All these will be wooden bridges. I'll go through these rather fast. The money shows you, sales tax paid for the material, the \$12,000, that's what that means, and then the highway funds is the labor put into it. So, that's the total numbers down below, 47th, between Tyler and 103rd West."

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Chairman Hancock said, "These were probably built in the 30s, too, weren't they?"

Mr. Spears said, "Most all of these wood ones are like in the 30s."

Chairman Hancock said, "Forty or 50 years old. The new ones that they put up, they're probably the same kind of life span, I imagine."

Mr. Spear said, "We think so. They're treated, creosote treated. Small bridges, and we think they'll last that long. More or less, we say 50 years."

Chairman Hancock said "The amount of traffic determines what the structure's going to be, wood or concrete?"

Mr. Spears said, "Size. The small ones that we can build with our crews, we have plenty to choose from, just the small ones. You notice most of them are just one span that we put in there. We have a pretty good routine that we go through and we don't try to reinvent the wheel, 263rd between 4th and 6th, 279th between 13th and 21st North. There's a dandy. On 23rd Street South, between 359th and 343rd. That's the tenth one, under construction now."

"Also, I want to thank Jerry Day for doing the lion's share of this. He took all of the pictures. Stands out in the middle of traffic, with the orange vest on and risks his life for the road show. Thanks, Jerry. That concludes the presentation."

Chairman Hancock said, "Dave, it looks like it was another busy year for Public Works and I expect it will be another busy year in 2000. We appreciate everything your staff has done and the engineering folks and all the Public Works people. We know they work hard down there. This is the result of some awfully good work. We've been aggressive, for a number of years, with this and I think as we look at the results and the progress, I think we're going to try to remain aggressive and develop, what I believe to be some of the best County maintained roads in the State of Kansas. Appreciate it."

Mr. Spears said, "Thank you, for those comments."

Chairman Hancock said, "Commissioners, comments? Questions?"

MOTION

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Commissioner Gwin moved to receive and file.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. David, while I'm thinking about it, I need to see you. I would like to have some discussion about the bicycle path situation. I know it's been popular lately. We need to talk about that."

Mr. Spears said, "Be glad to."

Chairman Hancock said, "Okay, thank you. Next item please."

**G. REPORT OF THE BOARD OF BIDS AND CONTRACTS' DECEMBER 2, 1999
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the December 2nd meeting of the Board of Bids and Contracts. There are six items for consideration.

**(1) REMODEL OF WEST TAG OFFICE- TREASURER
FUNDING: CAPITAL PROJECTS**

"Item one is the remodeling of the West Tag Office with the County Treasurer. It was recommended to accept the low bid of Neely Construction Company. That amount, \$63,893.

(2) LARGE INTERMEDIATE FOUR DOOR SEDANS- FLEET MANAGEMENT

Regular Meeting, December 8, 1999

FUNDING: FLEET MANAGEMENT

“Item two, various large intermediate four door sedans for Fleet Management and the Sheriff’s Department. It was recommended to accept the responsible low bid of Don Hattan Chevrolet. That amount, with trade, \$90,300. Complete tabulation follows.

**(3) PROFESSIONAL APPRAISAL CONSULTANT- APPRAISER
FUNDING: APPRAISER**

“Item three is a professional appraisal consultant for the Appraiser. It was recommended to accept the only proposal received of Thomas Y. Pickett & Company. That amount, \$11,000. A complete summary of the recommendation follows.

**(4) IMAGING PROJECT- APPRAISER
FUNDING: APPRAISER**

“Item four, imaging project, this is a document imaging system for the Appraiser. It was recommended to accept the only bid of Automated Business Systems. That amount, for the Appraiser, \$68,636.60. On the following page, the second and third paragraphs is an overview of that particular purchase.

**(5) DLT 7000 DR & MOUNTING- INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

“Item five, mounting unit for an existing Storagetek file storage machine for Information Services. It was recommended to accept the only bid received of Storagetek, storage technology Corporation. That amount is \$10,125. The following page, the first paragraph gives an overview of that particular purchase.

**(6) RESTROOM PARTITIONS- JUVENILE RESIDENTIAL FACILITY
FUNDING: JUVENILE RESIDENTIAL FACILITY**

“Item six, restroom partitions for the Juvenile Residential Facility. It was recommended to accept the low bid of Architectural Building Specialties. That amount, \$4,274.

ITEMS NOT REQUIRING BOCC ACTION

(7) LAPTOPS- APPRAISER

Regular Meeting, December 8, 1999

FUNDING: APPRAISER

“There was one item that did not require action at that particular time. That was tabled. Those were laptop computers for the Appraiser. Those bids are being review.

“I will be happy to take questions and recommend approval of the Minutes from the Board of Bids and Contracts.”

Chairman Hancock said, “Thank you, Darren. There are some questions. Commissioner Gwin.”

Commissioner Gwin said, “Thank you. Darren, is the West, the remodel of the west side Treasurer office, is that the new one we’re just moving into?”

Mr. Muci said, “That’s correct.”

Commissioner Gwin said, “Okay, I guess I had some other number in mind. I thought, when we talked about that contract, or that lease, that it was going to be a minimal amount of money for redecoration. The landlord wanted us to spend \$20,000 and we were going to do it ourselves for less. I’m obviously confused about that because this is a substantial remodel.”

Mr. Muci said, “Commissioner, if you would like, I could do some research on that. I’ll check with our Capital Projects man, Mr. Arnold.”

Commissioner Gwin said, “Yeah, I must be confusing it with something else, but if you could get back to me about that, I’d appreciate it. Thank you. Thank you, Mr. Chairman.”

Chairman Hancock said, “Thank you, Commissioner. Commissioner Sciortino.”

CommissionerSciortino said, “Thank you, Mr. Chairman. Darren, I want to go back to the intermediate four door sedans. It says here none of the quotations met the specifications, about the Fords, didn’t meet the wheel base, gas tank, track and shoulder room spec, full size spare. Could any Ford have met those specs or were those specs designed that only Chevrolet could meet the qualifications?”

Regular Meeting, December 8, 1999

Mr. Muci said, "Thank you for the question, sir. There were a couple of models of the Ford, I believe it's the Crown Victoria, that can meet that specification. The vendors elected not to quote that particular vehicle at this particular time. These are loosely based around three models of cars. The Ford Taurus is very close, the Chevrolet Impala and the Dodge Intrepid. We did not have bids from those. After reviewing those and understanding the needs of the Sheriff, we elected to select the bid that which most closely met our specifications."

Commissioner Sciortino said, "Okay, but the other manufacturers had vehicles that could have met the specs?"

Mr. Muci said, "I believe so, yes."

Commissioner Sciortino said, "Okay, thank you."

Chairman Hancock said, "Thank you, Commissioner. Other questions? If not, what's the will of the Board?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you, Darren. Next item please."

CONSENT AGENDA

Regular Meeting, December 8, 1999

H. CONSENT AGENDA.

1. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V99078	\$440.00	5	Cottage Grove
V99077	\$300.00		Brian D. Shepherd
V99080	\$425.00	5	William Favreau
V99079	\$400.00		Grace Lutheran Church
V99081	\$427.00	2	Clifford and Carlene Swearingin

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>
V96007	\$136.00	\$147.00
V94116	\$239.00	\$311.00
C95005	\$324.00	\$290.00
V99000	\$275.00	\$275.00
V98000	\$96.00	\$99.00
V99052	\$421.00	\$109.00
V99051	\$400.00	\$221.00
V99065	\$462.00	\$000.00
V96084	\$136.00	\$392.00
V96003	\$104.00	\$101.00
V98004	\$105.00	\$105.00
V97007	\$197.00	\$000.00
C98001	\$222.00	\$220.00
V95120	\$345.00	\$32.00
V99022	\$91.00	\$177.00
V99052	\$421.00	\$31.00

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Is there further business?"

The Board of Sedgwick County Commissioners recessed into the Fire District meeting at 10:42 a.m. and returned at 10:48 a.m.

Chairman Hancock said, "Is there further business?"

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims, litigation, legal advice, and personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner than 11:00 a.m.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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Chairman Hancock said, "We're in Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:45 and returned at 11:25 a.m.

Chairman Hancock said, "I'll bring the meeting back to order. Thank you for waiting. Unfinished business, Mr. Counselor."

Mr. Euson said, "Thank you, Mr. Chairman. Mr. Chairman, Commissioners, I would like to request settlement of two workers compensation cases the settlement of which can be taken up in one motion. The first case is a case involving Robin Farlow, who is a Sheriff's Detention Deputy. She incurred a, suffered a twisted right knee, involving some surgery, and has been diagnosed with a 20% permanent partial impairment, converting to \$12,527.19 and I would recommend that for your approval.

The second is an employee by the name of Minh Peng, who was involved in an automobile accident and suffered cervical strain and has been diagnosed with a 5% bodily disability, converting to \$6,922.62. I would also recommend that for your approval."

Chairman Hancock said, "Okay, thank you. Commissioners, questions on these items? If not, the Chair would entertain a motion."

MOTION

Commissioner Gwin moved to approve the settlements as outlined by Mr. Euson.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

Regular Meeting, December 8, 1999

Chairman Bill Hancock

Aye

Chairman Hancock said, "Thank you. Any further business? If not, we're adjourned."

J. ADJOURNMENT

Regular Meeting, December 8, 1999

There being no other business to come before the Board, the Meeting was adjourned at 11:27 a.m.

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

BILL HANCOCK, Chairman
Second District

BETSY GWIN, Chair Pro Tem,
First District

THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

Regular Meeting, December 8, 1999

_____, 2000