

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

November 19, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, November 19, 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. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Harry Hayes, Director, Human Resources; Ms. Willie Martin, Director, Intergovernmental Relations; Mr. Sandy Roberts, Capital Projects; Mr. Joe Cotton, Assistant Director, Personnel Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

GUESTS

Mr. & Mrs. Joseph Mies, Proclamation, 21010 West 37th North, Colwich, Kansas
Mr. David Shupe, Proclamation, Kiwanis Club
Ms. Kathy Gilmartin, American Cancer Society

INVOCATION

The Invocation was given by Mr. Bob Bruner 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, October 29, 1997

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MOTION

Chairman Winters moved to defer the Minutes of October 29, 1997 for one week.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

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

PROCLAMATION

- A. PROCLAMATION DECLARING NOVEMBER 20, 1997 AS "THE AMERICAN CANCER SOCIETY'S GREAT AMERICAN SMOKEOUT."**

Chairman Winters said, "Commissioners, I have a Proclamation that we'd like to read for your consideration."

PROCLAMATION

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WHEREAS, the American Cancer Society's Great American Smokeout encourages smokers to quit; and

WHEREAS, increasing numbers of children are experimenting with a product that can produce lifetime addiction with an increased risk of cancer; and

WHEREAS, more Americans die every year from tobacco-related diseases than from AIDS, alcohol, car accidents, fire, illegal drugs, murders, and suicides combined; and

WHEREAS, youth-related promotions such as the Great American SmokeScream and the Great American Smokeout Pledge encourage youth not to start smoking; and

WHEREAS, the health benefits of not smoking are substantiated and well known;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Thursday, November 20, 1997 as

“THE AMERICAN CANCER SOCIETY'S GREAT AMERICAN SMOKEOUT”

in Sedgwick County, and urge all smokers and smokeless tobacco users to demonstrate to themselves and our children that they can quit and to further encourage our children not to start smoking by joining the American Cancer Society's Great American Smokeout.

“Dated November 19, 1997. Commissioners, what's the will of the Board?”

MOTION

Commissioner Hancock moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

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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 have Kathy Gilmartin here with us to accept. Would you like to say a few words?"

Ms. Kathy Gilmartin said, "I thank you very much and if you know anybody who is a smoker who would like to quit tomorrow, Thursday, November 20, we'll be at the Hometown Buffet East and West giving out survival kits with some wonderful helpful tips. If you call the American Cancer Society we'll have 800 numbers so people can call and get information from pharmacists for the day. We're very encouraged. It has been a comprehensive community event. Schools are involved and the professional soccer and Thunder are involved. Everybody is involved and we're really thrilled. Thank you very much."

Chairman Winters said, "Thank you for being here and good luck., Hope you have a lot of success tomorrow and in the future. Commissioners, I have a second Proclamation that we need to take up as an off agenda item."

MOTION

Chairman Winters moved to take an Off Agenda item.

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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OFF AGENDA ITEM

Chairman Winters said, "Commissioners, this is a Proclamation acknowledging National Farm City Week.

PROCLAMATION

WHEREAS, the prosperity and the well being of this community and area are dependent upon cooperation between two great elements of our society, farmers and urban people; and

WHEREAS, Sedgwick County Farm City Week provides an unparalleled opportunity for farm and city residents to become reacquainted; and

WHEREAS, Mr. & Mrs. Joseph Mies of Colwich, Kansas, are being honored as the outstanding farm family in Sedgwick County for 1997;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim November 21, through November 27, 1997 as

"NATIONAL FARM CITY WEEK"

in Sedgwick County, and encourage all citizens to participate in this worthwhile project to assure a successful Farm City Week in the County.

"Dated November 19, 1997. Commissioners, what's the will of the Board concerning this Proclamation?"

MOTION

Commissioner Gwin moved to adopt the Proclamation and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Here to accept the Proclamation is David Shupe and Mr. & Mrs. Joseph Mies, are they here? If they would come forward too."

Mr. David Shupe said, "Good morning Commissioners. The National Farm City Week has been observed and sponsored by the Kiwanis International for many years. The Downtown Kiwanis Club has selected 1997 Farm Family in their observance of Farm City Week. The Kiwanis Club is happy to continue this activity which was originally initiated by the Wichita Chamber of Commerce in 1952. The 1997 Farm Family is Mr. & Mrs. Joe Mies of Colwich, Kansas. The Mies's are proud parents of four boys. Their farming operation consists of 1,600 acres. It is split between five crops, wheat, milo, alfalfa, beans, and corn. We appreciate the Commission recognizing National Farm City Week. Thank you for your support. Having grown up on a farm and now living in the City, I do appreciate their hard work and conservation practices. At this time, I would like to introduce Joe and Joan Mies and allow them to make some brief comments."

Chairman Winters said, "Thank you."

Mr. Joe Mies said, "Good morning. I appreciate the County Commissioners recognizing wheat farmers as we have to work together with urban because urban in our area is coming out in our area. I just appreciate the County Commissioners recognizing the Farm City Week."

Chairman Winters said, "Thank you very much. We were all reminded again this past weekend with counties from all across the state. I think there were 102 counties represented here this weekend in Wichita for our annual meeting. You realize again that Sedgwick County is one of the few counties in this state that has this urban rural blend like we do. Our agri-business is a significant part and in many areas are state leaders. In irrigated soy beans, I think we are right up near the top. In dairy production, this may be down just a little bit from the big farms out in the southwest part, but we have traditionally been one of the top dairy producers in the state. Fourth in wheat production. Yet we have the largest city in the state."

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“So we do have a very unique combination and I think for the most part it is a very positive combination but it does at times create real challenges. So I certainly want to thank the **Kiwanis** Club for doing this kind of effort every year to recognize farm families from around this County and let this entire community take time to recognize what an important part agri-business plays to this economy and our County. Thank you and congratulations for your current position of Farm Family of Sedgwick County.”

Mr. Mies said, “Thank you. It is a great honor.”

Chairman Winters said, “Next item.”

RETIREMENT

B. PRESENTATION OF RETIREMENT CLOCK TO SANDY ROBERTS, ARCHITECTURAL DESIGNER, CAPITAL PROJECTS DEPARTMENT.

Mr. Joe Cotton, Assistant Director, Personnel Department, greeted the Commissioners and said, “Sandy Roberts, Architectural Designer with Capital Projects, will retire December 1, 1997, after 17 ½ years of service. Sandy was hired April 1, 1980, as an Architect, and became an Architectural Designer on January 1, 1992. Sandy plans to spend time with his wife, children, adopted children, stepchildren, daughters-in-law, son-in-laws, and eight grandchildren. Sandy has worked with Public Works, Capital Projects, and Central Services.”

Chairman Winters said, “Sandy, on behalf of the Board of County Commissioners and the citizens of Sedgwick County, we’d like to present this clock to you as a token of the appreciation that we have for the work that you’ve done for Sedgwick County. It has been an important part of making sure that projects are completed, and started, and successful, in good fashion. You’ve been a big part of that and we appreciate your work over these many years. Congratulations on your retirement and thank you very much. Would you like to say a couple of things?”

Mr. Sandy Roberts said, “Well, I haven’t thought a lot about what to say but I’ve been behind a drawing board for 40 years now and more than half of that time I’ve spent working with the County on County projects. It has been very enjoyable working for the County.”

Chairman Winters said, “Madam Clerk, would you call the next item?”

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NEW BUSINESS

C. REALLOCATION (ONE) AND RECLASSIFICATIONS (NINE).

REALLOCATION

1. CARE COORDINATOR, RANGE 17, AGING DEPARTMENT, TO RANGE 19

RECLASSIFICATIONS

2. OFFICE SERVICE MANAGER, RANGE 19, APPRAISER'S OFFICE, TO ADMINISTRATIVE OFFICER, RANGE 21
3. OFFICE SERVICE MANAGER, RANGE 19, APPRAISER'S OFFICE, TO ADMINISTRATIVE OFFICER, RANGE 21
4. INTAKE & ASSESSMENT DIRECTOR, RANGE 22, COMCARE, TO PROJECT MANAGER, RANGE 24
5. INTAKE COORDINATOR, RANGE 22, COMCARE, TO PROJECT MANAGER, RANGE 24
6. OFFICE SERVICE MANAGER, RANGE 19, CODE ENFORCEMENT, TO ADMINISTRATIVE OFFICER, RANGE 21
7. COLLECTION CARE MANAGER/REGISTRAR, RANGE 18, COWTOWN, TO COLLECTION CARE MANAGER, RANGE 21
8. CURATOR OF EDUCATION/INTERPRETATION, RANGE 20, COWTOWN, TO CURATOR OF EDUCATION, RANGE 23
9. SENIOR ATTORNEY, RANGE 27, LEGAL DEPARTMENT, TO CHIEF ATTORNEY, RANGE 29
10. SENIOR MAINTENANCE WORKER, RANGE 16, ZOO, TO MAINTENANCE SUPERVISOR, RANGE 19

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Mr. Harry Hayes, Director, Human Resources, greeted the Commissioners and said, "You have before you position reallocations and reclassifications which have gone through the reclass process. They have been certified by the reclassification committee and approved by the Budget Department as having the necessary funds available to fund them. I would recommend that you approve these as one group."

MOTION

Commissioner Schroeder moved to approve the reallocation and reclassifications.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "Thank you, Mr. Chairman. Good morning, Harry, how are you?"

Mr. Hayes said, "Wonderful."

Commissioner Miller said, "I just have a point of clarification on number eight, which is a Curator of Education/Interpretation with Cowtown. Can you clarify for me and this is probably just a technical question, what the relationship is in terms of Sedgwick County personnel and Cowtown? Are those that are employed for Cowtown our employees?"

Mr. Hayes said, "There are positions that are funded through Sedgwick County General Funds and then there are also positions which are funded out of Cowtown grants. This position which is represented here is a position which is funded through Sedgwick County funds."

Commissioner Miller said, "Okay, that is exactly what I needed to hear because I didn't think that they were all our employees. Thank you. Thank you, Mr. Chairman."

Chairman Winters said, "Thank you, Commissioner. Any other questions or comments? Seeing none, Madam Clerk call the vote."

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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. Thank you, Harry."

D. PRESENTATION OF THE 1998 SEDGWICK COUNTY LEGISLATIVE PROGRAM.

Ms. Willie Martin, Director, Intergovernmental Relations, greeted the Commissioners and said, "This morning I would like to present for your consideration and approval those issues which we would like to make our legislative package for the 1998 session. In section one we have legislative priorities, which are issues that we find of most importance for this upcoming session for the County. The first issue that we would like to propose is enhanced revenue sharing and revenue options for County government. The ad valorem property tax continues to be the main source of revenue financing County services across Kansas. There is agreement at the State and local level that the reliance on the property tax needs to be reduced but we also have to recognize that to accomplish this goal will require sharing the growth in the State revenue and viable options at the local level for alternative revenues. Revenue sharing programs by the State of Kansas from its sales and compensating use taxes, motor carrier property taxes, and motor fuel taxes through the three major demand transfer programs are an essential part of an effort to control property tax levies necessary to finance County services. In recent years, the legislature has capped the amount of these transfers to local government. Therefore, the growth in revenue that the State received between '91 and '98 provided a cumulative loss because the caps placed on local government of \$33,950,000. We believe that Sedgwick County should join with the Kansas Association of Counties in calling for the governor and the legislature to restore this historic partnership with counties as is evidenced in the demand transfer programs and to fully fund the transfers in the FY '99 budget without caps. In addition, we believe Sedgwick County should request the State allocate a portion of the large unexpected State revenue, which the State has received, and share that with local units of government for the purpose of addressing safety issues. That is the first recommendation.

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“The second is providing greater tax equity by extension of the 911 tax. Currently counties collect the tax on telephone lines that is used to finance the operation of emergency telephone services provided through Emergency Communications. The State statute allows for the collection of this tax but it only applies to hard wired telephone systems. Wireless, cellular, and mobile users are exempt from this tax. When the current statutes were written, there was no way to anticipate the growth of the mobile or cellular phone industry. Calls from cellular phones have been increasing annually and in 1996, Sedgwick County Emergency Communications received over 42,000 calls via cellular telephone through 911. It is obvious that the cellular phone calls to 911 will continue to increase as this technology grows and the cost of the cell phone service and equipment becomes more affordable to a larger number of people. Therefore, we believe that the extension of 911 is a priority for Sedgwick County and we ask our delegation that they prefile and support the extension of the taxes funding 911 to include mobile cellular and wireless phone users.

“The next issue is to eliminate the requirement of sales tax on construction and zoo memberships for the Sedgwick County Zoo. The Sedgwick County Zoo celebrated its 25th Anniversary in 1996 and is home to 2,142 animals of 397 kinds. The eighteenth largest collection of animals among U.S. zoos. With an annual average attendance of 464,000, Sedgwick County Zoo is the most popular family attraction in Kansas and has an economic impact of over \$35,000,000 for the State of Kansas and Sedgwick County. Unlike zoos in other states, in Sedgwick County the zoo membership is taxed. The zoo is audited by the State Revenue Department in the fall of 1995 and since that time the zoo has been required to pay sales tax on membership sales. This has amounted to over \$41,000 in 1996 that could have otherwise gone to support zoo programs. The Department of Revenue held that the zoo falls under the portion of sales tax law requiring that taxes be paid on dues charged for recreation or entertainment and also the statute references private clubs and drinking establishments. While the zoo is a place for people of all ages to have fun, the recreational aspect is only a part of the four fold mission which all 182 accredited U.S. zoos share. The American Zoo and Aquarium Association founded in 1924 only grants accreditation to zoos with excellence in areas of conservation, education, science, and recreation. We believe it is important to the State of Kansas and Sedgwick County that there be continued expansion and growth at the zoo. Therefore, we are asking that the Sedgwick County delegation prefile legislation which will exempt the Sedgwick County Zoo from sales tax requirements for memberships and construction. On the issue of solid waste, counties have a varied diversity of needs regarding solid waste issues. Due to this diversity, there should be consideration given to provide local units of government with flexibility to use funds to address and accomplish solid waste projects. This flexibility can be achieved by an increased level of state grant funding to local units of government. We support legislation to increase tipping fees to preserve and or expand recycling waste reduction grant programs to assist in cleaning up landfills and to assist funding for household hazardous waste programs.

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“In the next section are issues which although important to us do not have the ranking of the four that we have just discussed. There are some efforts at the State level to remove our KSA statutes and we have two which are very specifically impacting Sedgwick County. One is KSA19319, which was adopted in 1868. It was last amended in 1923. It requires that the County Clerk produce a report at the close of the term of office of any County Treasurer. The referenced information is available currently in digital format and therefore it would make the statutory for hand-written spreadsheets redundant and unnecessary. It also in this statute requires that the tax role be delivered to the County Clerk for one week and no taxes received for that period of time. We have difficulty if a tax payer comes in to make a payment on a delinquent tax to advise them that we can't accept payment at that time. The second one is a wagon and hauling permit, KSA73207 is a statute dating back to post civil war reconstruction. It provides for delivery and baggage weight permit. While benefits to veterans are usually very appropriate, exemption for a license fee where the license itself no longer exists is obviously not one of them. The Sedgwick County Clerk's Office has been petitioned for a delivery and baggage wagon permit. The petitioner advised the Clerk's Office that the purpose of the petition was to avoid motor vehicle registration. So we would like to include that in those that we believe ought to be amended and removed from the statutes.

“The third issue is increasing the statute of limitations for arson crimes. In most cases of arson that are not solved within days of the fire, information may not be received within the current two year statute of limitations. If information which could lead to charges and arrest and convictions on arson crimes are received after that period of time, they can no longer be processed. So we support the extension of the statute of limitations for arson crimes from two to five years.

“Dealing with the issue of sexual predator legislation, we believe that the County should support legislation which would designate the State's responsibility for indigent defense of accused sexual predators.

“We also include an issue regarding township dissolution. The Sedgwick County Commission has been asked by trustees of several townships to assist with legislation which would allow dissolution of individual townships. The requested legislation would allow the proposal for dissolution of a township to be placed on the ballot for voter approval. So therefore, we are asking that our legislative delegations support this legislation and request. I'd be glad to try and answer any questions that you might have.”

Chairman Winters said, “Commissioners, any questions or comments? Commissioner Miller.”

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Commissioner Miller said, "I have a comment after and I am supportive of all of the priorities that we've set here, Willie and Commission. But being a participant and I know there were other Commissioners that were present at the Cessna project and Address of the President on Monday. In seeing the reaction of the crowd that was there and notifying or being able to recognize the ownership of the individual, and I'm talking about the workers for the most part, the trainees, in this type of a project, Welfare to Work Program, I was thinking that surely it would be incumbent upon Sedgwick County to look at seeing how it is that we as a County and particularly in being able to spur on our legislative delegation in looking at legislative action that would indeed create that type of a program or subsidy from a state level that would encourage and enhance welfare to work training programs localized in this County. If I recall, the President put a call out to the nation for businesses to jump on this bandwagon and I think that as a County it would be certainly very appropriate for us to be able to embrace it first and to spur on our legislatures to look at how it is that we could develop on a state level and I know we have a former state senator with us in the audience, but on a state level how it is that we could spur on this type of a project in the State of Kansas. So I'm simply throwing that out for comment. I know that this has already been developed but I was just so enthused and impressed at the program Monday that it really started me thinking that this was something that we could possibly grasp on a certainly would benefit us to grasp it on a local level."

Chairman Winters said, "I think that is very appropriate. Good comment. I would acknowledge that former State Senator Gene Anderson has entered the meeting room. Welcome Senator, we are pleased to have you here today. Commissioner Miller, I would share with you that the events out at the Cessna training facility, I was certainly pleased that our Commission was invited to attend that. It was an excellent afternoon of seeing what Cessna has done. They have partnered with the City of Wichita and with the State in doing that project."

"If there are areas that we maybe need to look at, I certainly think that is worthwhile. I think the intention, even the President said, was to draw attention to what Cessna has done and how this program has worked. For at least a brief moment, eyes were focused on Wichita as they presented that program. Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. Willie, I've watched over the years as legislature has continued to reduce the amount of local ad valorem tax reduction to the counties. It seems to me as I recall, they base that sometimes on a dollar figure versus a percentage of revenue that they've received during the course of the year?"

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Ms. Martin said, "Well sometimes what they have done is to base the percentage of increase upon the percentage of increase in spending from the general fund. They've done it a variety of ways. I don't recall them making it a specific dollar amount, but they always tie it into something that makes the dollar amount less than the statutory figures are allowed for."

Commissioner Hancock said, "Is the difference then used by the State in their operation?"

Ms. Martin said, "I would assume so because it is in the State funds, it is usually from the State general fund and they allocate all local government units a portion of these three demand transfer funds and the balance remains in the State fund for their use."

Commissioner Hancock said, "I know we've had some good news relative to the State in as far as their revenues are up significantly this fiscal year, for the '98 fiscal year, '97 fiscal year. They've enhanced their revenues over the years and seem to prohibit the counties and cities from enhancing their revenues in many ways and one of the ways in doing that in sharing the prosperity that exists in the State and a lot of it is right here in Sedgwick County is that revenue sharing mechanism. If any legislatures are listening out there, their formula hasn't made much sense in the last few years. It certainly needs to be adjusted. On a proportionate basis, we've lost ground as most counties have. I would sure like for them to get that message that while they want to appear before their constituents to do a good job, it is sometimes at the cost of local government, many times."

Ms. Martin said, "In addition to that, during the last legislative session and during this interim, there has been a great deal of talk and concern about lowering property taxes even through some proposals that are really quite unfeasible. The reality of it is that not only have we not shared in the growth of the State revenue, which we have helped to produce by the way, but we are getting the pressure to reduce property taxes especially for counties more so than cities and we don't have that many alternatives for revenue. So if we're going to reduce property taxes we obviously have to have revenue from another source. Certainly these are some of those."

Commissioner Hancock said, "I would like to comment on the 911. I watched this debate in legislature for the past couple of sessions considering the 911 tax. I presume that legislature has assumed that this is another tax. That's been their attitude toward this idea. How many cents per line does Sedgwick County currently collect on hard wire systems?"

Ms. Martin said, "If I understand correctly, it is \$.57."

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Commissioner Hancock said, "Fifty-seven cents a month? That's about \$13 a year in taxes to make 911 available? Well if they can't afford the \$13 a year, they can't afford the cellular phones, that's my attitude. With 42,000 calls a year made by them, they ought to participate in this. Otherwise we may not be able to make it available to cellular phones and they can call in their emergencies another way through the hard wire system. That's my view on it. I think the legislature has been obstinate and they've been narrow minded and very narrow focused on this issue. It has cost us a tremendous amount of money to deal with these type of calls coming through cellular phones. We have to invest in hardware as I understand it to do this. If legislature is willing to send us the money to update our equipment to accommodate this higher activity, fine, send us the cash. Then we won't charge \$.57 for a cellular phone then in the future. Once again, they tell us how we need to watch our budgets but aren't willing to give us the ability to provide the services when it comes time and how to support the 911 sales tax. As I say, if you can't afford the \$.57, you shouldn't be owning a cell phone in my view.

"Those two things I am very much interested in and especially the revenue sharing part of our package. I think it is ridiculous that in this time of prosperity here in the State of Kansas that some of this revenue can't be turned loose by the State of Kansas. If not, then take some of those funds and invest in one time capital projects. We have a severe need for juvenile facilities here in this State, I might want to remind the legislature. It certainly would behoove them to consider some of those projects and take some of the pressure off of us in Sedgwick County. It goes around in a vicious circle. What they don't do, we pick up the tab for.

"We're still picking up the tab for the lack of juvenile facilities in this State and so there they are sitting up there telling us that we need to improve our facilities and do a better job yet they themselves aren't willing to make an investment. When we do, we are clearly from time to time criticized for spending more than what they think we should but yet they're not fulfilling their responsibility. They could fulfill part of the responsibility by sending us those local ad valorem tax reduction funds. It certainly would be helpful. Thank you, Mr. Chairman."

Chairman Winters said, "Thank, you Commissioner. I have two points, maybe of clarification. One of the tax regarding the zoo and perhaps Assistant Manager Jerry Harrison can help here. Is it just on the memberships and construction or are we talking about other routine purchases that the zoo makes as educational and that kind of organization?"

Mr. Jarold Harrison, Assistant County Manager, said, "The big issues are the first two, memberships and construction materials for exhibit development. For example, we have averaged a little over \$2,000,000 a year in construction at the zoo for the past three or four years."

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Chairman Winters said, "Okay, so construction is the right term then for that. Okay, thank you. The other one was on the townships and it is my understanding that this is not necessarily interpreted or should not be interpreted that we are supporting doing away with townships. At a point in time, we did have a township or two approach us about dissolving and it was determined that just because of current State statutes, that would be virtually an impossibility. Am I interpreting that correct?"

Ms. Martin said, "Yes, my understanding is that what the Commission is wanting to do, what they've historically done, is trying to assist townships which don't always have the capabilities of following legislation and trying to get things through so just to make sure that we're supportive and letting our Sedgwick County delegation know that there should be this alternative for those townships which would like to do that and as stated earlier, it does require that it be placed on the ballot and approved by residents of any township making that proposal."

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

Commissioner Schroeder said, "In response to that issue, out of the four townships in my district, there are three of them, maybe all four, that have asked about the issue of dissolving their authority to be in existence. The problem we ran into was that if you dissolve them, you've got to dissolve them all at once. If you don't dissolve all of them at once and you take them one, two or three at a time, then the township basically, the body stays in position, it stays in existence. They levy the tax and then they send the money to us. If we were the ones to take over their responsibilities, which absolutely makes no sense. If I had to put an estimate on the number of complaints that I've had in my office in the last 11 years on roads, 99% of them are township roads. If I had repeat complaints, 100% are township roads. There are a couple of things here. One, it is not necessarily the people that run them, it is the cap that legislature put on back in '89 I believe. So those people are relying on 1989 mill levy, the mill levy, and their only opportunity is if the mill levy increases in value. If the mill levy increases in value, they get to do more work. They can get more projects done. They simply have run out of money. Towards the last half to the last quarter of the year, some of those townships virtually have no money left other than to pay their employees for their salary, even though they may not be doing much. The road grader sits silent, trucks sit silent because there is no money to buy rocks, sand, whatever it takes. As a matter of fact, some of the employees are laid off because they simply don't have enough money. So I get the calls asking us to come out and fix their roads. If I'm going to do them, I might as well be in the business. It is not necessarily reflected on the people running them. As a matter of fact, the Minneha township is adamant about dissolving that township. Betsy and I well know they've had discussion with both of us that they would like to do that but they are prohibited by law because of the way the law is written. All I'm trying to do is give the voters in those townships that avenue to vote yes or no to dissolve the township. I think they deserve that.

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“In a lot of ways here is another archaic statute that these townships must remain in place. It just makes no sense today, for some of them to remain in place when they’re that close in to the city. A lot of the roads are County roads in and around their townships. Some of them are so heavily traveled they just can’t keep up with the maintenance of those roads. So we’re just asking for a little bit of assistance from the State legislature to give those voters the right to dissolve those townships or not. If they feel they’re doing a fine job I think that’s great. But if they feel that the township elected are prohibited from doing a good job because of the way the system is, then they ought to be able to dissolve that township.”

Ms. Martin said, “We’ve tried to make it clear in the statement that we’re not trying to encourage or support or to get townships to dissolve, only to assist those who for their particular reasons have the wish to try and do so.”

Commissioner Schroeder said, “A lot of them do a very good job. Some of them know that they should not remain in existence and those townships ought to be given that right to take care of that problem. Thank you.”

Chairman Winters said, “Thank you. Commissioners, you’ve heard the discussion. You’ve heard Willie’s report on the legislative platform, are we prepared for a Motion? Commissioner Gwin.”

Commissioner Gwin said, “Just a question or a follow up on Commissioner Miller’s comment. Commissioner Miller, did you have a statement that you wanted to add to this regarding welfare to work? I mean we have a platform policy statement, did you have one in mind or did you want Willie to craft one and then bring it back?”

Commissioner Miller said, “Actually, what I was fishing for was support from the Commission to actually place this as a priority. I feel that it is one. When you talk about how it is that Sedgwick County is involved in detention. I mean we deal with adult detention, with deal with juvenile detention. When I think about work ethics and I think about welfare to work, I think about enhancements and community involvement. I think about enhancements and esteem for a ‘disenfranchised’ group of individuals that have been in the area and not moved into the ‘mainstream’ of American and that is exactly what is being talked about from Russ Meyer to Johnnie Cartledge to the President on Monday. I think that as I’ve talked about when I want to speak to the issue of juvenile justice issues that this is a total encompassing issue. It doesn’t just stop or start with being able to provide monies to ‘prevent’ individuals from getting into the system, but you have to look at the larger issue here. I think that jobs are at the crux of the larger issue here.”

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“So I felt that it is just imperative that indeed we’re going to look at the nation to jump on this bandwagon that we would be an initiate from a local level because we’ve been progressive enough to be able to target key issues and implement some activities and projects and programs that have been beneficial in our community. I just felt that this was a broad priority that we could consider. Didn’t really think about it until I heard the address on Monday, hence the project or the priorities were already printed and agreed upon. I am very supportive of everything in here. I am simply saying that I think it is more than a platform policy statement. I’m giving it more credence than a platform policy statement.”

Commissioner Gwin said, “As far as legislative priorities then is there a certain look of a bill or a look of certain legislation that you have in mind that you think we need or are missing?”

Commissioner Miller said, “Well, that I would need some help. I have not formally crafted anything in my mind.”

Chairman Winters said, “I would be supportive of us approving what we have in front of us today and then directing our staff, based on some of the enthusiasm and some of the good things we saw happening Monday, to think about how counties play in that system.”

Commissioner Miller said, “That’s how I was thinking. I would appreciate it.”

Chairman Winters said, “And if staff then, Willie and others, could bring something back to us by the first of the year so we could have something to say about how we think counties fit in this process.”

Commissioner Miller said, “I think that would be excellent.”

Chairman Winters said, “Willie, did you get the thrust of what we are talking about there?”

Ms. Martin said, “Yes.”

Chairman Winters said, “I’m suggesting that we go ahead and approve this today so we can move on with it but then we continue to add something about this other piece. Is there a Motion to approve the legislative platform for 1998 as it has been presented this morning?”

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MOTION

Commissioner Hancock moved to approve the 1998 Sedgwick County Legislative Program.

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, "Then we will expect something by the end of the year as to how counties fit in this welfare to work process that is going on in this country."

Ms. Martin said, "Thank you. Thank you, Commissioners."

Chairman Winters said, "All right, Willie. Next item."

**E. REPORT OF THE BOARD OF BIDS AND CONTRACTS' NOVEMBER 13, 1997
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the November 13 meeting of the Board of Bids and Contracts. There are three items for your consideration this morning."

**(1) DEMOLITION & SITE CLEARANCE - EMERGENCY MANAGEMENT
FUNDING: EMERGENCY MANAGEMENT**

"Item one, demolition and site clearance for Emergency Management. It was recommended to accept the low bid of Joel Associates, Incorporated, in the amount of \$17,650."

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- (2) **PERSONAL COMPUTER HARDWARE & SOFTWARE - BUREAU/PUBLIC SERVICES**
FUNDING: BUREAU/PUBLIC SERVICES

“Item two, personal computer hardware and software for the Bureau of Public Services. It was recommended to accept the low total bid of Gateway 2000, in the amount of \$38,173. That includes the purchase of seven sound blaster cards for an additional amount.

- (3) **DUMP TRUCKS - MOTOR POOL**
FUNDING: MOTOR POOL

“Item three, dump trucks for the Central Motor Pool and the Bureau of Public Services. It was recommended to accept the low bid of Copeland International Trucks in the amount of \$100,319.42, that includes trade-in and optional manuals.

ITEMS NOT REQUIRING BOCC ACTION

- (4) **PAVING & DRAINAGE IMPROVEMENTS - BUREAU/PUBLIC SERVICES**
FUNDING: SPECIAL ASSESSMENTS
- (5) **PERSONAL COMPUTER HARDWARE & SOFTWARE - JUVENILE DETENTION FACILITY**
FUNDING: JUVENILE DETENTION FACILITY
- (6) **SERVERS - INFORMATION SERVICES**
FUNDING: INFORMATION SERVICES
- (7) **CEILING REPLACEMENT AT JDF - CAPITAL PROJECT**
FUNDING: CAPITAL PROJECT

“There are four items that do not require action at this particular time. Those bids and proposals are tabled for review. They include: paving and drainage improvements for the Bureau of Public Services Belle Terre South Addition, Phase 1; personal computer hardware and software for the juvenile detention facility; computer hardware servers for Information Services; and ceiling replacement at the juvenile detention facility for Capital Projects. I will be happy to take questions and would recommend approval of the minutes recommended by the Board of Bids and Contracts.”

Chairman Winters said, “Commissioners, are there questions before we take a Motion?”

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MOTION

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

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 Darren. Next item."

CONSENT AGENDA

F. 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 783-AA, Owners: Thomas R. Crisler and Barbara J. Crisler, located in the Northwest Quarter of Section 17, Township 29 South, Range 3 West, more specifically located east of 295th Street West and south of 87th Street South. Viola Township. District #3.

2. Right-of-Way Agreement.

One Easement for Right-of-Way for Sedgwick County Project No. 811-S½ K, L; Ridge Road between 29th Street North and K-96. CIP #R-222. District #4.

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3. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V97064	\$373.00	5	Can Le
V97063	\$463.00	4	Jerry and Judy Gariepy

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V97004	\$162.00	\$134.00
V96003	\$169.00	\$90.00
V95151	\$178.00	\$212.00
V94120	\$362.00	\$357.00
V95016	\$325.00	\$298.00
V94012	\$521.00	\$580.00
C94094	\$139.00	\$181.00
C95129	\$244.00	\$110.00
C74002	\$418.00	\$327.00

5. Applications for License to Retail Cereal Malt Beverages.

<u>Applicant Name</u>	<u>d/b/a</u>
Joyce Schmidt	Wichita Canteen Co.
Nyle D. Dockter	Quik Trip #366
Larry W. Brooker	Quik Trip #383
Myra J. Markwell	Quik Trip #392
Christopher Rickard	Bomber Burger
James A. Steindler	Gotta Stop
Eugene J. Pelz	Siesta Steak and Lounge

Regular Meeting, November 19, 1997

Jo Lynn Blood	Pine Bay Golf Course, Inc.
Antonio L. Massey	W & C Beer Store
Sharon F. Anderson	Bud's Bait & Burgers

- 6. Agreement with Guardian Title & Trust Company to provide on-line access to Sedgwick County's electronic data.**
- 7. Order dated November 12, 1997 to correct tax roll for change of assessment.**

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "Commissioners, you have before you the consent agenda and I recommend you approve it."

MOTION

Commissioner Gwin 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 to come before this meeting? We do need to have an Executive Session today, so at this time I will recess the Regular Meeting of November 19, 1997."

The Board of Sedgwick County Commissioners recessed to the Fire District Meeting at 9:50 a.m. and returned at 9:53 a.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of November 19, 1997. Other business?"

Regular Meeting, November 19, 1997

G. OTHER

MOTION

Commissioner Miller moved that the Board of County Commissioners recessed into Executive Session for 60 minutes to consider consultation with Legal Counsel on matters privileged in the attorney client relationship relating to pending claims and litigation and legal advice on personnel matters of non-elected personnel and that the Board of County Commissioners return from Executive Session no sooner than 10:55 a.m.

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, "We are recessed into Executive Session for one hour."

The Board of Sedgwick County Commissioners recessed into Executive Session at 9:53 a.m. and returned at 11:06 a.m.

Chairman Winters said, "We are back from Executive Session. Please let the record show that no binding action was taken in Executive Session. Rich, do you have anything else? Mr. Manager? This meeting is adjourned."

Regular Meeting, November 19, 1997

There being no other business to come before the Board, the Meeting was adjourned at 11:06 a.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