

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JUNE 25, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, June 25, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Melody C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Mark Borst, Deputy Director, Bureau of Public Services; Mr. Jack Brown, Acting Director, Community Health Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Doug Russell, Director, Department on Aging; Ms. Mary Ann Nichols, Director, Personnel Department; Ms. Deborah Donaldson, Director, COMCARE; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

GUESTS

Ms. Linda Hoffard, 817 Tristen Drive, Mulvane, Kansas
Mr. Lance Powers, 14501 E. Hawthorne Court, Wichita, Kansas

INVOCATION

The Invocation was given by Mr. Pete Morris of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, June 4, 1997

The Clerk reported that all Commissioners were present at the Regular Meeting of June 4, 1997.

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

MOTION

Commissioner Hancock moved to adopt the Minutes of June 4, 1997, as presented.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

Ms. Becky Allen-Bouska, Finance Director, greeted the Commissioners and said, "You have previously received the certification of funds for expenditures on today's Regular and Fire District Agenda. I am available for questions if there are any."

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

APPOINTMENTS

A. DISCUSSION OF APPOINTMENTS TO THE WICHITA AIRPORT AUTHORITY BOARD.

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Chairman Winters said, "Commissioners, I visited with Rich this morning and don't believe that we're prepared to do this action today . So unless there is some other discussion, I would like to move that we defer this item for one week."

MOTION

Commissioner Schroeder moved to defer the item for one week.

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

Chairman Winters said, "Next item."

RETIREMENT PRESENTATION

**B. PRESENTATION OF RETIREMENT CLOCK TO SUE SMITH,
ACCOUNTANT, ACCOUNTING DEPARTMENT.**

Ms. Mary Anne Nichols, Personnel Director, greeted the Commissioners and said, "It is my privilege this morning to present a retirement certificate to Sue Smith. Sue is retiring July 1, 1997, after 15 years of service. Sue was hired on June 7, 1982, as a Fiscal Associate in the Clerk's Office and became a Fiscal Assistant March 14, 1983. She was transferred to the Accounting Department as a Bookkeeper on January 1, 1986, and was promoted to Accountant on June 1, 1988.

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“Sue said she plans to spend time with her father who lives in the Branson area. Her three children and five grandchildren live in Wichita and she will be able to spend more time with them. Sue plans to continue with real estate by renewing her real estate license. When not helping people buy or sell homes, she says I plan to get back on the golf course, if I remember how.

“Sue started to work in the Clerk’s Office in 1982 and moved to the Controller’s Office in 1985. She describes her period of employment with Sedgwick County as, ‘I have enjoyed the various job duties I’ve had while here with Sedgwick County. My most enjoyable duties have been with the tax foreclosure process. I enjoyed meeting people and working with the various offices.’ We want to wish her well in her retirement.”

Chairman Winters said, “Sue, on behalf of the Board of County Commissioners, we would like to present you with this clock as a token of the appreciation that all of us have for the work that you’ve done for Sedgwick County, for both the employees and for the citizens of the County. We certainly wish you the best in your retirement. Congratulations. Would you like to say a couple of words? Madam Clerk, call the next item.”

PLANNING DEPARTMENT

C. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

1. CASE NUMBER V-2029 - REQUEST TO VACATE A UTILITY EASEMENT LOCATED ON SHARON WEST OF RIDGEHURST.

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “We have three planning items on your Agenda this morning. The first is a vacation case. This is an advertised public hearing.

SLIDE PRESENTATION

“This is a request. It is in the Brookhaven Estate 2nd Addition, which is the newest addition on the Four Mile Creek area you see. It is north of Central and south of the Kansas Turnpike and east of 143rd Street. This addition was platted originally with these lots on Sharon. Originally there was a tier of eleven lots and there was a side yard utility easement that was platted and dedicated as part of a plat in between two lots, lots 26 and 27.

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“You can see there. This is not uncommon in platted additions. The developer has decided that he wants to sell larger lots. So he is replatting that area and selling platted lots and a portion of lots and selling and building on ten lots instead of eleven lots. That puts one of these new larger lots in a location where that side yard utility easement is in the middle of a lot and in the place where a home would be constructed.

“The applicant has submitted a substitute easement along another side yard in this area to provide for utilities. It was acceptable to the County Engineer. The Planning Commission reviewed this. There were no other utilities that needed to be relocated. The Planning Commission recommended you approve this vacation by a unanimous vote. I’d be glad to answer any questions you have on this case.”

Chairman Winters said, “I see no questions at this time Marvin. I will open the public hearing to receive public comment. Is there anyone here who would like to speak to the Board of County Commissioners regarding this vacation request of utility easement located on Sharon west of Ridgehurst? Is there anyone who wishes to speak to the Commission? Seeing no one, we’ll close the public hearing and limit discussion to staff and Commissioners.”

MOTION

Commissioner Gwin moved to approve the Vacation Order and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

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Chairman Winters said, "Next item."

2. CASE NUMBER V-2033 - REQUEST TO VACATE A FLOODWAY RESERVE LOCATED ON THE EAST SIDE OF 127TH STREET EAST, NORTH OF 31ST STREET SOUTH.

Mr. Krout said, "This is east of 127th Street. It is a large lot area and as you'll see in the aerial photograph, the area has been divided into ten acre parcels. At the time the lot was originally created in this area, there was a floodway reserve that was dedicated to the County that was based on the FEMA (Federal Emergency Management Act) maps that existed at that time. The FEMA maps shows that this is about a third of an acre that is identified in the red outlined area that is along the creek, which is a tributary to the Four Mile Creek, was in the floodway according to FEMA. Now that the homeowner is planning to build on this site, they took a closer look at it and did some cross sections and identified that in fact, this third of an acre, which is above the outside of the bend of that creek is outside of the floodway. It is three plus feet outside of the floodway and does not need to be mapped and so they have already applied for what is called the letter of map correction and that has been approved by FEMA. So, according to the Federal Flood Insurance people, this is out of the floodplain. Now they need to vacate the dedicated floodway reserve.

"This went through the Planning Commission and was recommended by the County Engineer. The Planning Commission voted ten to one to recommend approval. The one no vote was based on a consistent vote that anything that has the words floodplain gets a no vote. Otherwise, the Planning Commission felt that this was out of the floodplain and should be vacated. We recommend that you approve the vacation order."

Chairman Winters said, "All right, thank you. I see no questions at this time Marvin. I will open the public hearing. Is there anyone here who would like to address the Board concerning the request to vacate the floodway reserve located on the east side of 127th Street East, north of 31st Street South? Is there anyone here who would like to address the Commission on this issue? Seeing no one, we'll close the public hearing and limit discussion to Commission and staff."

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MOTION

Commissioner Schroeder moved to approve the Vacation Order 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

- 3. CASE NUMBER CU-344, AMENDMENT #1 - CONDITIONAL USE AMENDMENT TO REVISE CONDITIONS PLACED ON THE EXISTING MULVANE ANIMAL CLINIC LOCATED APPROXIMATELY 1,000 FEET NORTH OF 103RD STREET SOUTH, WEST OF ROCK ROAD (10201 SOUTH ROCK ROAD).**

SLIDE PRESENTATION

Mr. Krout said, "This request concerns the red shaded area on the map, which is about a one acre parcel. It is a portion of that Sunnyview Addition 5 acres that was platted back in 1991. The LC (Light Commercial) Zoning was approved with a Conditional Use to allow for an animal clinic back in 1991. That animal clinic request was approved and the animal clinic has been developed and has operated for some years out there. This is located, as indicated, about a quarter mile north of 103rd Street South, which is currently the limits of Mulvane and on the southeast corner of 103rd and Rock Road where the new Mulvane high school is located today. This is definitely in Mulvane's jurisdiction.

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“You may recall that a few months ago you had a request for the balance of that Sunnyview Addition for commercial zoning to permit a mini-warehouse development. That case went through the process and was ultimately denied by the County Commission. As we went through that process, you may recall there were some allegations that were made specifically about the animal clinic being in violation of conditions of that original 1991 Conditional Use permit (CUP). One, that landscaping had not been completely installed according to the Conditional Use requirements and second that there were outdoor dog runs that had been installed and the Conditional Use specifically required that animals be harbored indoors only.

“After the zoning case was completed, County Code Enforcement did follow up and did identify that those violations had occurred. The applicant then filed to deal with the animal outside run issue. The landscaping issue is just an enforcement issue and I understand that he intends to comply with the remainder of the landscaping requirement. An amendment to the Conditional Use is required in order to allow these animal runs. The property all around this area is zoned Rural Residential. It is mostly an agricultural use. The nearest home, if you can see to the left and down, is about a quarter mile south and west on 103rd Street, so there is some distance to the nearest homes, but there are property owners in the vicinity who have a concern with the future development of this corridor and the image of Rock Road in particular.

“The staff recommended approval of the Conditional Use Amendment. The cite plan that you have in your packet shows that there will be eight runs. There are eight runs out there. There is also an enclosing fence that goes beyond those runs that is sort of an outdoor walk out area that would keep the dogs fenced while they are walking out to those pens. The applicant agreed that the use of those outdoor pens would be limited to 8:00 a.m. to 4:30 p.m. In other words, limited to the hours of operation of his use. There wouldn't be any night time use of any of these outdoor runs. It would only be during the business hours. We thought this request was minor in nature. It is to the rear of the building. It is already screened to the north and the west by the landscaping that has been installed by the evergreen trees that has been installed. It is barely visible from Rock Road. There will be additional landscaping that will be required along the south of the property that will provide an additional buffer in that direction and in the Rural Residential District. Any property owner is permitted in a residential district to own up to ten adult dogs and it is called a hobby kennel and those dogs can be outside and there are no limitations on hours. So we felt that this was not much different than what someone might be able to do with their own residential property.

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“The Mulvane Planning Commission and the MAPC (Metropolitan Area Planning Commission) both held public hearings. There were several property owners at both of those hearings and objected to the Amendment to the Conditional Use. Their concern was that there had been reports that dogs had been out at night time as well as daytime during this period of violation and it was an annoyance. Also, the concern was kind of with what we call the nose in the camels tent, the idea that once you permit additional uses you begin to create a situation along Rock Road where it justifies other uses and then the concern with Rock Road having a strong and positive image as a gateway to Mulvane and as a strong connector throughout the county. The positive image that Rock Road has, both where it is rural today and through urban areas like through Derby might be lost.

“The concern is, as Derby has expressed before, that Rock Road not become the future K-15. That’s why they have been so careful about development in their city limits. So, I think it is the image of Rock Road in the future and whether or not this would set a precedent for future development that would be less than attractive as well as the use itself that was a concern by the protestors. We received one protest that is within the thousand foot radius and the portion that is within the thousand-foot radius constitutes just over 20% of the area in opposition in that radius area. So, it will require four votes of the County Commission to override this protest and approve the requested Conditional Use Amendment.

“Just yesterday, we received a letter from the applicant. I think you received that also. He sent copies to you. He indicated that by the time he heard about the scheduling of this case he had already made personal plans that he could not get out of and he is not able to be here this morning. In his letter, he indicated that when he built those pens he did not realize that they would be in violation of the harboring because he only intended for them to be outdoor exercising areas during the hours of the operation and nothing that would be used all night long. When he found out about it, he did file. He believes it is not a nuisance and he is asking for your approval and pointed out that it has been used since 1993 without complaints until the issue surfaced just a few months ago when we went through the request for zoning for the balance of the five acre addition.

“This is the area we are talking about. We are looking at the northeast corner of the cite. That means to your left would be Rock Road in front of the building. It is screened with a solid screening fence facing Rock Road. There is this walk out area and the pens themselves are underneath the roof enclosure that you see on the west side of the building.

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“We’re looking now beyond the building in the front of the building, their parking lot, and looking toward Rock Road in the background. Looking east toward Rock Road and the area beyond it. This is looking to the north and east from about the northeast corner of the building.”

Chairman Winters said, “Marvin, could you back up one slide? Is that Rock Road then over there? That’s Rock Road at the telephone poles?”

Mr. Krout said, “This building is well set back from the road, about 150 or 200 feet. Then this is in the rear of that building. This is again from the northwest corner. You can see that the trees have been planted along the northwest property line and the north property line so we’re standing right about at the corner of where that fence enclosure was. This is looking to the west beyond that screening hedge. Now we’re looking from the south of the building on the acreage looking to the north. You can see the evergreen trees along the west side and the enclosure and the pens. Then again this is the west side landscaping and the area to the west undeveloped beyond that. Again, looking to the west. This is looking from the south from just south of the building, south along Rock Road. Another similar shot of Rock Road and I think you can maybe see the high school in the distance in about the center of the screen. This is the entryway on the south end of the parcel, the entry drive from Rock Road into the site and then looking south and east across Rock Road. No homes in the immediate area. This is the site plan. Five acre parcels. Acreage is zoned light commercial. This is the clinic building and the parking. This is the pen and then there is a fence for a walkout area that extends around that. This is the landscaping. We’re back to the aerial photograph. Maybe that would be the best place to stop.”

Commissioner Miller said, “Show me again where the lagoon is.”

Mr. Krout said, “On this aerial photograph, the lagoon is just to the north. This should actually be boxed in including the building. That is the light commercial tract that is part of the five acre tract. This is the acreage that was zoned light commercial and this is the lagoon which isn’t zoned but does serve that clinic, just to the north on Rock Road. You can see it there in that photograph and I think that there was a photograph where you could see what it looked like here. There it is.”

Commissioner Miller said, “Oh, okay.”

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Mr. Krout said, "There was some discussion, although it wasn't part of the conditional use. There was some discussion at the initial Conditional Use hearing about having evergreen trees along Rock Road to help screen out that lagoon also."

Commissioner Miller said, "It's closest to Rock Road."

Mr. Krout said, "That is what is closest to Rock Road."

Commissioner Miller said, "Okay. Thank you."

Chairman Winters said, "Anything else at this time Marvin?"

Mr. Krout said, "No."

Chairman Winters said, "All right, at this time, we would like to hear from any citizen who is here who would like to address the Commission on this matter. Whether you are in support or in opposition, we did receive a letter this morning from the applicant indicating that he is today enrolling his son for college for the fall semester and is not able to be here. We would be glad to hear from anyone here who would like to address the Commission. Would you please come forward at this time if you would like to address the Commission on our item three in the planning agenda? Yes, come on ahead. Please give your name and address for the record and please limit your remarks to five minutes."

Ms. Linda Hoffard, 817 Tristen Drive, Mulvane, said, "I'm representing my mother Ellen whose property lies within a thousand feet of the application area. She has filed a formal protest, as have I and my brother Terry. I'd like to point out that Paul and Madline Farber also filed a protest but were not able to attend today's meeting. You each have received copies of the 1991 MAPD staff report describing the original request to build the animal clinic and also the June 1991 MAPC Meeting Minutes pertaining to this case. Some of our reasons for protest are first of all the original request to build a clinic was to have a totally indoor facility and the applicant, Dr. Gosch and his partner, Wes Wenzel, their attorney all indicated that that is what their desire was and it was Mr. Gosch's own idea. This is documented in the MAPC staff report Schedule I, Paragraph 3.

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“Also, it is documented in the Meeting Minutes, pages 13 and 18, where the applicant’s attorney said, ‘They are talking about building a totally indoor facility.’ Skipping over, ‘the entirety of the runs for the animals will be self contained indoors.’ Then Dr. Gosch himself, on page 18, stated, ‘they are going to run a good ship down there. It is going to look nice and they will try to do everything inside.’ He said, ‘They thought about making outdoor runs, but when they started finding out about zoning regulations, did not want any outdoor noise.’ So he was very much aware. I don’t care what he says, he did know that he was in violation when he put up the outdoor runs.

“Whenever you said the year was that he installed those, he could have at that time come before you and requested permission to build them, but he did not. He chose to build them without permission. Like I said, we have no doubt that he was fully aware of the situation that it was against his CU Permit. It is our desire to keep the Rock Road corridor north of Mulvane looking as attractive as possible and we believe that if the applicant is allowed to keep the outdoor runs that it is going to degrade property value in the area and no high quality business or no residence is going to want to locate next to outdoor dog runs. We feel like it is just a stepping stone for low quality establishments to go in there. The applicant’s original landscaping proposal, if you’ll refer to the staff report Schedule I again, the last paragraph, ‘in addition, the south and east side of the lagoon will also be landscaped to provide a site barrier between the lagoon and the clinic and parking facilities as well as from Rock Road. I have some transparencies that I would like to show at this time. The first one shows the applicant’s proposed layout for the clinic and the landscaping. This is north on that side, the lagoon is here. He was proposing to put trees or shrubs here and here and I was reading some county documents that state that outside of this fence you can have shrubs.”

Chairman Winters said, “Ms. Hofford, that’s been five minutes. How much longer do you need to tell us what you need to tell us?”

Ms. Hofford said, “Two minutes.”

Chairman Winters said, “Okay, let’s go for two minutes and try to wrap up. We would like to see the rest of your transparencies. Thank you.”

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Ms. Hofford said, "He could put shrubs in here that are less than ten feet tall and be in compliance with county regulations. This isn't all on there but anyway, what he has done, he has placed three cedar trees on three corners, the northeast, this corner and over here and then there is this little tree and the top of it is dead. If anything, those cedar trees accentuate the lagoon rather than conceal it so that's all I have to say on that.

"Although it is not listed in the condition, we feel like something should be done to screen that lagoon. The applicant has repeatedly stated that he has not had dogs outside in the outdoor pens over night and yet I know of at least two people in two different residences who have heard dogs barking from that direction. I would like to point out that one Mulvane Planning Commission member who opposed this went on record saying that, 'he didn't think the Mulvane Planning Commission should bless things after the fact. If he wanted the outdoor runs he should have asked for them in the first place.' In closing, Dr. Gosch has left a trail of falsehoods and broken promises and the only reason that he is presenting this request to you today is because he was caught in violation, otherwise it would be going on from now on against County Code. We feel like approval would send a message that he will be able to do anything he wants to in the future. We implore you to deny this request. Thank you."

Chairman Winters said, "Thank you Ms. Hofford. I didn't understand. You said you had protested, your mother had and your brother had. Are any of them here today? Are they going to speak today?"

Ms. Hofford said, "They are here, I am representing my mother. My brother could not attend today, he had a prior commitment."

Chairman Winters said, "I have a couple of questions. Can you see these dog runs from your property?"

Ms. Hofford said, "You can. You can see where they are. You can see the outdoor protrusion in the back, the covered part, you can see that from Rock Road. If you're driving from the north on Rock Road south you can look over there and see the fence on the north."

Chairman Winters said, "Okay, thank you. Commissioner Miller."

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Commissioner Miller said, "Thank you Mr. Chairman. Ms. Hofford, I have a couple of questions. In regards to the lagoon, is there any odor you can detect from the lagoon or is simply the landscaping around it that troubles you?"

Ms. Hofford said, "It is mainly the landscaping. Like I said, the cedar trees on the three corners accentuate the presence of it. If he just had a chain link fence, you might not even look that direction, but the trees kind of draw your eyes to it and it could look so much better with a few shrubs planted on two sides."

Commissioner Miller said, "Actually, I believe the Chairman has already asked the question. I'm not sure if I heard the answer though. Can you see the dog runs from your mother's property or can you just see the outline of the structure that protrudes from the building that covers the dog runs?"

Ms. Hofford said, "You can just see like you said, the covered part, but the main issue was not that you can't see them that well, the issue is that they are there and there can be dogs out there barking and it could discourage prospective attractive businesses and homes to be in the area."

Commissioner Miller said, "I appreciate that clarification. You said that there are a couple of individuals who have heard dogs barking particularly at night. Are there any other dogs in the area or is this the only clinic that has dogs? Are there any other dogs in the area that you know of?"

Ms. Hofford said, "There are, some families that have some dogs, yes."

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

Chairman Winters said, "Thank you. Thank you Ms. Hofford. Is there anyone else who would like to address the Commission on this? Please come forward. Please give your name and address. We try to limit our remarks to five minutes if we could."

Mr. Lance Powers, 14501 East Hawthorn Court, Wichita, Kansas, said, "Good morning. I actually own the acres right across the street from Dr. Gosch's clinic. I think the main concern for me is I'm planning on building half a million dollar home this fall across the street there. I've been on my land at night and there are deer that go out there and feed."

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“You can hear dogs out there. There are dogs in those pens at night. I’ve heard them. Another thing they really didn’t bring to your attention is you can visibly see the lagoon from Rock Road. When you drive down Rock Road, it sticks out like an eyesore. I don’t think it is really going to be something that is a betterment for the community. The high school is very close to the area. It is definitely not going to attract anyone who is going to want to do any real estate development. For me for example, it would probably be something I’d sell that real estate for lessor money than I would build a nice home and I’m going to have dog pens and a huge lagoon next to my land. Unless you are there and you can look at it, it is kind of hard to perceive what we’re talking about.

“I support an in house clinic, I don’t support the dog pens and I don’t support the lagoon. I think anytime you’re in an area where you’ve got a growing community that is a major concern for future development. I just wanted to speak on that behalf that I do not support that amendment and I think it should be taken into consideration future development in that area. I know that if you decided to buy twenty acres on the left side or right side of that property, I doubt if it would be for a residential development. I imagine it would be low income housing. It doesn’t make a lot of sense and spend that kind of money if you’re going to be in that type of atmosphere. That’s all I really have to say this morning.”

Chairman Winters said, “Okay, thank you. There are a couple of questions I believe. Commissioner Miller.”

Commissioner Miller said, “Thank you Mr. Chairman. Mr. Powers, you said you purchased or you own 40 acres across the road, right?”

Mr. Powers said, “Right across the street.”

Commissioner Miller said, “And you are planning on building a home?”

Mr. Powers said, “This fall.”

Commissioner Miller said, “In that area, I’m not familiar and I’m not sure if there is someone here from the Sedgwick County Health Department, but is it septic tanks or is it lagoons that are going to go out in that area?”

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Mr. Powers said, "There is a lagoon there. As far as I am concerned, I'm going to do a septic tank."

Commissioner Miller said, "I'm wondering if there is a choice in that area. Is there Marvin, do you know? I know in some areas it is simply not."

Mr. Krout said, "The soil is not suitable for septic tanks."

Commissioner Miller said, "Okay."

Mr. Powers said, "Thomas Russett lives right across on the corner there and I believe he does have a septic tank. It is right across from the new high school, right on the corner there. I could do some further investigation."

Commissioner Miller said, "Well, it depends upon the pecculation of the soil, I understand that. I know that there can be an environmental situation such that and I know pecculation of the soil is one variable that would preclude that you would have to put in a lagoon versus a septic tank. Therefore, it might be what you are looking at in that area."

Mr. Powers said, "The high school is not very far away so I'm kind of curious what they actually did with their sewage."

Mr. Krout said, "They have city services."

Commissioner Miller said, "They did."

Mr. Powers said, "That area is growing up very fast. Since 1993, when he previously installed those dog pens we've now got a new high school that has been built and it is very close."

Commissioner Miller said, "Thank you."

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

Commissioner Gwin said, "Mr. Powers, how long have you owned the property across the street?"

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Mr. Powers said, "About four years."

Commissioner Gwin said, "So you bought it in 1993, 1994? And the animal clinic was already there?"

Mr. Powers said, "Yes it was. I actually have a pet there and I took my pet there to the clinic. So I support an in house clinic."

Commissioner Gwin said, "It's the outdoor pens you have . . ."

Mr. Powers said, "It's the outdoor pens, definitely. Because what guarantee do we have if I do decide to build that those dogs will be in by this specific time guaranteed? I've been out there at night and I've heard a lot of dogs barking and there isn't a lot of homes around there except the ones that's just right next to the east of my home or where I'm going to build."

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

Chairman Winters said, "Thank you. Thank you Mr. Powers for being here. Is there anyone else in the audience today who would like to address the Commission? If there is, this is the time to come forward. Is there anyone else in the audience who would like to address the Commission on this issue? Seeing no one, we'll close the public discussion and limit discussion to Commission and staff."

"Commissioners, I'm tending to lean toward approval of this request. It appears to be rather minor in nature to me, but if somebody has another view I guess I'd like to hear it. Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Marvin, how long have the dog runs been in existence 'illegally'."

Mr. Krout said, "1993 according to staff."

Commissioner Miller said, "I did read through the brief, the background information. Was there a protest prior to now?"

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Mr. Krout said, "There were no complaints that County Code Enforcement received until the time that we sent out notices about the zoning request for the mini-warehouses earlier this year. Then when that happened, the neighbors indicated that it shouldn't be approved because of these violations with the Conditional Use, which were not part of the mini-warehouse case, but they brought the issue to the public attention for the first time."

Commissioner Miller said, "Okay, thank you. Thank you Mr. Chairman."

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Marvin, I have a question for you. With the concerns these folks have addressed, what is their recourse? What do they need to do if they feel that this person or any person with any zoning case does not follow the requirements of the Conditional Use or the zoning itself? What do they do?"

Mr. Krout said, "They call County Code Enforcement and County Code Enforcement will then go out there and find out whether or not there is a violation. If there is, they'll send a notice of violation and then a citation. Conditional Uses can be, under the new code, can be determined null and void if there are serious and continuing violations of a Conditional Use. So there is an enforcement tool and we have made it stricter with the new zoning code. There were just not any complaints about this issue before that period of time. I guess I should also say that, and Rich may want to add to this, and I think I've said this before, that when you look at a zoning case you need to look at the appropriateness of the request in terms of all the typical factors that you look at, but there is nothing in the findings that were laid up in the state statutes that whether or not someone previously violated a zoning ordinance on that property or any where else. The issue, you should be assuming that code enforcement can occur and the issue is the appropriateness of the change in the land use not an individual's track record. This property could change hands tomorrow and then you'd be dealing with another property owner."

Commissioner Schroeder said, "The Conditional Use and or the zoning stays with the property, not the individual. I just want to make that point known. I am getting the feeling from some of these speakers that this is their last attempt to control what happens there. I just want them to know that there is a way that we do these things with all the zoning cases. Thank you Marvin."

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Mr. Krout said, "Rich, is there anything you wanted to add to that?"

Mr. Richard Euson, County Counselor, said, "No, I think in previous cases we've advised the Commission that violations of a Conditional Use are not to be taken into consideration when determining the appropriateness of a zone change case."

Commissioner Schroeder said, "Okay, thank you."

Chairman Winters said, "Commissioners, is there other discussion? Commissioner Gwin."

Commissioner Gwin said, "Mr. Chairman, I would be supportive of this amendment because this is an animal clinic. I think it is appropriate for dog runs to be adjacent. It certainly doesn't seem to be out of character to the type of business. I realize the neighbors have some concerns but as Commissioner Schroeder has pointed out, I think I would certainly encourage them to follow up on any violations that they see. As of today, I believe I could approve the amendment and support it."

Chairman Winters said, "Okay. Commissioners, is there other discussion?"

MOTION

Commissioner Gwin moved to adopt the findings of fact of the Metropolitan Area Planning Commission and approve the Conditional Use Permit subject to the recommended conditions; adopt the Resolution 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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Chairman Winters said, "Thank you very much. Marvin, thank you for being here today. Next item."

NEW BUSINESS

D. PRESENTATION OF RECOMMENDED 1998 BUDGETS.

SLIDE PRESENTATION

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "You have before you the recommended budgets and they are in volumes. One is a very detailed volume and one is a much more reader friendly, big picture items that gives you the essence and the substance of the budget without all the gory details. You have both of those and they are available for inspection and review by the public.

"This is an exciting time of year. Some people would tell you it is a difficult time of year but in fact it is the most exciting. The issues before you are important. This is perhaps one of your most important tasks that you have, the delivery of services, the establishment of priorities are hard tasks for you, but that is what we're about and that you are up to this task.

"I would like to take this opportunity to thank a few people who worked real hard at presenting this document. First of all, Kathy Sexton, who is the interim Budget Director, and the staff that she worked with, Renfeng Ma, Colin McKenney and Tammy Brandt. They really cranked out the work. We couldn't have done it without interns, Michael Pisciotte and most recently Jennifer Rose. To them, a great deal of thanks. To this staff of yours and ours that really has worked long and hard to make sure that the budget is in a presentable way so you may make it an informed decision.

"I'm pleased to present to you the recommended 1998 budgets. This year is based on a financial plan. We've done this for several years. The financial plan is a multi-viewed system. It is multi-year. We base it on the assessed valuation. We base it on growth, things that we think are going to happen in the next several years. Then we take a multi-year approach to our financial needs. We budget consciously and sometimes subconsciously, trying to take into account our strengths, weaknesses, and opportunities and threats. This year we tried real hard to do that because I think there are some special cases this year that we need to pay attention to.

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“Let’s just spend a minute talking about the foundation and the strengths which certainly are a strong and growing economy, the political diverse, full-time leadership that you have provided, certainly the professional staff is a strength for this organization and our sound financial controls. Sure we have weaknesses like all organizations and one of them continues to be the increased cost of public safety. It continues to divert our revenues from other things that citizens need and want. Increased state and federal demands, we’ve seen that in the Aging Department. We continue to see that in Mental Health, where things got shifted down and responsibility and sometimes the money flows and sometimes it flows a little less rapidly than we would like and we have to scramble to make systems work. We have a lack of public confidence in public government that makes your job tougher and mine and the people in this room’s job more difficult. We have to work hard to make sure that the confidence is restored in local government to provide excellent services for a responsible and good price.

“We have lots of opportunities. We certainly have people understanding that lots of the problems in this community are county-wide issues that can be solved on a county-wide basis rather than little small jurisdictions or chunking them out in a different way. We have the organizational capacity to address those issues in a way that we have not had in the past. I would suggest that that is an opportunity and a strength. We have also a community discussion process that gives us the feedback about delivering democracy. We deliver services to folks and we now ask them how they would like it, we would ask them how they would like to participate and we do it in such a way that it engages them in a discussion and dialogue about their community, which is an opportunity. I also think we have a strong opportunity to build relationships with the cities in the County and we need to continue to keep our eye on those partnerships. Finally, we have the opportunity to clarify and define issues and priorities. Once you and I spend the time doing that, it is clear to me that we produce a much better product for the public when we spend the time and effort defining priorities.

“Sure we have some threats and we were trying to figure out who on staff that looked like but couldn’t determine that and we’re going to take a poll later but we think pretty much Mike Pisciotte. It seems to me that the threats clearly are, to this organization, items which appear to be out of our control. Certainly the criminal justice system is out of our control. We have the privilege of paying for that but we have no control or very little control regarding what occurs in the court system or what occurs after incarceration or what occurs during the prosecution process.

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“I think that continues to be a threat to this organization. Cumulative cost of government, the federal, state, local and schools, clearly it is the accumulation of that cost, the public’s perception of that cost, continues to be a threat to us. State mandates, the requiring that we do jobs in a certain way, require that we take on certain responsibilities, they place limits on our spending, and they don’t give us the authority to raise revenues in the way we think would best serve the public. Certainly out of our control is the business climate. Although we spend a lot of time and energy on economical development, we don’t have a lot of control regarding interest rates or unemployment rates, but we do attempt to make this a place in which business is comfortable. So using that as a foundation, let’s talk the specifics of the 1998 budget.

“This year, I’m requesting a county mill levy increase of 3.7 mills. You will see that the expenditures have increased from \$164,000,000. to an excess just a little over \$171,000,000. A large increase clearly is the mill levy, the property tax. You will see, however, that the rates have been stable the last four years and this increase will occur in ‘98. In fact, the mill levy hasn’t changed for the last three years.

“Highlights of this financial plan, that is how much money we’re going to need to do the job. Now let’s talk about the financial plan of the next several years because I believe it all ties together. First of all, we have the annual jail operating costs. It would have been 5 mills. Annual operating costs to operate the jail and to pay for the indebtedness is 5 mills. We told you previously that if growth continued in this organization, if we continued to do business as we continued in the past, if we continued business as usual, the jail cost of 5 mills and doing business as normal would cost us 7.5 mills over the next two years. We have recommended a single increase in one year of 3.7 mills and I am recommending to you that there be no mill increase in the 1999 budget.

“We have taken some extraordinary measures to get there. I want to talk about that a little bit. First it is because of your leadership effort. You understood the problem. You helped us establish the targets. You insisted that departments and bureau chiefs and other elected officials participate in the process that made financial sense to this organization rather than individually. We redesigned services and we reduced cost of doing business. The cost of doing business in this government is going down in 1998. We redesigned service in a couple of ways.

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“First of all, the Appraiser’s Total Quality Management process, over the last several years, he has begun that process that reduced the number of employees and again in 1998 will be a reduction of seven employees in his budget for an excess of \$250,000. and producing a better quality product that he has now, which is really hard to beat. We have outsourced Community Care, which is the former Mental Health Department. COMCARE (Bureau of Comprehensive Community Care) Security for a savings of almost \$100,000. We’ve outsourced some other things. Don Brace did that internally last year and we all went to college and went to school on that experience and now Debbie Donaldson is going to do the same thing. We have also entered a Recovery Services Center Contract, which is a \$525,000. contract which we are going to redesign and do differently and source out in different ways for significant dollar savings and doing other programs with those dollars.

“We have reduced the costs of delivering government costs of providing services to the public. We have reduced those costs in 1998. We held the budget to the 1997 levels. Almost every department absorbed cost increases, personnel, benefits, motor pool, and administrative, those costs were taken care of by the departments and they said we will take those costs on and we will produce the same service that we did last year as we’re going to do next year for increased cost and we’ll figure out how to do it smarter, faster, and better. We reduced positions, 34 ½ positions. Next year there will be 34 ½ less people working for Sedgwick County than there are this year. We adjusted one employee benefit. The insurance benefit regarding the prescription drug plan, we have increased the contribution by employees for prescription drug plans for generic drugs by \$3.00 and for non-generic drugs by \$5.00, which produced a significant savings for the organization.

“I want to speak a little bit about the revenue and expenditure highlights. First of all the revenues, we have \$171,000,000 worth of revenues. You can clearly see that 39.8% of that is ad valorem tax. Sixty-two percent of all that pie is in some form of tax. That is a pretty high dependance upon the real estate tax and that has to do with our ability to raise other revenues that are prohibited that aren’t the same as cities and the state prohibits us to do. You see that our expenditures are \$171,000,000. Clearly the biggest piece of that pie is the public safety/justice at 47.7%, which public works at 21% and everything else in single digits and some of these services, including administration and tax and election, the costs of those are going down. The question is asked every year, what is education, 4.2, and let me remind you that is WSU (Wichita State University), our contribution to them, and out of County tuition required that we are required to pay to community colleges where students attended.

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“What do we get for our money? Well, we get some infrastructure, cultural attractions and recreation, technology, partnerships, and public safety. Infrastructure, we had roads, continuation with the roads and bridges and intersections, and that this year is about \$27,000,000. worth of continuing a very strong program in that effort. We have put on line a new engineering building.

“The cultural attractions and recreation include Exploration Place, National Black Historical Museum, the County Zoo, Old Cowtown, Wichita/Sedgwick County Historical Museum, and finally Lake Afton and Sedgwick County Parks will continue to be funded at the levels that they have. Exploration Place is the bonding of that project this year.

“Technology? We’re going to add a county-wide voice mail system that we think we add productivity and time for some people in the offices to do some other things and get back to the public. To be able to communicate with the public and our customers and our citizens and partners in a way that we think is more efficient and more effective. Finally, we will continue with our Year 2000 project which will allow us to not have the kinds of computer problems and glitches that others have.

“Finally, we’ve developed some interesting partnerships in this budget. COMCARE and the Courts, the Community Care group, formerly Mental Health, has worked with the Courts. The Courts came to us and said we have people who are arrested who need treatment for alcohol or drug treatment, how about if we started sending those people to you rather than just any agency in the community? So we worked an arrangement where that is going to begin to happen and we can capture some of those dollars and not only share it with COMCARE but with the Courts. The Election Commissioner and the County Counsel, not those positions themselves, but an individual who will be sharing individuals in two of those departments, we think it is a neat experiment and we hope it works and this is a way that we preserve someone from not being laid off and losing a job and providing two important functions.

“Finally, the State and the Sedgwick County Youth Aftercare Program provided some expanded youth services in that program. Public safety? I’m going to talk to you about a crime prevention idea. We continue to be supportive of grant applications with the Sheriff, the D.A. (District Attorney), the Courts, and the Forensic Science Center. We have done that last year and we continue this year and we plan to do it in 1998. We continue with the funding of the DNA lab and making sure that it is on line, up and running in the 1998 budget.

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“Finally, the jail expansion. The jail expansion is clearly the issue that is driving this budget. We knew it was going to happen. We’ve been saying that since 1994 and it continues to be the single issue that drives this budget. It seems to me that one of the threats is how do we not build the future jail expansion? How do we go about making sure that if a future jail expansion is needed that we do everything necessary to make sure that it is necessary? I’m suggesting that we do a couple of things, that we plan and we continue to plan and we plan some more. The old adage about commercial real estate property, location, location, location. In this case, I think, because the system is partially out of our control that we need to continue to understand and plan carefully how we are going to deal with that issue. We need to study, examine, and plan alternatives to incarceration. We need to learn to live within our detention capacity. We will have 1,060 beds available to us. We need to figure how to live within that capacity and to make sure that we are doing everything we can to prevent yet another addition.

“We need to think about what our role is in prevention. I am not suggesting that we are the funding source for prevention. I am not suggesting that we be the primary source of those dollars. What I am suggesting is that we do have a role to play and how do we figure out what that role is. How do we assert ourselves in this county-wide community problem of preventing people from entering our facility? By preventing crime, we prevent people from entering our facility. I am suggesting in the 1998 budget that we create a prevention pot of money that is \$1,000,000. That money will be a transition, a new way of doing business. That money has come from the social service agencies that we have traditionally funded. We have recommended zero for those funds. I have removed some dollars from some others’ budget and put those in this fund and other savings that we have obtained and have accumulated a million dollars. What I’m suggesting is that we figure out a way to fund programs, or encourage programs to exist, that keeps people out of our jail. I would suggest that it would be a competitive grant process clearly focused on outcomes so that we can measure how we are doing. All the details of that haven’t been worked out and I think we have some time to do that, but I am suggesting that this may be a way in which we can assist in assuring that yet another addition is not built. I also believe there are internal functions that are certainly competitive that could apply for these funds to specific start up programs so that all those funds may be used internally.

“Expenditures by category. We’ve talked pretty much about expenditures by function but let’s just briefly visit expenditures by category because budgeting book 101 tells me that you have to do this.

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“Expenditures by category clearly, the biggest chunk of our pie goes to personnel, it is 48.1%, with the rest of it, you can see what they are. Personnel clearly is our most important asset. The folks in this room, the folks that work for this organization, are the ones that deliver service and they are the biggest chunk that we pay our money to but, it also is the most important expenditure. In this years budget, for employees, we’ll maintain the current pay plan, scheduled step increases and longevity pay, and I’m proposing a salary increase of 2% across the board.

“The summary is that in fact expenditures for the County’s General Fund, you can see those, the mill levy change would be an addition of 3.7 mills. This is \$28.62 for an average house. The average house is \$67,200. The mill levy on those, a 3.7 increase, is \$28.62 per average household.

“Sheriff Mike Hill has been before you and talks to you about no one should be touched who doesn’t want to be touched and that is the city’s domestic violence law and is a good one because that makes sense, but let me remind you that this \$28.62 or the 3.7 mills is because we need a new jail. We’ve cut our expenses. We’ve cut the way we do business. We cut administration. We cut internal functions of this organization, to continue to provide the programs that we are and to build the new jail will cost 3.7 mills. The domestic violence ordinance of the City of Wichita since May of 1990 has produced in our system, as of a couple of days ago, 19,754 people have been incarcerated in our county jail. This week, 89 folks are serving time, serving a sentence, for that crime. The cost of providing that service, the cost of providing to keep families safe in Sedgwick County, the City of Wichita and Sedgwick County are 3.7 mills. State legislature in their wisdom, and it was a good law, reduced the DUI (Drinking Under the Influence) criteria under which you could be arrested for DUI from .15 to .12 and again to .08. Drunk drivers need to be off the street. We need to be safe from people who drink and drive. That is a good law. The cost of doing that is 3.7 mills, or \$28.62. We’ve had gang wars in Wichita. We’ve had drive-by shootings. We’ve had our neighborhoods interrupted because of safety issues. People have felt unsafe. We have had more police on the streets. Chief Watson has cracked down on crime. There certainly is less crime and people feel safer in this community. The cost of doing that is 3.7 mills or \$28.62 a year.

“We also have the Fire District and there are three other budgets that we need to talk about quickly. The Fire District, I am recommending an increase of .4 a mill. You can see that expenditures are increasing. The Fire District expenditures are \$8,500,000.

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“You’ll see the personnel/benefits are 88% and that drives the budget. Out of those expenditures we are going to provide services as we have in the past but we are also going to add \$98,000. for the 1998 impact of the Andale mini-station. It will utilize existing staff. It will enhance the response time in northwest Wichita, which we think is a good service addition to the system. You will see that the Fire District revenues are 89.9% taxes and there is very little opportunity for other revenues. As a matter of fact, the other revenues are less than 1.5%.

“The mill levy fluctuated in the Sewer District. You can see that it was started here. Please note the scale of .4 each, so there is some fluctuation and it is going back to the same as the 1996 rate and a little less than ‘94 and ‘95 rates. The Sewer District, also the other major budget that you are responsible for, we are recommending almost a .3 reduction in the sewer rates this year. The personnel/benefits are only 53%. The contractals’ are 42%. That is basically for utilities because of the high costs of running sewer operations are based on utilities. User fees are 66% almost, taxes are 22%. The Sewer District rates continue to decline as planned and will continue to do so as the users increase.

“Finally, the CIP (Capital Improvement Project). The five year CIP calls for \$183,000,000. to be spent, 58% on roads and bridges, all others are 41% and that is in this period because of the jail expansion and because of the Exploration Place. The five year planned revenues, 45% comes from bonds, 31% from sales tax, and the others as you can see are reserve and operating funds. For the specifics for the year for 1998, you can see again that roads and bridges are only 24%. It is the same amount that we have spent in the past, as a matter of fact, it is an increase from what we’ve spend in previous years but because of the detention facility and because of Exploration Place, it is a smaller piece of the pie this year than normal, although the expenditures have increased. The Capital Budget for 1998, 68% are from bonds, the rest, as you can see, are sales taxes, special assessments and operating fund.

“The calendar of events from this point forward, the next six weeks, we’ll see that there are public hearings on July 9, July 23, and the public hearing adoption day is scheduled for August 6. The last day which the budget can be changed upward is on July 23. Mr. Chairman, Commissioners, if there are questions, I’d be happy to try to answer those.”

Chairman Winters said, “Mr. Manager, that was a very informative, well presented presentation of your budget at this point in time. Commissioner Schroeder.”

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Commissioner Schroeder said, "Bill, in the CIP, the pie chart shows roads and bridges approximately 25%, all others 25% and then the detention facility expansion about 50%. In the other category, 25%, and I don't know how many million it is, it is probably roughly \$17,000,000. or \$18,000,000., something like that, what is that for?"

Mr. Buchanan said, "Exploration Place essentially. It is a bond issue of sixteen or \$17,000,000. for Exploration Place."

Commissioner Schroeder said, "Sixteen to seventeen million? Okay. The domestic violence law, and this is one that I have suggested especially after reading today's paper, that maybe we ought to look at some kind of a charge to those communities who run, for lack of a better turn, these 19,754 people through the jail. That is, I think you said 89 people serving time or a sentence in our jail. That is 89 beds this week. If that is the case, I think we ought to seriously look at the way we do business. It has been suggested that we change the way we do business. I think we need to sit down across the table with the City of Wichita and talk about some kind of a cost for recovering our costs for domestic violence.

"Voice mail cost, do you know what that is off the top of your head, county-wide?"

Mr. Buchanan said, "It is about \$107,000., somewhere in that neighborhood."

Commissioner Schroeder said, "That's one time and then do you know what the yearly cost of that is?"

Mr. Buchanan said, "I think the annual maintenance is something less than \$18,000., but I'd have to check."

Commissioner Schroeder said, "Okay. When you said that museum, parks, et cetera, are being funded at the same level, why is that? Why not cut those? Other departments have taken cuts. I think I heard you say they are being funded at the same level as last year."

Mr. Buchanan said, "Repeat the question?"

Commissioner Schroeder said, "I think I heard you say that parks and museums, et cetera, are being funded at the same level as last year."

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Mr. Buchanan said, "Well, Sedgwick County Park and Lake Afton Park were required to take the same kind of cuts that other departments, so was the Zoo. The Zoo had a reduction. The Sedgwick County Park had to eat the personnel costs that we imposed on other departments, so did Lake Afton Park. We did fund Wichita Sedgwick County Historical Museum I believe at the same level that we have."

Commissioner Schroeder said, "I guess I misunderstood you. They're going through the same process as other departments. The part that I heard was that they are being funded at the same level and for some reason that stood out as meaning that they are being funded at a different level than the other departments, but they took the same cuts as everybody else."

Mr. Buchanan said, "If I said that I was wrong."

Commissioner Schroeder said, "Well, I may have misunderstood you. Okay, thank you."

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Mr. Buchanan, I'm going to cut to the chase and first of all give you a public accommodation for realizing that we do need to look at how we do business here differently and proposing to set aside a 'pot' of a million dollars directed at prevention. I know that it is not novel, but it certainly is an interesting way at looking at how Sedgwick County can be responsible for the public that we serve. Even though, in the rhetoric it reads that you are recommending the eliminating of funding for groups that have traditionally been funded and establishing in its place that pot of money, that is probably going to send some alarms out to individuals. I don't have a problem with that because I know that due to the changing political climate from the national level to the local that indeed we are seriously going to have to look at how we do things differently here locally in particular. Could you tell me, define, describe, what those groups are? Not the individual groups that we have 'traditionally funded' which would be Big Brothers and Sisters, Wichita Metropolitan Family Preservation, Communities in School, Project Freedom, and there are a couple of others that I've missed. That funding mounts up to be approximately \$290,000., right at \$300,000., and I could be off, I'm sure. That leaves about \$700,000., that I believe you're saying is already in house services that we provide. Could you define that for the public that you are denoting as prevention laden?"

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Mr. Buchanan said, "I think the number is about \$400,000. that we got from those groups. The other source of the funds was simply from savings from the costs of doing business and simply that."

Commissioner Miller said, "You also stated that we don't have to fund in this matter, so you know where I'm going with this, but we could chose to use it all in house. Could you explain that?"

Mr. Buchanan said, "This organization is filled with bright and enthusiastic and ambitious folks and some of those figured out that this fund was starting to grow and said does this mean that we could put some programs together internally or the ones that we are currently doing that would help keep people out of the jail. The answer would be yes, that this does not prevent the Sheriff or the D.A., or COMCARE, or Aging, although that may be a stretch, or others. It would not prevent programs from being developed or applications to be made for us to use these funds. I think there are two ideas that we need to make sure of. We're not sure how the process is going to work yet and we're going to continue to work on that in the next six or eight weeks and try to have an answer to you by then. What we also know for sure is that we want to start thinking in terms of grants, not annual appropriations. Because what has happened in the past that you and I have, the trap that we've fallen into is some agencies feel entitled. That these are entitlements, but for the county's money we're going to go out of business. But for the county money, well, maybe we need to start thinking in terms of grants and narrowing the scope of our funding commitment to folks. I think we need to think about that and transition into a different way of doing business and providing prevention dollars to this community."

Commissioner Miller said, "And are you suggesting that Sedgwick County would be the initiate of the grant, that we would be the award of the grant?"

Mr. Buchanan said, "Yes."

Commissioner Miller said, "All right. Then another follow up that would be to that would be up under your large caption of 'Crime and Prevention.' You also have stated and you have restated it that we are going to have to define our role in the prevention process."

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“I believe that that is definitely an earful for the public to recognize that we are about the business of not only realizing that we must fund and house criminals, but we need to be able to recognize that we can develop and hopefully assist in how it is that we keep individuals from even going that path and direction that will inevitably wind them up in our detention facility. There is a group that has been existence for some time. It is a local planning coalition that Sedgwick County, by way of COMCARE is working with that is in the process of putting together a one day planning session that will indeed recommend the model and the framework for a single delivery system whereby we will identify the current services that are in place. What indeed these services are doing to prevent by way of measuring their outcomes, and ultimately hopefully come up with a system that is better, smarter, than how it is that we are doing it now. So you are certainly moving in the right direction. Once again, I publicly commend you for doing this in a public way and I know that your vision is a larger one than we can actually define at this moment. I just needed to say that Mr. Chairman. I do have some other questions but I’ll allow the rest of the bench to ask questions.”

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

Commissioner Schroeder said, “This question is a follow up from Commissioner Miller’s inquiry about the pot of money, the grant process. I’ve been through this before with the Mental Retardation Governing Board, I served back in the early ‘80s and late ‘70s. They had X amount of dollars and when they were done, the last people that came up they said we’re out of money. The other issue is say you give somebody \$150,000. one year and they establish their business and their process and the next year the money is not given to them. I mean it stands to reason that if you’re doing a good job you’re going to continue to get the money but there are no guarantees. What I liked about the process of it being in the budget is at least they establish the business, they are doing what they promise to do, the funding is there, but I think it is going to be real tough to create and stop and create and stop agencies that help in this process by limiting it to a \$1,000,000. or whatever. I’m just wondering if there is not a better way to do this other than say we’ve got X amount of dollars come fight for it and show us what you can do, show us what it is that you want to do for our community and how you think you can help us with the jail issue. My real concern is what happens as you go down the road once those businesses or agencies establish themselves and then they don’t get grant funding the next year or the following year. I think that is something we need to think through with this concept before we decide that’s the best way to proceed. That’s all I’m asking.”

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Commissioner Miller said, "Can I just speak to that issue real quickly. Grant funding is indicative of being unpredictable, meaning grant funding is never a certainty or a given. Those individuals that receive it recognize that when they are budgeting for it that it very well may not be available in the ensuing years to come."

Commissioner Schroeder said, "Exactly my point."

Commissioner Miller said, "I know, but I'm saying if you do vie for it you recognize that."

Commissioner Schroeder said, "Well, if I was doing that, I'd go for something more stable rather than go to the county for \$100,000. or \$50,000. or \$20,000."

Commissioner Miller said, "That's certainly your option, exactly."

Commissioner Schroeder said, "All kidding aside, I think it is going to cause problems with these agencies and I hate to see these people graveling for this money in front of us. I don't know why we've got to put a cap on it. Why don't we just say come and see us. Call it a grant. I think it's been a grant every year anyway but we've always done it. All I'm saying is how do you expect a business to gain stability through this process? Are they going to be one time expenditures they make? Because you cannot depend upon it for personnel use. You cannot depend upon it for commodities. I guess it is a one time expenditure if you get a grant from year to year. I'm just saying I think there is a lot of unanswered questions that we need to deal with."

Commissioner Miller said, "I agree."

Commissioner Schroeder said, "The other is, I thought we were changing the way we do business and not funding these organizations, but now maybe we've decided we need to fund them. Is that what I'm hearing?"

Chairman Winters said, "Can I respond to that for a minute?"

Commissioner Schroeder said, "Sure."

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Chairman Winters said, "I clearly understand what you're saying about the uncertainty about this type of grant program. I remember back when we were having our preliminary budget hearings when the Commissioners listened to all department heads and they listen to all the outside agencies who do receive county money. There was one particular group that stands out in my mind who deal with children and they came in with statistics, talking about what the statistical averages are of young people in our community and what those kinds of results are regarding crime and teenage pregnancy and all of the rest. Then they told us about the results of the kids that go through their program. I mean it was very impressive to me. That's the kind of thing that I'm going to be looking for is some folks that have really developed and have got some results out there."

Commissioner Miller said, "And that is outcome based."

Chairman Winters said, "That's right. Commissioner Gwin."

Commissioner Gwin said, "Thank you Mr. Chairman. The thought to follow on what Commissioner Schroeder said is that I really don't want the agencies coming to us again and saying if we don't get this \$50,000 or \$100,000 next year we're going to go out of business. That is a very difficult ultimatum which to deal. However, I think what I hope we would establish here are agencies who go look for other sources of money as we've asked them to over and over again, who find a continuum of money, maybe from the private sector or fund raisers or whatever they have do, as this government does, then come in and apply for grants for specific programs for those kinds of things without it causing them any undue harm if that grant is not awarded. I think I would like to get out of the entitlement business if you will. If you can prove through their efforts, that the programs work. That they can in fact show us the positive outcomes that are going to make a difference in this county, then we can fund those grants as is appropriate, but they have by themselves created the financial stability that they need to continue now and in the future. I think that is an important part of this process. Some of them in the past, who have not been able to find that stability, who have not been able to find the community support or whatever they need, have in fact closed their doors and gone out of business. But that is by the choice of the public and not necessarily by the choice of this Commission. The programs and the services that they offer are judged by the people who use them and will be judged by their outcomes. If they are used by the public and if their outcomes are positive, they will continue to exist. Those who do not meet that very difficult judging criteria will be eliminated and not by my doing, but by the people that they serve and by the outcomes that they produce. I think this is a step in that direction."

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“To help, to concentrate on prevention systems and concentrate on prevention systems that work. So I am really encouraged by this approach and hopefully by the way to make it better. That is certainly all of our goal, I know it is. Thank you Mr. Chairman.”

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

Commissioner Miller said, “Just a follow up and being the good democrat that I am, I have to be able to say that entitlement is not a bad work in and of itself. We do have programs in place that are working quite well. But, on this level, and on the issue that we are talking about at this moment, I would like to believe, and I happen to really recognize that simply by publicly saying that prevention programs deserve attention, we need to figure out just how we can judge, how well they’re working, deserves accommodation, because we haven’t been saying that publicly. We’re now saying it and not only are we saying it, we’re putting some extra dollars in there to back it up. So those programs that do work, that are outcome based, deserve out funding. I’m hoping that that is the direction that we’re moving in. Thank you.”

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

Commissioner Schroeder said, “What was the amount we spent last year or this year on these agencies all together?”

Mr. Buchanan said, “I think it is about \$400,000., but I’ll get that to you.”

Commissioner Schroeder said, “And we are suggesting a \$1,000,000. for these same kind of agencies?”

Mr. Buchanan said, “I’m suggesting that it is out there to be used for programs and activities and agencies that keep people out of the jail.”

Commissioner Schroeder said, “To follow up, my concern is that if you give somebody a grant, are you going to put limits on how much of the million goes to an individual or an organization? I guess we haven’t gotten that far, I missed that discussion a few days ago.”

Mr. Buchanan said, “We haven’t gotten that far.”

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Commissioner Schroeder said, "It may take somebody two, three, four years to establish a good business, just like any other business. I think it is going to be real tough for us to say there is a limit of this grant and you have to come every year and tell us . . . the first year may not be so good. The second year may be great but they never had the chance. I just want us to go through this with an open mind and proceed. I think you are putting more pressure on yourself than you have before."

Commissioner Miller said, "And as you say that Commissioner Schroeder, and I may be going off a little bit half-cocked, I don't think so. What we are also going to look at and Bill you can either back me up on this or say you're just not quite there yet, is it not being our decision, as it could ultimately be the Board of County Commissioners decision, but certainly it could be recommended by a representative board of the public that would have the expertise to lend to us and giving us their decisions of who they feel would best meet the criteria that we would outlay."

Mr. Buchanan said, "I'm not there yet."

Commissioner Miller said, "You're not there yet. I kind of figured you weren't there yet."

Mr. Buchanan said, "Commissioner, I think it is essential that it clearly is the decision of the Board of County Commissioners. . ."

Commissioner Miller said, "I said ultimately."

Mr. Buchanan said, "And that if we would like recommendations from experts outside this organization, then that's what we need to work on in the next eight weeks."

Commissioner Miller said, "I agree."

Chairman Winters said, "Okay, thank you very much. I think this has been a very worthwhile discussion as we start on a very important budget process this year that may lend some opportunities for some new thinking. Commissioners?"

Commissioner Hancock said, "Mr. Chairman, I have one thing I want to reiterate. I think it is important to emphasize, I know it is going to be hard on the public to understand, gosh, how can we have a tax reduction with a 3.7 mill increase?"

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“I think we should understand that and clear it up for the public that no, this isn’t a tax reduction, it is clearly a tax increase. What we’re saying to the folks out there is the price of the jail, doing business how we have been doing business, it would have been over 7 mills, that’s the price of the jail. I know last year in the election process, it was an issue. I made it clear that any increase in taxes would all go in public safety and it is not all my doing, that’s just the way it worked out. It is almost by default that it almost has to all go to public safety, just by where we have been coming from and where we’re going. The public safety has driven out budget now for about three years and I’m not sure that all the folks are aware of that. It is in the forefront of where most of the increase in taxes is from. We have been fortunate in the last three years. We have had growth. We’ve actually had decreases in the last two of the three years, very minor decreases, but in fact were. Of course this year, with the jail coming on line and the construction of it, putting over 120 new people on the payroll to take care of, paying the electric bill, the food bill, all the linens and so forth, is just an astronomical cost. I just want to make is perfectly clear to the folks out there that we’ve done is taken over 3 mills out of our budget in order to build the jail. That is even confusing too. So the media there has the responsibility to explain this clearly and definitively so folks can understand that we took a 7 mill project and it is going to cost us about 3.5 mills. That’s where we are today. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you. I understood that. I thought it was very clear. Thank you. Commissioner Miller.”

Commissioner Miller said, “I have a question regarding fund balance, which in the smaller book is located on page 31. Are we going to remain at the \$9,000,000.? It appears as so under your recommendation projected, we’re at \$9,000,000. for 1999 through 2001.”

Mr. Buchanan said, “Commissioner Miller is referring to the financial plan, which is on page 31. The fund balance, you have to add both of those together, restricted and unrestricted, because one flips over to the next year’s unrestricted. You’ll see that the total of those two we’re projecting in 1998 be 19 million dollars. In 1999, we’ll increase to \$25,000,000. because we don’t believe the jail will be up and running completely to cause all those expenditures to be needed. If you follow to the next year, year 2000, you will see it is back down to 1990 and in year 2001, is even reduced further than that.

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“What we’re suggesting is this 3.7 mill increase will allow us to provide the funds necessary to provide services for this year and next year. If growth continues, if there is no unanticipated surprises in the economy or our growth, there is no reason we can’t bring to you a budget one year from today without a tax increase.”

Commissioner Miller said, “My specific question is though we are no longer going to continue to spend down those unrestricted funds?”

Mr. Buchanan said, “We are going to increase the fund balance in 1999 and spend it on the start up of the jail.”

Commissioner Miller said, “That’s all I needed to know, thank you.”

Chairman Winters said, “Okay, thank you. Commissioners, if there are no other questions or comments, could we have a Motion to receive and file?”

Commissioner Schroeder said, “Just one comment and I just want to let people know that this is a difficult process and we were asked a couple of months ago what we thought our increases that we could live with. I haven’t changed my mind. I still think 3.7 is too much, but that’s what we are going to go through for the next few weeks is to get that amount down if we can. I think that needed to be said that not all of us are happy with that amount. I think the Manager has tried his best to get it down as much as he possibly can, but I’m still going to try to reduce it even further.”

Chairman Winters said, “Commissioner Hancock.”

Commissioner Hancock said, “It is a mistake to say that not all of us are happy about that. None of us are happy about that. Absolutely none of us are very thrilled about this, but what we’ve clearly done here is we’ve taken resources from other departments here in Sedgwick County and diverted them to a major policy shift here on the Board to public safety and the criminal justice system. Let’s be clear about that. That’s exactly what we’ve done. We’ve taken resources from every department in this county and in some cases jeopardized their ability to deliver services. We hope we haven’t, but we may have, and diverted them to the criminal justice and public safety departments of this county. That’s what we’ve done. That is what the folks asked for in years past. There is some lag time there and I wish we could have done it instantly in 1993 or ‘94 or ‘95, but we weren’t able to do that.

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“The legislature wasn’t able to do that either. Slowly, and through many hours and years of discussion in the legislative process, the City Council the same thing, have come around to focus on criminal justice and crime in our community. That’s where we are. I want it to be very clear that it is a priority for us. Whether it remains a priority in the future remains to be seen, but right now, we’re reacting to what the public has demanded us to do over the last few years.”

Commissioner Schroeder said, “I agree and I commented to the county engineer years ago that the pendulum was going to swing the other way. We have concentrated so much effort and resources on building roads, bridges, infrastructure, that eventually that may begin to change and it would head toward public safety because of problems we were encountering with public safety. My simple comment was I don’t want people to watch this today and think that we’re just going to walk away from this process at 3.7 mill, there is still going to be discussion, this isn’t the end of it. The Manager gave a calendar of what those hearing dates are and just wanted to let people know that I, for one, am going to reduce it as much as I possibly can. I’m not commenting on what others think. I, for one, am not satisfied yet and will continue to work at it.”

Chairman Winters said, “Okay, any other discussion?”

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

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Mr. Buchanan said, "Thank you."

Chairman Winters said, "Thank you Mr. Manager. At this time we're going to take a five minute break."

The Board of Sedgwick County Commissioners recessed at 10:50 a.m. and returned at 10:55 a.m.

Chairman Winters said, "At this time, I will call back to order the meeting of the Board of County Commissioners. Before we go to the next item, Mr. Manager?"

Mr. Buchanan said, "Commissioners, this is not a return of the budget message, but I did want to say another thing and it was my oversight. When I was thanking the people at the beginning, I forgot to thank Becky Bouska, who is the Director of Finance, who has really shepherded this project and we brought her in and took her off and had her do a whole bunch of other things, but it is her experience and leadership is why the quality of this product is what it is. Thank you."

Chairman Winters said, "Thank you. Madam Clerk, could you call the next item?"

E. RESOLUTION AUTHORIZING THE CRESTVIEW COUNTRY CLUB IMPROVEMENT DISTRICT TREASURER TO RECEIVE AND HOLD IMPROVEMENT DISTRICT FUNDS.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "We had received a request from the Crestview Improvement District to transfer funds now being held to the County Treasurer to the Improvement District Treasurer and we have prepared a Resolution that would actuate that transfer, if you should choose to approve it this morning. By way of background, I might tell you that Improvement Districts are municipal corporations that the Board of County Commissioners create under a law that was passed by legislature in 1945. Improvement Districts have the authority to construct improvements such as streets and sewers and other public improvements and to issue bonds to finance those. They are governed by a three member board, which is elected at large from within the Improvement District boundaries."

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“Under the law that creates those, the Treasurer, and not the Improvement District Treasurer, is the one that holds and keeps the funds of the Improvement District and then those funds are distributed upon the order of the governing body of that Improvement District. The legislature, in 1994, amended this and permitted Improvement District Treasurers to have the authority to handle and invest their own funds subject to the approval of the Board of County Commissioners. For whatever reason, the legislature thought it was important the County Commissioners be involved in this decision making process and so that is why this request is before you this morning.

“The Improvement District Treasurer can receive these funds from the County Treasurer if you approve this Resolution and if there is no protest from the Improvement District electors within a sixty day period after the second publication of the Resolution. I might tell you also that there has been a dispute between the Improvement District and the County as to interest on their funds. The county has retained that interest and the Improvement District believes that it belongs to it. The Improvement District has agreed and our office has agreed to submit that issue to the Kansas Attorney General for a binding opinion. We don’t believe that that particular issue impacts upon whether or not you should grant this authority today. The statute doesn’t tell you what factors you must coincide in order to do this. I find no reason why you shouldn’t do it. If you do it, then the Board of Directors of the Improvement District sets the bond for the District Treasurer and they invest their funds as they deem fit. Mr. Wiggans, who is the President of the Improvement District is here this morning together with the District’s Attorney, Bob Kaplan, and they are available for questions as am I.”

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

Commissioner Gwin said, “Thank you Mr. Chairman. Rich, I don’t know which of you gentlemen need to answer the question. What are the source of these funds that we are talking about? How are they generated?”

Mr. Euson said, “These funds were generated from the proceeds of five different bond issues that were done in the 1980's. A couple of those were refunding issues and they all had to do with the improvement of streets and construction of sewers within the Improvement District boundaries.”

Commissioner Gwin said, “So paid for just by the people in that Improvement District?”

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

Commissioner Gwin said, "The Improvement District, currently, since they have the authority to hold funds as of '94, are they currently holding other funds and administering those?"

Mr. Euson said, "I'm sorry, perhaps I wasn't clear. In 1994, the legislature authorized Improvement District Treasurers to hold funds subject to County Commissioners approving that transfer."

Commissioner Gwin said, "I see, so currently they are not holding any other funds."

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

Commissioner Gwin said, "All right. Mr. Wiggans, do you want to come up to the podium?"

Chairman Winters said, "Please identify yourself."

Mr. Charles Wiggans, President, Crestview Country Club Improvement District, said, "I thought the question was whether we hold or have experience in handling other funds."

Commissioner Gwin said, "Correct."

Mr. Wiggans said, "We have two general sources of revenue, which by law are separated into real estate funds and operating funds, and we have \$250,000. in our excess bond payment fund that we have been administering for several years. You hold through the County an equivalent amount and that is the amount which we will eventually request that we be allowed to invest. In addition, we receive and invest over \$100,000. a year in our operating fund, which comes from non-real estate tax revenue sources."

Commissioner Gwin said, "Charles, I appreciate that. I wanted to make that clear for the public that they understood that you all are use to doing this kind of business. Thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Are there other questions or comments?"

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MOTION

Commissioner Gwin moved to adopt the Resolution.

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

Chairman Winters said, "Thank you Rich. Thank you gentlemen for being here. Commissioners, at this time, I'd like to suggest that we take up an Off Agenda item with Debbie Donaldson, a mental health contract."

MOTION

Commissioner Gwin moved to take up an Off Agenda item.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

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OFF AGENDA

Ms. Deborah Donaldson, Director, COMCARE, greeted the Commissioners and said, "This off agenda item is critical because it is the funding for a good portion of Mental Health Services to those adults with a serious mental illness and children with a serious emotional disturbance. The reason why there was a last minute situation on this is while we hoped that the formal contract would have been adopted by now, the state has opted to go with a ninety day extension so that negotiations can be completed. This will allow for the quarterly payment for those ninety days. I would recommend your approval."

MOTION

Commissioner Schroeder moved to sign the Contract for a ninety day extension.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you Debbie. I believe we're ready for the next item Madam Clerk."

F. DEPARTMENT ON AGING.

- 1. SENIOR CARE ACT (SCA) APPLICATION TO KANSAS DEPARTMENT (KDOA) ON AGING TO SUPPORT THE 1998 SCA PROGRAM YEAR.**

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Mr. Doug Russell, Director, Department on Aging, greeted the Commissioners and said, "The Senior Care Act is entering its sixth year. It is a state-funded program. It currently serves between four and six hundred people in the three county area with in home services, help with bathing, dressing, cooking, cleaning, whatever they need to stay independent and frankly not go to a nursing home before they have to. This year's program, we were fortunate because we've been utilizing our funds to receive about the same level of funding as the existing year, which is \$326,704. in state funding. That money is matched, those two dollars are matched by an additional dollar that is paid for by the customers that receive the service and then we are able to leverage it without county mill levy, where we used to have to buy these services at 100%, we're now able to do it about thirteen cents on the dollar and get a lot more bang for the buck with the partnerships. The other thing that is really changed is we used to have a single provider and in keeping with what the Manager was talking about, we now have seventeen providers in the three county area. So clients have a lot of choice. There is a tremendous market competition to do a good job and we're really pleased with the program. People love it and I'm recommending that you approve the Application and allow us to do the program."

MOTION

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

Commissioner Hancock seconded the Motion.

Chairman Winters said, "Any other discussion? Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Doug, on page 60 within your proposal, it has got the fiscal year of 1997 to date and a fiscal year of 1998 projections. Consumers increase and your units of care decrease, what is that indicative of?"

Mr. Russell said, "The increase in consumers and unit of care?"

Commissioner Miller said, "Uh-huh."

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Mr. Russell said, "It is probably indicative of just our estimate based on what we've got so far, who we can serve with the money available. Again, by having vendors, we're able to serve more people with more units because we tailor it very carefully to what people need."

Commissioner Miller said, "Okay, thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner. Any other questions or discussion? Call the vote."

VOTE

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

Chairman Winters said, "Next item."

2. FISCAL YEAR 1998 AREA PLAN TO BE SUBMITTED TO KDOA.

Mr. Russell said, "Thanks Commissioners. The Area Plan is again a plan that use to be about three inches thick. Now it is an inch and a half thick so we're gaining. It is about a \$1,296,457 in federal funding that is spent throughout the three county area. This funding mixes with all the others to, again with a large variety of service providers, to serve people throughout the three county area. The Council on Aging has reviewed this, has made these recommendations. The main difference is it is again funded at primarily the same level assuming Congress passes the Older American's Act and that is up to them, hopefully it will go. This, when it mixes with provider leveraging local funds, is really the hub of our budget and service. The main difference is, in trying to cut and be prudent with local funds, we move some of that funding in minor home repair and meals into this budget so we were able to not cut our services in that way. I'd recommend approval and can answer any questions."

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MOTION

Commissioner Schroeder moved to approve the Plan 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

3. INCOME ELIGIBLE (IE) APPLICATION TO KDOA TO SUPPORT THE 1998 IE PROGRAM YEAR.

Mr. Russell said, "This is a new program. We received the home and community-based services Medicaid program on January 1. We received this program from SRS on July 1. Essentially, they will hand us \$627,000. to serve 206 existing clients and we will serve them with our existing network of providers and add some providers. There will probably be a total of about nineteen providers delivering these services. They look very much like Senior Care Act. The only difference is the client has to pay nothing. The clients who are served on this are about one dollar less on the eligibility scale than a client who is paying 20% under Senior Care. The same services, different pot of money, keeps people living independently at home."

Commissioner Schroeder said, "Don't say pot."

Mr. Russell said, "Forgive me. Not a pot of money."

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Commissioner Schroeder said, "A grant."

Mr. Russell said, "A grant, yes."

Chairman Winters said, "All right Commissioners, you've heard Doug's report, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Application 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

- 4. ADDITION OF ONE GRANT-FUNDED FIELD CASE MANAGER POSITION TO, AND CONVERSION OF ONE GRANT-FUNDED SENIOR DATA CONTROL CLERK POSITION FROM HALF-TIME TO FULL-TIME ON, THE DEPARTMENT ON AGING STAFFING TABLE.**

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Mr. Russell said, “This is grant funded basically to take on the new income eligible program, mix better with the other programs that we have. We changed the way we do business. Rather than going out and hiring another program manager for the IE program, we got our staff together and went to a team intake design, which means that we can get by by hiring a focalized intake person and a half a data person to allow us to put all these new assessments, we’ve literally got hundreds of new clients over the last year and trying to work with all that, you can’t do your job without good information and that’s what this is all about. I’m recommending your approval. It is grand funded.”

MOTION

Commissioner Schroeder moved to approve the adjustment to the Department on Aging Staffing Table.

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

Chairman Winters said, “Thank you Doug. You’re doing a good job. Keep up the good work. Next item.”

G. DELEGATE AGENCY FUNDING AGREEMENTS (TWO).

1. AGREEMENT WITH WICHITA-SEDGWICK COUNTY HISTORICAL MUSEUM TO RECEIVE FUNDING FROM SEDGWICK COUNTY.

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Mr. Jarold Harrison, Assistant County Manager, greeted the Commissioners and said, "These two funding agreements are a standard form funding agreements we have developed for those agencies through finance general. This is a first year for these agreements for these two particular agencies. We have some time involved in working the details of these two agreements with these agencies. These would cover the appropriations for 1997 that are already budgeted. We would recommend your approval of these Agreements and authorize the Chairman to sign."

MOTION

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

Commissioner Schroeder seconded the Motion.

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

VOTE

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

2. AGREEMENT WITH ARTS AND HUMANITIES COUNCIL TO RECEIVE FUNDING FROM SEDGWICK COUNTY.

Chairman Winters said, "Item G-2 then is the Arts and Humanities Council."

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MOTION

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

Commissioner Schroeder seconded the Motion.

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

VOTE

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

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

**H. FACILITY AGREEMENT WITH ENTERTAINMENT ENTERPRISES, INC.
FOR SELECT-A SEAT SERVICES.**

Mr. John Nath, Coliseum Director, greeted the Commissioners and said, "The Agreement before you defines the relationship between Select-A-Seat ticketing service and the Cotillion. It handles both the events that the Cotillion produces and the tickets sold at their facility and available throughout the system. There is another Agreement. It also shows that the Cotillion will act as an outlet selling tickets for all the other eight facilities that are currently on the Select-A-Seat system. These are similar in structure to the Agreements previously approved with Wrangler, the Kansas State Fair, and the Wichita Wings. We recommend your approval."

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

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

I. SELECTION OF ONE VOTING DELEGATE FOR SEDGWICK COUNTY AT THE NATIONAL ASSOCIATION OF COUNTIES ANNUAL MEETING IN BALTIMORE MARYLAND.

Chairman Winters said, "Commissioners, this July 11 through 15, I'll be attending the National Association of Counties annual meeting in Baltimore, Maryland and I would request that you appoint me to be the voting delegate for Sedgwick County."

Commissioner Hancock said, "Who else is going?"

Commissioner Miller said, "Do we have any other choices?"

Chairman Winters said, "I don't think you have any other choices."

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MOTION

Commissioner Gwin moved that the Chairman serve as the voting delegate representing Sedgwick County and authorize the Chairman to sign a Credentials Identification Form.

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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	No
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Would you like to explain your vote?"

Commissioner Hancock said, "Nobody else is going. He's being ornery."

Chairman Winters said, "Next item."

J. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Jack Brown, RS, MPA, Acting Director, Health Department, greeted the Commissioners and said, "I am going to bring you up to speed on some grants we have in progress. One of them is the Turning Point grant for \$60,000. This is part of what we're looking at. If you've been familiarized a little bit with the CHAP process, the Community Health Assessment Project. This would be monies that would be utilized, in the amount of \$60,000., to develop a CHIP if you will, Community Health Implementation Plan. This planning process, this would be seed money, this \$60,000. from Turning Point, to start that process rolling. The Kansas Health Foundation has indicated they might be favorable to an additional \$30,000. if we're successful with the \$60,000.

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“So this Turning Point Grant is a collaborative effort with KU-Med School, the Health Department, the Kansas Health Foundation, the State Health Department, to develop a Community Health Plan. The CHAP process developed a need and then taking this needs assessment, then you would start the development of a Community Health Plan. It is all in the preliminary stages, but I thought I would let you know the new acronym you might be hearing.

“Secondly, the Healthy Start people at the federal level have indicated that they will make a site visit to the Health Department. We made a preliminary application for almost a million dollar grant for infant health issues and they were impressed with our proposal so next month we’ll be having a site visit from the federal Healthy Start staff that are responsible for administering those grants.

“On the environmental side. Work continues on all our groundwater projects. Nothing new to report there. In terms of the River Festival, we do a lot of work every year on the River Festival on the food service court. It takes a lot of time and we’re happy to announce that we had no indication of any food born illnesses. We put a lot of effort into that particular activity and it has been successful over the years and continues to be. There is a superfund site that I have mentioned a number of times. It is called 57th and North Broadway. That is the intersection of this particular site. It is a federal led site. The federal government, EPA, has hired a contractor to do the investigative work of that groundwater contamination site and as a result of some community meetings with the Wichita Heights area, Riverview, and Park City communities, there has been a community advisory group formed. It is in its infancy and I think there are six to eight members. More are needed, but the group will meet to discuss technical documents, comment on the documents presented by EPA and that type of thing. We’re also looking for a repository for those technical documents. The next meeting of that group is July 9 at County Fire Station 32, which is Pawnee and 53rd Street.

“On solid waste issues, the Household Hazardous Waste Program has extended its hours and as of yesterday, we’re open from one to six, Tuesday through Friday, and Saturday mornings nine to one. That is the same site that we’ve operated at 57th and Hydraulic South. We will have these extended hours through the summer into October and see how that works and go back and revisit the need for the hours and the extended service.

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“We did a lot of work during the month visiting block parties and fairs. I indicated in the report that we had the mobile health van involved in the ‘Block Party’ fair at the Community House, 2600 block of North Ash, and the Community Health and Job Fair Festival at Atwater. I think there were other activities as well. That concludes my report. If you have any questions, I’d be happy to answer.”

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

Commissioner Miller said, “Thank you Mr. Chairman. I have a couple of questions, one regarding the Community Health Plan. What is the time line on putting that together and what is the outcome of it? What are we looking for?”

Mr. Brown said, “This is an assessment plan, assessing health needs. Where we are at right now is that some recommendations are being developed with the ultimate goal of bringing those back to the governing bodies, from my perspective, and for your review and hopefully approval of these recommendations, so we could start developing plans and taking the items that were found that were in need in the community and developing some policy direction and those types of things. Right now, nothing, but in the future you’ll be hearing more about, what the outcomes from the needs assessment was and the recommendations have not been finalized. They are in draft form right now. Once that is complete, that would come forward to the City Council and County Commission through the proper channels for some review and public comment.”

Commissioner Miller said, “Okay, I’m familiar with the assessment, but I’m just interested now is it going to be Sedgwick County and the City of Wichita’s what? Are we going to implement what comes out of the actual planning of it? Meeting the needs that are identified in the assessment?”

Mr. Brown said, “We’ll have to see the recommendations and then we’ll clarify that. It is a little preliminary to get in that discussion, but that is coming.”

Commissioner Miller said, “I’ll look forward to that. Regarding the super fund site at 53rd and Broadway. I know we’ve been working on getting a good core group of individuals, it looks as though we’re gathering data. They are going to look at technical documents. Ultimately, what will come from all of that? What are we expecting from the federal government?”

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Mr. Brown said, "Since that is an EPA super fund site, the cost of the cleanup will be from the super fund and then EPA will go back to the responsible parties to try to recover costs for the investigation and cleanup of the site."

Commissioner Miller said, "Do we know how long it is going to take to actually get this completed?"

Mr. Brown said, "The investigation should probably take another year, I'm guessing. They say they will have it done by the end of this year, but I think that is a little optimistic."

Commissioner Miller said, "It has been ongoing."

Mr. Brown said, "The problem is that there were no responsible parties that would take any initiative so it has gone into the federal system. It could be a while before we see any cleanup or action up there. Right now, it is all investigative work."

Commissioner Miller said, "Okay, thank you Jack. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner Miller. Are there other questions?"

Commissioner Schroeder said, "Jack, I have one question. Batteries? Do you take those at this facility, household batteries, that sort of thing? I know they are not supposed to be disposed of in landfills."

Mr. Brown said, "We do. Household batteries yes, automotive batteries no. There is a market for the automotive batteries."

Commissioner Schroeder said, "But the household can be dropped of at that location?"

Mr. Brown said, "We will take the household type batteries and we have a market for those, but it is only viable if we get a lot of them so there is a metal reclaimer that takes those from us. We could actually try and have them all recycled."

Commissioner Schroeder said, "Okay, thank you."

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Chairman Winters said, "Commissioners, you've heard Jack's report, what's the will of the Board?"

MOTION

Commissioner Schroeder moved to receive and file.

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

Chairman Winters said, "Thank you Jack, appreciate you being here. Next item."

K. BUREAU OF PUBLIC SERVICES.

1. RESOLUTION AUTHORIZING ESTABLISHMENT AND INSTALLATION OF TRAFFIC CONTROL DEVICES AT CERTAIN INTERSECTIONS OF TOWNSHIP ROADS WITHIN ATTICA TOWNSHIP AND PROVIDING FOR THE ENFORCEMENT THEREOF. DISTRICT #3.

Mr. Mark Borst, P.E., Deputy Director, Bureau of Public Services, greeted the Commissioners and said, "This first Resolution will establish stop controls for Cedar Downs at its intersection with Cedar Crest. This intersection is a T intersection with Cedar Crest running north and south and Cedar Downs extending to the east only. Right now, this intersection is uncontrolled and the trees in the north quadrant create a sight obstruction such that the stop control should be installed. Attica Township has concurred with this proposal and I recommend that you adopt the Resolution."

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MOTION

Commissioner Schroeder moved to adopt the Resolution.

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

Chairman Winters said, "Next item."

**2. RESOLUTION ESTABLISHING PARKING RESTRICTIONS
ALONG NORMAN STREET FROM 39TH STREET SOUTH TO K-42
AND PROVIDING FOR THE ENFORCEMENT THEREOF.
DISTRICT #2.**

Mr. Borst said, "The second Resolution establishes no parking on both sides of Norman Street from 39th Street South to K-42. Norman is a two laned paved street in the Mid-Continent Industrial Park and it has been extended north to K-42 as part of the Tyler relocation project. Large trucks have been parking along the shoulder of Norman at existing businesses and these vehicles will cause significant damage to the newly overlaid and newly constructed pavement as well as the shoulders. We also anticipate increases in traffic that would make this parking less than desirable. I recommend that you adopt the Resolution."

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MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

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

3. AMENDMENT TO THE 1997 CAPITAL IMPROVEMENT PROGRAM (CIP) TO MOVE R-223 FROM 1998 TO 1997.

Mr. David C. Spears, P.E., Director/County Engineer, Bureau of Public Services, greeted the Commissioners and said, "Item K-3 is an Amendment to the 1997 Capital Improvement Program to move the construction of 21st Street North between the Wichita City limits and the K-96 Bi-pass from 1998 to 1997. The funding source will remain the same and no other project will be affected by this move. This request was brought about because there were several developments proceeding along 21st Street. Warren Theater has indicated that they will be in operation by the end of this year and it makes sense for us to construct the roadway prior to the opening of the theaters. Our consultant, Professional Engineering Consultants, finished the plan six months ahead of schedule and I want to publicly thank them for that. The CIP Committee recommends approval of the Amendment."

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MOTION

Commissioner Schroeder moved to approve the Amendment to the CIP.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Any discussion?"

Commissioner Gwin said, "Yes Mr. Chairman. David, do you know when we'll bid this project?"

Mr. Spears said, "It's the middle of July. We have already advertised it."

Commissioner Gwin said, "Okay. Then do we have a time frame of when we expect it to be completed?"

Mr. Spears said, "It is going to be close, depending on weather, we're going to try to complete it by the end of this year."

Commissioner Gwin said, "All right. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. We have a Motion before us, is there any other discussion? Seeing none, please call the vote."

VOTE

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

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

**L. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JUNE 19, 1997
REGULAR MEETING.**

Regular Meeting, June 25, 1997

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the June 19 meeting of the Board of Bids and Contracts. There are five items for consideration.

**(1) SYSTEMS FURNITURE CONTRACT RENEWAL - CAPITAL PROJECTS
FUNDING: CAPITAL PROJECTS**

"Item one is a systems furniture contract renewal for Capital Projects. It was recommended to accept the extension of the Systems Furniture Contract with Goldsmith's for one year. That allows us the 72% discount off list price. We are estimating it will make purchases up to \$500,000.

**(2) SPREADER RESCUE TOOLS - FIRE DEPARTMENT
FUNDING: FIRE DEPARTMENT**

"Item two, spreader rescue tools for the Fire Department. It was recommended to accept the low bid of Conrad Fire Equipment for \$12,128.13.

**(3) COPY MACHINE - COMCARE
FUNDING: COMCARE**

"Item three is a copy machine for COMCARE. It was recommended to accept the low total bid of Danka Business. That includes the five year cost per copy for a total of \$24,250. The outright purchase price of that is \$9,250.

**(4) LAPTOP COMPUTERS - CORRECTIONS
FUNDING: CORRECTIONS**

"Item four, laptop computers for the Department of Corrections. It was recommended to accept the low bid of Computerland for \$26,848.25.

**(5) TEMPORARY PARKING LOT - CORRECTIONS
FUNDING: CORRECTIONS**

"Item five is a temporary parking lot also for the Department of Corrections. It was recommended to accept the low bid of Asphalt Construction for \$14,495.

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ITEMS NOT REQUIRING BOCC ACTION

- (6) **REMODEL 6TH FLOOR COURTHOUSE - CAPITAL PROJECTS**
FUNDING: CAPITAL PROJECTS
- (7) **LAPTOP MOUNTING UNITS - SHERIFF/EMERGENCY COMMUNICATIONS**
FUNDING: SHERIFF/EMERGENCY COMMUNICATIONS

“There are two items that do not require action at this particular time. One is the remodel of the 6th floor of the Courthouse for Capital Projects. Those bids are being reviewed. Laptop mounting units for the Sheriff and Emergency Communications, that is the mobile data terminal project. Those bids were rejected. We have revised the specifications and will resolicit shortly. Will be happy to take questions and recommend approval for the Board of Bids and Contracts.”

Chairman Winters said, “Thank you Darren. Are there questions or comments? If not, what’s the will of the Board?”

MOTION

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

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Regular Meeting, June 25, 1997

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

CONSENT AGENDA

M. CONSENT AGENDA.

1. Right-of-Way Easement.

The following tract of land has been granted by Easement for Right-of-Way at no cost to the County. This Easement was requested by the Director, Bureau of Public Services, as a condition of receiving a Platting Exemption on an unplatted tract.

Road Number 628-13, Owners: Scott Leis and Jonell C. Leis, located in the Southeast Quarter of Section 7, Township 28 South, Range 3 West, more specifically located on the north side of 39th Street South (MacArthur Road) and west of 295th Street West. Afton Township. District #3.

2. Right-of-Way Instruments.

Two Temporary Construction Easements and two Easements for Right-of-Way for Sedgwick County Project No. 632-7-3900; Bridge on 55th Street South between 295th and 311th Streets West. CIP #B-278. District #3.

- a. One Easement for Right-of-Way for Sedgwick County Project No. 797-O-3132; Bridge on 183rd Street West between 4th and 13th Streets North. CIP #B-288. District #3.
- b. One Easement for Right-of-Way for Sedgwick County Project No. 797-K-1025; Bridge on 183rd Street West between 37th and 45th Streets North. CIP #B-287. District #3.

3. Section 8 Housing Assistance Payment Contract.

Regular Meeting, June 25, 1997

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>Landlord</u>
C97038	\$375.00	Glade N. Marr

- 4. The following Section 8 Housing Contract is 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>
V73015	\$420.00	\$374.00

- 5. Order dated June 18, 1997 to correct tax roll for change of assessment.**
- 6. Consideration of the Check Register of June 20, 1997.**
- 7. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970336	Finance General/Appraiser	Transfer
970337	County Manager	Transfer
970338	Corrections-JRBR	Transfer
970339	Public Services H/W Department	Transfer
970340	Emergency Medical Service	Transfer
970341	Road and Bridge Sales Tax	Transfer
970342	Aging	Supplemental Appropriation
970343	Aging/CARE	Transfer
970344	Aging/Senior Care Act	Supplemental Appropriation
970345	D. A. Victim Assistance	Supplemental Appropriation
970346	COMCARE-Access	Transfer
970347	Department of Corrections	Transfer
970348	Capital Projects	Transfer

Regular Meeting, June 25, 1997

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970349	1997 Bridge Projects	Supplemental Appropriation
970350	Central Motor Pool	Transfer

Mr. Buchanan said, "Commissioners, you have the Consent Agenda before you and I would recommend you approve it."

MOTION

Commissioner Schroeder moved to approve the Consent Agenda as presented.

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

Chairman Winters said, "Is there other business at this time to come before this Board? Seeing none, we'll recess the Regular Meeting."

The Board of Sedgwick County Commissioners recessed to the Fire District meeting at 11:38 a.m. and returned at 11:41 a.m.

Chairman Winters said, "At this time, I will call back to order the Regular Meeting of the Board of County Commissioners June 25. Commissioners, is there other business?"

N. OTHER

Commissioner Gwin said, "Yes there is Mr. Chairman."

Regular Meeting, June 25, 1997

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 25 minutes to consider consultation with Legal Counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation and personnel matters of non-elected personnel and that the Board of County Commissioners return from Executive Session no sooner than 12:05 p.m.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Chairman Winters said, "We are recessed for 25 minutes."

The Board of Sedgwick County Commissioners recessed into Executive Session at 11:43 a.m. and returned at 12:25 p.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of June 25. Please let the record show that there was no binding action taken in Executive Session. Is there any other business to come before this Board? Mr. Euson? Seeing no other business, this meeting is adjourned."

O. ADJOURNMENT

Regular Meeting, June 25, 1997

There being no other business to come before the Board, the Meeting was adjourned at 12:26 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chairman Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997