

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JULY 17, 1996

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 a.m., Wednesday, July 17, 1996, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Melody C. Miller; Commissioner Betsy Gwin; Commissioner Paul W. Hancock; Commissioner Mark F. Schroeder; Mr. Michael Hill, Sheriff; Mr. William P. Buchanan, County Manager; Mr. Stephen B. Plummer, County Counselor; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. J. Kenneth Hales, Director, Department of Corrections; Ms. Irene Hart, Director, Bureau of Community Development; Mr. Michael A. Pisciotte, Management Intern; Dr. Corrie May, Coroner, Regional Forensic Science Center; Mr. Steve Gilbert, Forensic Administrator, Regional Forensic Science Center; Ms. Deborah Donaldson, Director, COMCARE; Mr. Brad Sherard, Real Estate Appraiser, Appraiser's Office; Mr. John Nath, Director, Kansas Coliseum; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Luan Chebultz, Deputy County Clerk.

GUESTS

Ms. Debbie Cisco, President, Oakview Neighborhood Association

INVOCATION

The Invocation was given by Mr. Chuck McCoy of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

The Clerk reported that all Commissioners were present at the meeting of July 3, 1996.

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CONSIDERATION OF MINUTES: Regular Meeting, July 3, 1996.

The Clerk reported that all Commissioners were present at the meeting of July 3, 1996.

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 July 3, 1996.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

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

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PROCLAMATION

A. PROCLAMATION DECLARING JULY 22 - 26, 1996, AS “SEDGWICK COUNTY LAW CAMP DAYS.”

Chairman Winters said, “Commissioners, I have a Proclamation before us this morning and I’d like to read that into the record and for your consideration.

PROCLAMATION

WHEREAS, approximately one hundred fifty youth between the ages of 13 and 15 will attend the second annual Sedgwick County Law Camp on July 22 - 26, 1996, at Lake Afton Park; and

WHEREAS, the mission of the Law Camp is to create a partnership between law enforcement and youth by providing a positive experience using law enforcement personnel as role models -- building self esteem, confidence and trust; and

WHEREAS, a squad of 10 youth will be assigned to a mentor who will keep track of the activity schedule. The mentors will operate in teams of two, consisting of one Deputy and one Guardsman from the Kansas Army National Guard; and

WHEREAS, Law Camp is a partnership involving over 25 public and private sector organizations;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim July 22 - 26, 1996, as

“SEDGWICK COUNTY LAW CAMP DAYS ”

in recognition of this effort to involve our youth in alternatives to crime and violence.

“Dated July 17, 1996. Commissioners, that is the Proclamation, what’s the will of the Board?”

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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.

VOTE

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

Chairman Winters said, "Thank you very much. Here this morning to accept the Proclamation is the person who got the Law Camp off of the ground and into action, Sheriff Mike Hill."

Mr. Mike Hill, Sedgwick County Sheriff, greeted the Commissioners and said, "I want to thank you for the Proclamation. As you are aware, this is our second year. We went through a lot of learning processes last year and it will go a little smoother this year. I invite you out to the Camp, especially Thursday evening when we have a small barbeque and you can interact with the kids and have some charcoaled hamburgers and hotdogs and see what is going on. Friday is show and tell day.

"These kids represent all segments of our community. We've entered into a partnership this year after the death of Kevin Easter. We had the Cops for Bowling. There are a lot of children in Big Brothers and Sisters who are on the waiting list and we entered into an agreement with them and 50 kids that are waiting for Big Brother/Big Sister match-ups will be attending the Camp this year to help us make up the 150. So we're very excited. It is very worthwhile. The people in the back of the room and the guys and gals in the Guard are the ones that really make it happen, I don't. We appreciate it. Thank you."

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Chairman Winters said, "Thank you Sheriff Hill. We appreciate all the work that you have done in organizing this and all the work that your staff does out there in those few days. Thank you. Next item please."

PUBLIC HEARING

B. PUBLIC HEARING AND RESOLUTIONS REGARDING SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO KANSAS DEPARTMENT OF COMMERCE AND HOUSING FOR COMMUNITY IMPROVEMENT FUNDS ON BEHALF OF OAKLAWN IMPROVEMENT DISTRICT FOR CONSTRUCTION OF A WALL.

Ms. Irene Hart, Director, Bureau of Community Development, greeted the Commissioners and said, "We bring for your consideration today a grant application to construct a wall in Oaklawn. The proposed wall is 3,210 feet long at a cost of \$30 per linear foot. The funds that we are requesting are \$95,300. Fund raising for matching funds has been conducted by the Oakview Neighborhood Association. To date they have raised over \$10,000 matching funds for the wall. There are people here from the Neighborhood Association who will talk to you during the public hearing. First, what I would like to do, for a fund raising information piece, they have been using a packet and what we've done is to create some slides. I'd like to show you that slides to give you an idea of what the wall is intended to replace and how much it means to the community."

SLIDE PRESENTATION

"I'll just go through it quickly. There is a board fence along 47th Street as it goes through the Oaklawn neighborhood. You can see that it is in disrepair, with several boards missing and falling down. We would simply like to replace it with a quality wall or concrete fence that separates the homeowner's backyards from 47th Street. There it is."

Chairman Winters said, "Okay, anything else at this time Irene?"

Ms. Hart said, "Not at this time."

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Chairman Winters said, "Okay, thank you. Commissioners, any questions before we open the public hearing? Alright, at this time we will open the public hearing to receive comment from the public as we consider this application to the Kansas Department of Commerce and Housing for Community Improvement Funds on behalf of the Oaklawn Improvement District. Is there anyone here in the audience who would like to address the Board of County Commissioners on this issue? Please come forward, state your name and address for the record please. Please try to limit your comments to five minutes or less."

Ms. Debbie Cisco, President, Oakview Neighborhood Association, 3000 Jonquil, Wichita, Kansas, said, "As a community, we decided that we would no longer put up with the disrepair of the fence along 47th Street. It was decided, as a community, to take that project on of replacing the fence that we have with a cement poured wall. It was quite a large project, but we think we can do it. We have quite a few businesses that have come on line with us, pledging donation, and we are in the process of talking to quite a few to see if corporations can help us with that.

"The kids at Oaklawn Elementary and Cooper Elementary, have donated their pennies and sold popsicles and candy to donate toward the wall. We have some of the elderly in the neighborhood who have donated towards the wall. The younger people, my age, I would say younger, some people wouldn't, but we have put our money on the line too, saying that we will no longer put up with this.

"As a community we are coming together to build Oaklawn back up to where it used to be. I was born and raised and still live out in Oaklawn. We are trying to work toward a better community. We are asking you to help us with that. Thank you."

Chairman Winters said, "Thank you very much. Is there anyone else here who would like to address the Board of County Commissioners on this grant application? Is there anyone else in the audience would like to address the Board of County Commissioners on this grant application? Alright, seeing no one, we'll limit discussion to staff and Commissioners. Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman, if you please. Irene, this isn't particularly directed at you, but since you're standing there. I just want to thank Debbie Cisco and company. You've done a wonderful job in soliciting businesses and individuals alike for this project for contributions. They were in my office a couple of months ago.

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“We’ve run into a couple of small snags but I think we can work them out. I think the project is a worth while project and I tell you what, it does your heart good to see a community like Oaklawn get together to improve what they perceive is their image and to protect their children and their property values. I think this wall project is a good project and maybe other communities will do the same thing once it is completed and they see how well it works. So thank you and congratulations. I hope this grant is approved and you can move on down the road and be successful. Looking forward to seeing it.”

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

Ms. Hart said, “One thing I would like to note that I find interesting is that \$10,000 comes from hundreds of individual contributions. There really is some major involvement in getting out and supporting this.”

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

Commissioner Miller said, “Thank you Mr. Chairman. That was exactly what I was going to pick up on Irene, was that I know, by looking at the faces that I see out in the audience there, that it is truly representative of just your average day person, working person, male, female, the age spectrum, you can see it right there in front of you from the Neighborhood Association. When it actually takes on that type of a face, then it can do nothing but succeed. I commend you first of all on your efforts thus far and I am very, very proud of what you have been able to do to this point. I’m sure that you’ll take it all the way and I’m hopeful that you are sharing these ideas with other neighborhood associations, which I’m sure you are. I’d like to be able to see them come before us, if that type of a relation need be, which I understand is a little bit different with Oaklawn and Sedgwick County than the City of Wichita would do, or those associations that are located in the City. So good luck and I just commend you on your efforts thus far. Thank you. Thank you Mr. Chairman.”

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

Commissioner Gwin said, “Just a question I guess of understanding. It has to do with small cities block grants and this is just an improvement district. How does the State view that? Are we up against some odds because this isn’t a small city or is it in Oaklawn’s favor because they’re not?”

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Ms. Hart said, "The County is the one that is required to make the application since they aren't a city and our application would stack up against one from Independence, Kansas or Sherman County I think."

Commissioner Gwin said, "So it is just going to be in competition with what else is out there."

Ms. Hart said, "Yes ma'am."

Commissioner Gwin said, "In the information that you present, will there be a discussion, if you will, as to the community involvement that more thoroughly explains it?"

Ms. Hart said, "Yes, we believe that is one of the major selling points."

Commissioner Gwin said, "I do too. Alright, thanks. Thanks Mr. Chairman."

Chairman Winters said, "Okay, thank you. Irene, has there been any preliminary discussion with the Kansas Department of Commerce and Housing or is this the routine process to submit the application and go from there?"

Ms. Hart said, "The wall was a major part of our demonstration project application one year ago. When the State came down to visit the neighborhood, the demonstration application included a number of different projects of which the wall was one. When the State came down to visit, they were much impressed with the application, with the projects outlined, and they seemed to be very favorable toward the wall. They call it a defensible space. It is a way to preserve a neighborhood and keep outsiders from wandering through."

Chairman Winters said, "So this won't be a new event to them when they see it in Topeka."

Ms. Hart said, "Right."

Chairman Winters said, "Okay. Thank you Commissioners. Any other discussion?"

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MOTION

Commissioner Schroeder moved to adopt the Resolutions, 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 Hancock	Aye
Chairman Pro Tem Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you very much. Good luck."

Ms. Hart said, "Yes sir. I don't often have a chance to introduce and recognize staff who have done good work on putting together applications, however, two of our staff are here today, Eddie Chielo from the Department of Housing and Economic Development who actually writes these grant applications and Marty Hughes from the Accounting Department who does all the technical wizardry on the numbers and filling out the forms and the financial part of it. We couldn't get these done without these two gentlemen and their hard work."

Chairman Winters said, "Thank you."

Commissioner Gwin said, "Good luck."

Chairman Winters said, "Next item please."

C. PUBLIC HEARING REGARDING LOCAL LAW ENFORCEMENT BLOCK GRANTS PROGRAM APPLICATION TO THE U.S. BUREAU OF JUSTICE ASSISTANCE.

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Mr. Michael A. Pisciotte, Management Intern, said, "Sedgwick County has recently been notified of its eligibility to participate in a Bureau of Justice Assistance Local Law Enforcement Block Grant in the amount of \$59,841 with a proviso of a 10% match. In accordance with the application process, we put together an advisory board of which Commissioner Miller was the chair. Included on the Board were Colonel Mike Pulice from the Sheriff's Department, Nola Foulston from the District Attorney's Office, Ron Rogg from the District Courts, Jane Richards from Project Freedom, Carrie Jones from the Wichita Metropolitan Family Preservation and Margalee Wright from the School District.

"Today, I am presenting their unanimous recommendation to apply for the grant, \$5,000 of which would be applied to security measures at the Juvenile Court Facility and the remainder of the money \$54,000 to be used to purchase body armor for the Sheriff's Department. I would be happy to answer any questions."

Chairman Winters said, "Okay, thank you. Commissioners, any questions at this time? If not, we'll open the public hearing and receive comments from the public on this grant application for local law enforcement. Is there anyone here in the audience who would like to speak to this issue? Is there anyone who would like to speak to Item C on our agenda this morning concerning local law enforcement block grant program application to the U.S. Bureau of Justice Assistance? Seeing no one, we'll close the public hearing and limit discussion to staff and Commissioners. Commissioners, any other questions or comments? If not, what's the will of the Board?"

MOTION

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

Commissioner Hancock seconded the Motion.

Chairman Winters said, "We have a Motion and a second. I would like to take just a quick moment. Commissioner Miller, I appreciate your serving on that committee that did the review process and Michael, we certainly appreciate your help. We really got kind of behind the time curve on this and Michael, you pulled a number of folks together on very short notice and came to a very good conclusion. So, good job Michael and thank you Commissioner Miller for serving on that."

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Commissioner Miller said, "There was one other vein that was running amongst the actual committee and that was that Sedgwick County form what I would call a collaborative grants committee where we would actually look at grants from a collaborative nature. I just simply needed to place that on the table for us to think about and I'm sure we'll talk about it more. All in all, I thought the process went extremely well Mr. Chairman, under your direction and Michael Pisciotte did a wonderful job of actually staffing it. So thank you."

Chairman Winters said, "Very good. Commissioners, any other discussion? We have a Motion to approve the application, any other discussion? Seeing none, call the vote please."

VOTE

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

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

PLANNING DEPARTMENT

D. CASE NUMBER 0717 - ZONE CHANGE FROM "SF-20" SINGLE FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF 135TH STREET WEST AND MAPLE.

Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, "One item on your planning agenda this morning and that is a zoning request. If I could have the first slide.

SLIDE PRESENTATION

"This tract is outlined in black tape. It is the northwest corner of 135th and Maple. It is 3.7 acres after the expected platting of the property and dedication of additional right-of-way needed on Maple and 135th Street, there will be a net of three acres on this site.

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“The tract is zoned SF-20 under the new zoning code and that’s the County designation for Suburban Residential. All the yellow area on that map is in the County and is zoned in the Suburban Residential category. The sort of flesh color to the east of 135th Street represents land that is...well the yellow is Rural Residential, the flesh color is Suburban Residential, but all the County land is Residential. The white areas on the map are areas that have been annexed by the City of Wichita.

“The request is for General Office District. The applicant is Riverside Health Systems and although there is no project that is immanent, the intent is to zone the land with the intent of the possibility of building a future medical clinic on this site. The General Office District will accommodate that proposed use along with a number of other uses, but doesn’t allow retail commercial type uses.

“The land surrounding this tract in all directions is undeveloped and in agricultural use, although there has been some zoning activity in the area. On the southwest corner in the City of Wichita, there was a request for Light Commercial zoning originally for 20 acres and then reduced to 12 acres and just a couple of months ago, you may recall the City Council approved the request for Light Commercial zoning and a Community Unit Plan for 12 acres on that southwest corner subject to a number of conditions.”

Chairman Winters said, “Is that the southwest or the southeast?”

Mr. Krout said, “I’m sorry, that’s the southeast. This is the area that was zoned by the City Council. This is the tract that we’re talking about today. The southwest corner does have an application that was filed within the last week for 6 acres of Light Commercial zoning and a Community Unit Plan and the Planning Commission will be considering that case in the month of August. So this is a rapidly growing area. Further to the east along Maple, this platted area is the Residential subdivision. There are other urban and suburban subdivisions that are developing in this rapidly growing area.

“The staff recommended approval of a General Office District. Recommended approval subject to the addition of what’s called in the new zoning code a Protective Overlay. This may be the first time that this protective overlay has come up. It is kind of like a Community Unit Plan but for a smaller tract and much simplified. In this case we were recommending certain conditions on landscaping, signage, and architectural control similar to the conditions that were approved by the City Council on that southeast corner for Light Commercial.”

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“Those conditions were acceptable to the applicant and the Planning Commissioners, by unanimous vote at the public hearing, voted to recommend approval subject to platting and subject to the conditions that are in your staff report that would be encompassed in this protective overlay. There was no neighborhood opposition at the hearing. In fact, no one spoke other than the applicant’s agent at the public hearing. We did receive a couple of calls but apparently the neighboring property owners were satisfied with the proposed zoning request and the staff recommendations on the conditions. So there was no opposition at the hearing and no protests were filed.

“This is an aerial photograph showing you the character of the area which is undeveloped around that red square at the current time. We’re looking now at 135th Street on the left hand side of the screen, so this is that northwest corner of the tract, undeveloped and undeveloped around it. We’re looking north on Maple now and on the left hand side of Maple is the property undeveloped to the north of the three acres at the corner. We’re now looking across from this tract. This will be the northeast corner of 135th and Maple and there are a couple of horses running on that property today. I would expect that there would be some type of non-residential use that would come in on this corner at some point in the future also, probably defined by that hedge row on the two sides.

“Now we’re looking at the southeast corner. Across Maple, at the southeast corner, in the very background on the left, you can see the homes, Overhill Subdivision, and that corner is the 12 acres that was approved for Light Commercial zoning a couple of months ago by the City Council. Now we’re looking at the southwest corner. That’s the corner that I told you we have a filing for six acres of Commercial on that corner. Back to the aerial photograph and the zoning map. I’ll try to answer any questions you might have.”

Chairman Winters said, “Okay. Commissioners, any questions of Marvin at this time? Seeing none, I would ask if there is anyone in the audience this morning who would like to address the County Commissioners on this zone change? Is anyone in the audience this morning who would like to address the County Commissioners on our agenda item, Planning Department Item D? Seeing no one, we’ll restrict discussion to staff and Commissioners. Marvin, I see that this is for only 3.7 acres. Do you expect there to be something else here?”

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Mr. Krout said, "At this particular corner, we've been told that there is a trust with a number of trustees that own this particular 40 or 80 acres and they have a great deal of difficulty getting together on how they want to see the tract develop. They reached a consensus on this, but what I understand is that there is a feeling that the remainder of the tract will probably develop for residential uses and nothing more intensive."

Chairman Winters said, "Okay."

Mr. Krout said, "But, as I say, we do expect to see Commercial zoning on the other two corners in the future."

Chairman Winters said, "Alright, thank you. Commissioners, is there any other discussion on this issue?"

MOTION

Commissioner Miller moved to adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting and subject to the additional recommended provisions of a Protective Overlay; adopt a Resolution and authorize the Chairman to sign; and instruct MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

Chairman Winters seconded the Motion.

Chairman Winters said, "Commissioner Gwin."

Commissioner Gwin said, "Marvin, I understand in reading the background, it says that the intersect of 135th Street and Maple is designated as an appropriate commercial under the Far West Wichita Commercial Policy, although this policy was not adopted by the Board of County Commissioners, the site will be annexed and platted. Can we expect to see that on most of the background papers from now on, despite the fact that we didn't approve that policy?"

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Mr. Krout said, "I think that what the statute says, I'm looking at zoning cases, is that you are supposed to consider all plans and policies. Now the County Commission doesn't have to strongly consider a City Council policy, but when we're presenting that to the Planning Commission, I think that along with the official adopted policy it is appropriate for us to indicate any other policies that have been adopted in that area. Particularly in this case, since it will be annexed into the City as part of the platting process."

Commissioner Gwin said, "Okay, well I want to talk more about that later, but I appreciate that. Thank you. Thank you Mr. Chairman."

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

Commissioner Hancock said, "Marvin, you mean that this governing body has to consider policies that we haven't adopted."

Mr. Krout said, "No, well you consider it to the extent that you want to. I think our obligation to the Planning Commission in drafting the initial staff report is to indicate any adopted plans and policies. That's what the statute says and that's what the ordinance says and so that means obviously the Comprehensive Plan, but it means any other adopted policies and plans too. In this case, the County doesn't have to take it into consideration. You can use it as a factor in deciding, but I think it is good information for you to know whether or not this fits into the policy, whether you adopted it or not, that the City Council did adopt a couple of months ago."

Commissioner Hancock said, "I don't disagree with you, but I've always been under the assumption that the Metropolitan Area Planning Department worked for the City of Wichita and worked for Sedgwick County separately and together and you are doing part of that in that you're having us understand that there has been a policy adopted obviously by the City of Wichita. On the other hand, you are our Planning Department, and I'm wondering why we cross over with their policies and why we must be...I mean it is nice to be cognizant, but to be made aware of every policy they do in our decisions, is probably not what we had bargained for."

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Mr. Krout said, "We always err on the caution of more information whenever there is a question. Obviously, this is an issue that the Planning Commission is still talking about. In fact, you're invited to the luncheon meeting this afternoon to continue that discussion with some people from the commercial development industry who can talk about the issue of commercial development in town and any policies, whether they are in the Comprehensive Plan or elsewhere that may relate to that, I just think the reality of this situation is that this property is going to be annexed during the platting process. The City Council was going to be asking that same question as this goes along as to whether this is consistent or not. We also got calls during the last month before the Planning Commission hearing from property owners asking whether or not this was consistent with the City Council policy. I think that is the reason that we stated it in the report."

Commissioner Hancock said, "And they were aware of this policy?"

Mr. Krout said, "Yes."

Commissioner Hancock said, "Amazing. Thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Commissioners, any other questions? We do have a Motion to adopt this zone change, is there any other questions before we vote on this Motion? Seeing none, call the vote please."

VOTE

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

Chairman Winters said, "Thank you very much."

Mr. Krout said, "Thank you. See you at lunch time."

Chairman Winters said, "Thank you Marvin. Next item please."

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NEW BUSINESS

E. REGIONAL FORENSIC SCIENCE CENTER.

1. GRANT APPLICATION TO U.S. DEPARTMENT OF JUSTICE FOR THE FEDERAL BUREAU OF INVESTIGATION'S DRUGFIRE NATIONAL NETWORK SYSTEM.

Mr. Steve Gilbert, Forensic Administrator, Science Center, greeted the Commissioners and said, "In our efforts to enhance forensic science support to the County, we've done a lot of research into the Drugfire network. Drugfire is a national computer network developed by the FBI which will link up various terminals throughout the contiguous United States. Firearms examiners have the ability to examine bullets and shell casings for forensic information and take this information, insert it into the Drugfire database along with digital images of bullets and shell casings and make it available to other firearm examiners throughout the United States. So in other words, if an examiner in California were to enter this information about a firearms case in California, an examiner on the east coast could access that network database, hopefully find information like that case that may match his case and find evidence or identify a serial offender. Serial offenders do extensive travel as you've learned in the last decade or so. That is the essence of Drugfire.

"Right now, the FBI is making a no match grant program available to various jurisdictions. The KBI has been designated as the consortium grant writer. They are preparing a consortium application at this time for any jurisdiction that would like to participate. This is, like I said, a no match grant program. The impact to the County for this Drugfire program would simply be the installation of a dedicated phone line which will be in operation 24 hours a day, every day of the year, the operation of that phone line for next year and maintenance for the computer hardware. Once approved by the Department of Justice, the KBI will purchase all the hardware from the vendor. The FBI does the installation and training at no cost down here at the County on site. Then we will own the equipment and operate it under the FBI's guidelines and regulations. That is the basic application that we're submitting for your approval. If you have any questions, I can answer them."

Chairman Winters said, "Alright, thank you very much. Commissioners, do you have any questions? You've heard the report, what's the will of the Board?"

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MOTION

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

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Thank you. We have a Motion and a second, further discussion? Commissioner Miller."

Commissioner Miller said, "Just briefly Mr. Chairman, thank you. We are applying to the Federal Bureau? Who are we applying to?"

Mr. Gilbert said, "We're applying through the KBI, consortium application to the Department of Justice which essentially is the FBI."

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

Chairman Winters said, "Alright, thank you. Any other discussion? We have a Motion to approve the application and authorize the Chairman to sign. Seeing no other discussion, Madam Clerk call the vote please."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Absent at vote
Chairman Pro Tem Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

2. FEE SCHEDULE FOR SERVICES PROVIDED BY THE REGIONAL FORENSIC SCIENCE CENTER.

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Dr. Corrie May, County Coroner, Regional Forensic Science Center, greeted the Commissioners and said, "We come before you today and ask your approval for a fee schedule for services provided by the Forensic Science Center. Now this fee schedule does not apply to municipalities within Sedgwick County, nor to Sedgwick County Departments. I want to emphasize that. The services involve a wide range of various tests and analysis from various sections in the lab and they include firearms and tool marking examination, also our DNA laboratory, which we hope to have the major portion of that on line by January 2, service provided probably by June. As you know, most of that is being funded also by the Federal government. Trace evidence analysis, which involves hair and fiber. Also, arson analysis. We hope to have that on line by August 1. As you know, that is a problem in our community and prior to this, arson analysis was not really available from a public entity in this community. The fee schedule also includes various fees for use of the morgue, use of our x-ray, also a wide range of tests out of the toxicology laboratory. That would include drug identification, like confiscated drugs from our streets, cocaine, heroine, and the like. Also tests from biological specimens, whether they be from autopsies or DUI or also from urine. We hope to expand those services to provide some therapeutic drug monitoring for our Mental Health Department. At this time I would ask that you approve the fee schedule. I'd be happy to answer any questions that you might have."

Chairman Winters said, "Alright, thank you. Commissioner Gwin."

Commissioner Gwin said, "Dr. May, we knew that when we built this facility that there would be interest from other entities because this is a facility long lacking in this part of the State, maybe in the entire State. Do you have a sense, or are you at liberty to say what other counties have contacted you or have interest in using our facility?"

Dr. May said, "We are right now opening a discussion with an adjacent county contiguous to our borders. They are very enthusiastic about using the Center, wish to avail themselves to the full range of laboratory analysis as well as our pathology services and have a general idea of what the fees are. They were based upon similar fees from three major centers in San Antonio, Texas, Fort Worth and also Dallas. We did take a look at Kansas City, Missouri, the police department, and in those instances we were either at that fee or slightly below. So in answer to your question, this County is most interested in using our entire spectrum of services."

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Commissioner Gwin said, "Do you anticipate after we do in fact establish the fees, that there will be additional interest from other counties who can't afford this kind of facility but might be willing to contract with us to do their work? Do you expect that we will grow in that regard?"

Dr. May said, "Commissioner Gwin, I certainly do anticipate that to happen. As we develop our laboratories, concurrently we would go out to other counties and tell them what is available. The problem is that although many of these services, not all of them, are available at the KBI, there is a long lag time because of the enormous amount of material they must analyze. Also, as counties begin to use our pathology services, some of the evidence from that autopsy is conveniently for those departments, will be analyzed right there at the Center. I think this will showcase what is available and I fully anticipate this to grow."

Commissioner Gwin said, "Then the concern, I suppose, that comes from local agencies, how do you assure that they get primary attention? The Sheriff and others who are used to using or expect that this is their facility, how are you going to prioritize who gets first choice?"

Dr. May said, "Well I'm glad you brought that up. It has been a concern and rightfully so by some of those entities that you mentioned. Late last year, we met weekly with a committee and what we did at that time was rank the various types of crimes, because some are more serious of others, as a matter of prioritizing how we would perform the tasks and then we also took a look at Sedgwick County first and then others. But the reality of the issue is that if you open up good lines of communication, I need this test result by X, because my court date is such and such, then you're probably going to keep the people that you're providing services to happy. But that is a concern. Also, as we go out and testify in these other agencies, we've got to be able to have enough technicians for bench time in order to provide that."

Commissioner Gwin said, "Right. Well I appreciate where you are going. I am hopeful that the fees cover our expenses and produce some revenue that has never been there before. I also appreciate the fact that you will continue to be in communication with the local law enforcement agencies and departments to let them know how we're going to go about the business of running this center. I appreciate your answers."

Dr. May said, "Thank you."

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

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

Commissioner Schroeder said, "Mr. Chairman, if you please. Doctor, kind of piggy-backing on what Commission Gwin was talking about with our law enforcement departments versus others who are outside the community paying for it directly, you alluded a little bit to the seriousness of the crime. Obviously, if somebody from Butler County or McPherson has something that is more serious than the WPD or the Sheriff's Department, we're going to do that first regardless, is that correct? I mean that is what they are paying for, that's what they expect, am I right?"

Dr. May said, "Well I think it is a matter of seriousness of the crime. For instance, if there are maybe in some municipality in Butler County next door, as we all know, criminals and crime don't recognize county borders and what may be a problem in Butler County might soon be a problem in Sedgwick County. Law enforcement agencies cooperate anyway in finding suspects and pursuing an investigation."

Commissioner Schroeder said, "I know that we've had inquiries at the Commission level from the management level at the Sheriff's Office about how those cases would be handled. The last thing I want to happen is somebody who is not a member of this community, who is paying for the service, to call me and say because others are in line with less serious crimes, I'm not getting this done and it's serious. I leave that for you to deal with and I think you'll do the right thing, but that is a phone call that I don't want to get from another community is that we've paid for it and can't get it out, but I don't think that is going to happen with the facility and the management that you have over there. Thank you. Thank you Dr. May."

Dr. May said, "Yes sir."

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

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

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Commissioner Miller said, "Thank you Mr. Chairman. Dr. May, in terms of volume, what is a facility such as ours, the numbers of individuals that you have working for you staff wise, the equipment that we have, the diversity that we can handle in terms of forensic situations that would come, what is the volume that you would project that we could actually handle? If you have not stretched to that idea or thought yet, I can understand that, but I'm thinking that you have some fair feeling for that."

Dr. May said, "Gee, that is a multi-part question. I'll see if I can tackle some of it. The autopsy service, which is my piece over there at the Center, with the addition of Dr. Deborah Johnson, we are fully able to handle the autopsies of Sedgwick County as well as, there are about 150 additional autopsies just waiting to start drifting our way. We have held off to August 1 because again, what we don't want to do, is to start being good providers to other counties and ignore Sedgwick County and the tax payers who funded that center. In terms of the other tasks, it is going to be difficult to predict. Having been through the laboratory process, what usually happens is that you begin to develop your laboratories, remember, there are things like proficiency tests, quality assurance, proper approval by various agencies, that legislative piece that we put in where our laboratory reports will be accepted as all others as comparable in preliminary hearings, then things begin to grow. So you have to be careful that your staffing and your equipment and so forth do not exceed the service that you provide. To kind of sum up, I think probably the fact question is going to come we predict maybe in '98 and that in '96, the rest of this year will be getting those laboratories on line, '97 will be a growth period and probably we would have to start looking at some consideration in '98."

Commissioner Miller said, "Okay, so by '98 we'll have a real good feel."

Dr. May said, "We'll have a full year of data and I can make predictions and come back to the Board."

Commissioner Miller said, "Appreciate that answer, thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you very much Commissioner. Dr. May, you mentioned arson and I didn't quite hear what you said about that. Did you mention something about arson?"

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Dr. May said, "Yes Commissioner, our contribution toward the investigation of suspicious fires would include the analysis of various volatile compounds, put a sampling of materials that you would use to start a fire, gasoline, kerosene, things of that nature. So working with out fire departments, both City and County, our piece of that would be to actually perform the chemical analysis to say whether or not a specimen taken from a fire, that those compounds are present."

Chairman Winters said, "Okay. Is there any place else that those tests can be made? Anybody else doing that currently?"

Dr. May said, "There are some private laboratories in the community, but quite frankly, it was discussion over the early start up days over the autopsy table with the firemen themselves who came to us, or arson investigators, who told us what a terrible problem there was in this community. We have a way to solve that."

Chairman Winters said, "Good, because I was under the impression that it was difficult to get those tests done and get them done properly if at all. Second question, and again, I don't want you to explain all the different kind of DNA testing, but I see we have some listed here and price ranges from \$125 up to \$500. I was under the impression that DNA testing, I mean you said DNA and you're talking about something in the thousands of dollars, am I wrong?"

Dr. May said, "Mostly you're not, because those individual fees, if you will, are based upon sample. So if a particular agency wanted a number of samples at this current fee schedule per sample, it could get to that."

Chairman Winters said, "So if you were actually going to be involved in an individual court case, there would probably be more than one of these samples being done."

Dr. May said, "These are also comparable to what the KBI are currently charging for their tests."

Chairman Winters said, "Okay, very good. I understand that. Commissioners, any other questions of Dr. May?"

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MOTION

Commissioner Gwin moved to approve the fee schedule for publication.

Commissioner Miller seconded the Motion.

Chairman Winters said, “Mr. Manager, did you want to comment?”

Mr. William Buchanan, County Manager, said, “I just want to reiterate for the Commission and for those who are watching that in fact Dr. May was correct, the taxpayers of Sedgwick County paid for this, that’s a primary concern. We will make sure that the work gets done. The expectation is that the Police, Sheriff, and other jurisdictions that cooperate currently, will continue to cooperate and will help us determine the priority by which stuff comes out of that lab. Primarily, Wichita Police and the Sheriff’s Department and those communities in Sedgwick County will get their work done.”

Chairman Winters said, “Alright, thank you. Commissioners, we have a Motion to approve the fee schedule for publication, is there any other discussion? Seeing none, call the vote please.”

VOTE

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

Chairman Winters said, “Thank you very much. Dr. May, thank you for being here. Next item.”

F. DEPARTMENT OF CORRECTIONS.

- 1. PROFESSIONAL SERVICES AGREEMENT WITH DENNIS JONES, D.D.S TO PROVIDE ON-SITE DENTAL ASSESSMENTS FOR RESIDENTS OF THE JUVENILE DETENTION FACILITY.**

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Mr. J. Kenneth Hales, Director, Department of Corrections, greeted the Commissioners and said, "Proper conditions of confinement and Kansas Department of Health and Environment regulations require nominal dental services be provided at all juvenile detention facilities. We meet this need through a contract with a local dentist to come on site and do dental screenings for all those detainees who have been in the population over 50 days and who have not received a screening in the last 90 days. Before you is a contract with Dr. Jones to perform this service. The term is one year. The conditions are unchanged from prior years. The maximum fiscal impact is \$5,000. I recommend the Commission approve the contract 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.

Chairman Winters said, "We have a Motion and a second. Is there any discussion on the Motion? Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Ken, tell me a typical examination. I know it is an assessment, obviously it doesn't seem as though there is going to be a service provided, meaning a filling or an extraction, not with the dollar amount there, so what..."

Mr. Hales said, "It would not include x-rays, just requires a dentist coming in and looking at the child's mouth and teeth and then make recommendations for follow-up treatment. Follow-up treatment may or may not be at that physician. Normally, the follow-up treatment is at the family's physician somewhere else."

Commissioner Miller said, "Okay, I was going to say are we responsible for the follow-up treatment. So whoever is custodian."

Mr. Hales said, "Right."

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

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Chairman Winters said, "Thank you Commissioner Miller. Any other questions? We have a Motion to approve the agreement and authorize the Chairman to sign. Any other discussion? Seeing none, call the vote please."

VOTE

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

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

2. SUBMITTAL OF FY97 COMMUNITY CORRECTIONS GRANT PROGRAM BUDGETS TO THE KANSAS DEPARTMENT OF CORRECTIONS.

Mr. Hales said, "The Community Corrections Act Award from the State Department of Corrections to Sedgwick County for State fiscal year '97 is \$3,363,616. This is approximately \$46,000 less than our award for fiscal year '96. Consequently, the budget before you is an A-Level type budget. It provides operating funds only sufficient to maintain the current level of staff and program operation for the Adult Residential Center, Community Corrections Administration, Juvenile and Adult Intensive Supervision. What is not allowed for in our award or in this budget are funds to continue the Day Report Center. The continuation of that program in whole or part is subject to one, our current inquiries to amend a Bureau of Justice Assistance Grant Award, and two, consideration to make request for fiscal '96 Community Corrections carry-over funders. These are separate issues, currently under study, that I'll bring back to the Commission's attention for consideration over the next three to five weeks. However, with regard to the main budget again, before you is the Community Corrections Operating Budget as reviewed and approved by the Sedgwick County Community Corrections Advisory Board. I recommend the Commission approve the budget and allow my submission to the Secretary of Corrections."

Chairman Winters said, "Thank you Ken. Commissioner Miller."

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Commissioner Miller said, "Thank you Mr. Chairman. Approximately \$46,000 less and we've for the most part taken out Day Reporting Center."

Mr. Hales said, "Right. There are no funds. Last year the State Department of Corrections allowed us \$130,000 in State money plus \$102,000 in grant BJA money to fund that program. This year we have no money coming from the State to assist with that program. It will pretty much succeed or fail on the success of our current request we have with BJA. The difficulty is, and to digress momentarily, we have received \$109,000 from BJA, but we are restricted to spend it in the areas that are not essential to the success of that program. So that is the issue under review right now that we'll have to study on and I'll be bringing back to the Commission."

Commissioner Miller said, "So let me make sure that I'm understanding this though Ken. Day Reporting will still occur, but not at the level of funding that it has in the past, is that what you're saying?"

Mr. Hales said, "The Day Reporting program is in serious jeopardy. If we are not successful in amending the grant from BJA, we will close the Day Report Program. We will look at other opportunities. The primary objective for myself and Donna Hajjar and Annie Nash, if that program is forced to close, we're going to attempt in some way to maintain some drug and alcohol treatment services as an adjunct component to the Adult Residential Center. But the Day Reporting program as it is now would not be in operation."

Commissioner Miller said, "Did you say that you are looking at other grant funding sources in order to do that?"

Mr. Hales said, "Yes, we have applied for a grant with the Bureau of Justice Assistance. We have received an award for \$189,000, however, the treatment part of our program was not funded. They funded the surveillance part and the recommendations I am receiving now from Ms. Nash and Ms. Hajjar are that if we can't provide the treatment we're not enhancing public safety to let them out and just put them on the EMD if we can't hook them up to the treatment immediately."

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Commissioner Miller said, "I certainly agree with that. When you think about the way the system works. You can provide all the intervention you want at the moment for them to reside in or a place for them to lay their heads and go to work, but if you're not going to try to cure the problem, which a treatment would be able to follow-up or that aftercare would provide, then just as you said, it's just that cycle where more than likely they're going to end up in that same residence again. I'm very hopeful that we will find appropriate funding to keep this piece in because it is extremely important."

Mr. Hales said, "We have a window of opportunity of approximately 60 days to resolve this, so that's the time frame in which we'll have to make a decision."

Commissioner Miller said, "Okay. I'll be interested in hearing what's going on. Thank you. Thank you Mr. Chairman."

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

Commissioner Gwin said, "Ken, I noticed that it says that these programs have been available in this County since 1983."

Mr. Hales said, "Correct."

Commissioner Gwin said, "Are these programs statutorily mandated or are they just provided by the good intent of Sedgwick County?"

Mr. Hales said, "The award had for many years been targeted toward what they called core programs and those are programs that directly impact prison admissions, intensive supervised probation and the adult residential service fit into that category. Those are the primary things in which we are expected to fund and operate initially and then if funds are available, can do enhanced programs. The Day Report Center would fall into that category."

Commissioner Gwin said, "I see. Okay, I just kind of wanted to separate which was which. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner. Commissioners, you've heard Ken's report, what's the will of the Board?"

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MOTION

Commissioner Schroeder moved to authorize submittal of the completed FY97 Category Budget Summary form.

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

G. BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE).

1. AFFILIATION AGREEMENT WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC. TO PROVIDE MENTAL HEALTH SERVICES.

Ms. Deborah Donaldson, Director, COMCARE, greeted the Commissioners and said, "The first agreement that we have is an affiliation with Via Christi Regional Medical Center to provide mental health services. It is through this particular agreement that Via Christi is able to access Medicaid to provide services such as partial hospital, case management, attendant care, and the crisis resolution service. This allows for additional choice within the community for folks to receive those services and without this type of an affiliation, we would be one of the few agencies that would be eligible for that type of reimbursement and to provide that service. I would be glad to answer any questions."

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Chairman Winters said, "I see no questions. Deborah, why don't we proceed through all eight either contracts or agreements and if the Commissioners want to single any of them out, we'll go back and talk about them. So why don't you run through all of them and then we'll see what kind of discussion that creates. Thank you."

2. CONTRACT WITH PRAIRIE VIEW, INC. TO PROVIDE SHORT-TERM CRISIS STABILIZATION BEDS FOR CHILDREN AND ADOLESCENTS WITH SERIOUS EMOTIONAL DISTURBANCES.

Ms. Donaldson said, "Alright, the second one is a contract with Prairie View to provide short-term crisis stabilization beds for children and adolescents with serious emotional disturbances. These are the beds that we just purchase usually for a couple of days to rework the treatment plan. We're not really looking for treatment but we're looking for a way to perhaps salvage a situation and make sure that child is able to remain in their home."

3. CONTRACT WITH WICHITA CHILD GUIDANCE CENTER TO PROVIDE ATTENDANT CARE SERVICES.

"This is a contract with Wichita Child Guidance Center to provide attendant care services which we have found are very critical in terms of keeping children at home and out of more intensive levels of care."

4. CONTRACT WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS TO PROVIDE FAMILY SUPPORT AND ADVOCACY SERVICES TO PARENTS OF CHILDREN WITH SERIOUS EMOTIONAL DISORDERS.

"The fourth contract is with the Mental Health Association of South Central Kansas to provide family support and advocacy services to parents of children with serious emotional disorders."

5. CONTRACT WITH TOPP CONSULTING CORPORATION TO PROVIDE PROGRAM EVALUATION SERVICES RELATING TO CHILDREN'S MENTAL HEALTH REFORM.

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“The fifth contract is a contract with Topp Consulting Corporation to provide program evaluation services relating to Children’s Mental Health Reform. This is an on-going contract so we can evaluate those services and provide quality services for those families.

6. CONTRACT WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS TO PROVIDE RESPITE SERVICES.

“Number six is a contract with Mental Health Association of South Central Kansas to provide respite services. This is for families who truly need a break. The children that we work with are usually not the type of children that babysitters will come regularly to care for and you need specialized training and care and people that will come in to give the family a break. We’ve literally talked to families who have gone extended periods of time and haven’t even been able to go out as a couple to see a movie. This provides an opportunity for them to do that.

7. AGREEMENT WITH JOHNSON COUNTY MENTAL HEALTH CENTER ALLOWING COMCARE TO PLAN, OVERSEE AND OPERATE SERVICES TO DEAF AND HARD OF HEARING CONSUMERS IN SEDGWICK COUNTY.

“Seventh is an agreement with Johnson County Mental Health Center allowing COMCARE to plan, oversee and operate service to deaf and hard of hearing consumers in Sedgwick County. They provide partial funding for that particular service that we offer.

8. CONTRACT WITH DCCCA, INC. (FORMERLY RECOVERY SERVICES) TO PROVIDE A TEN-BED, SECURE DETOXIFICATION UNIT FOR INDIVIDUALS COMMITTED ON A SUBSTANCE ABUSE PETITION.

“The last contract is with DCCCA and this is a change. Formerly, this was with Recovery Services. Those organizations have merged and that is to provide the ten-beds, secure detoxification unit for individuals committed on a substance abuse petition. We are recommending approval of the contracts and agreements. I would be glad to answer any questions.”

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Chairman Winters said, "Thank you very much. Commissioners, you've heard Ms. Donaldson present these eight different contracts or affiliations, are there any questions about any of them?"

MOTION

Commissioner Schroeder moved to approve the Contracts (6) and Agreements (2) 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 Hancock	Aye
Chairman Pro Tem Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

9. PROPOSAL TO THE UNITED STATES COURT FOR THE DISTRICT OF KANSAS TO PROVIDE TREATMENT SERVICES FOR FEDERAL DEFENDANTS AND OFFENDERS AT THE ADDICTION TREATMENT SERVICES PROGRAM.

Ms. Donaldson said, "Commissioners, this is the on-going contract that we have had with the federal government to provide services to federal parolees and offenders at our Addiction Treatment Services. I think this has been a very excellent program and one that we have been very happy to participate in. We're request you approve the Proposal and authorize the Chairman to sign. I'd be glad to answer any questions."

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

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MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

H. RECOMMENDATIONS (2) TO THE STATE BOARD OF TAX APPEALS THAT FURTHER TAX REFUNDS BE GRANTED FOR RELIEF OF TAX GRIEVANCES IN SEDGWICK COUNTY, KANSAS.

1. APPLICATION OF TIM M. RAYMOND

Mr. Brad Sherard, Real Estate Appraiser, Appraiser's Office, greeted the Commissioners and said, "We would like to make a recommendation today to ask you to make a recommendation to the State Board to grant tax refunds for improper assessments that have been levied."

Chairman Winters said, "Brad, can you tell us how many dollars are involved in each one of these?"

Mr. Sherard said, "Yes. For one, the amount is for \$1,293.86."

Commissioner Schroeder said, "Which one is that?"

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Mr. Sherard said, "That is Bob Wise. This one for Tim Raymond is for \$82.29."

Chairman Winters said, "Okay, very good. To remind the public again, that the State Board of Tax Appeals does have the authority to instruct refunds, but if they're pass three years, it takes the action of the Board of County Commissioners."

Commissioner Schroeder said, "Mr. Chairman, as a point of order, I would suggest that we take these one at a time instead of together. That is the way we've normally done it. For some reason on our agenda today it is one action for both."

Chairman Winters said, "Very good, we'll take them one at a time. Commissioners, we'll discuss Item H-1."

MOTION

Commissioner Gwin moved to make recommendations for further tax refunds.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you very much. We'll discuss Item H-2."

2. APPLICATION OF ROBERT G. WISE

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MOTION

Commissioner Gwin moved to make recommendations for further tax refunds.

Commissioner Miller seconded the Motion.

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

VOTE

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

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

I. KANSAS COLISEUM MONTHLY REPORT.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "We submit for your approval the monthly report of the operations of the Coliseum. Briefly, our performance was up over the same period last year and very short and sweet today. That's all I have. I'll be happy to answer any questions you have."

Chairman Winters said, "Alright. Commissioners, you've heard the very short report. Commissioner Schroeder."

Commissioner Schroeder said, "Thank you Mr. Chairman. John, I was looking at our year to date, previous year to date, we're down \$160,000, what's the reason for that?"

Mr. Nath said, "That's directly a result of no play-off games for hockey this year. That is exactly what it is. We're down on events and it is lack of play-off participation by our two major tenants."

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Commissioner Schroeder said, "Have we gone out to try to find somebody to take up those dates?"

Mr. Nath said, "I think once we get into our season again, you'll start seeing that correction taking place. Once we start again with the beginning of next year."

Commissioner Schroeder said, "Okay. You'll think we'll come out ahead or equal to last year's revenues."

Mr. Nath said, "I think we'll at least come out equal to last year's revenues."

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

Chairman Winters said, "Thank you Commissioner. Any other discussion or comments about the Coliseum Monthly Report."

MOTION

Commissioner Hancock moved to receive and file.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

**J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JULY 11, 1996
REGULAR MEETING.**

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Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have before you the Minutes of the July 11 meeting of the Board of Bids and Contracts. There are three items for consideration this morning.

ITEMS REQUIRING BOCC ACTION

- (1) **SANITARY SEWER IMPROVEMENTS - BUREAU/PUBLIC SERVICES**
FUNDING: SPECIAL ASSESSMENTS

"Item one, sanitary sewer improvements for the Bureau of Public Services. It was moved to accept the only bid received of Nowak Construction in the amount of \$51,405.41.

- (2) **TANDEM AXEL DUMP TRUCKS - MOTOR POOL**
FUNDING: MOTOR POOL

"Item two, tandem axel dump trucks for Central Motor Pool. It was recommended to accept the purchase of three additional tandem axle dump trucks with trade from Copeland International Trucks, Inc., for \$108,622.51. You will note the proposals for these were originally solicited in November of 1995 and this is the last year for extension for additional purchases.

- (3) **FORKLIFT - MOTOR POOL**
FUNDING: MOTOR POOL

"Item three is a forklift, also for the Central Motor Pool. It was moved to reject the bids received and re-solicit at a later date with refined specifications.

ITEMS NOT REQUIRING BOCC ACTION

- (4) **DESKTOP ELECTRONIC FILING SYSTEM - BUREAU/PUBLIC SERVICES**
FUNDING: BUREAU/PUBLIC SERVICES
- (5) **COMPUTER X-STATION - GEOGRAPHIC INFORMATION SYSTEMS**
FUNDING: GEOGRAPHIC INFORMATION SYSTEMS

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“There are two items that do not require action at this particular time. Those include a desktop electronic filing system for the Bureau of Public Services, it was moved to table this item indefinitely for review, and a computer X-station for Geographic Information Systems. No bids were received for this item. The Director of Purchasing was directed to expedite the purchase and in accordance with Charter Resolution 50. I would recommend you approve the recommendations as presented by the Board of Bids and Contracts.”

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

CONSENT AGENDA

K. CONSENT AGENDA.

1. Right-of-Way Instruments.

- a. One Temporary Construction Easement for Sedgwick County Project No. 817-G through N 1/2 J; Meridian from the north city limits of Wichita to the south city limits of Valley Center. CIP #R-169. District #4.

Regular Meeting, July 17, 1996

- b. One Easement for Right-of-Way and one Temporary Construction Easement for Sedgwick County Project No. 809-U-1060; Bridge on Tyler Road between MacArthur Road and 47th Street South. CIP #B-254. District #2.

2. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V96055	\$324.00	2	Bill Ehrlich
V96053	\$208.00	2	Sarah Lane Apartments
V96056	\$215.00	2	Sarah Lane Apartments

3. 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>
V872020	\$115.00	\$85.00
V93092	\$107.00	\$133.00

4. Plat.

Approved by the Bureau of Public Services. The County Treasurer has certified that taxes for the year 1995 and prior years are paid for the following plat:

Woodland Place Addition

5. Order dated July 10, 1996 to correct tax roll for change of assessment.

6. Consideration of the Check Register of July 12, 1996.

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7. Budget Adjustment Requests.

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960415	Information Svcs.	Transfer
960416	Finance General Central Services	Transfer
960417	Microfilm Grant	Supplemental Appropriation
960418	Finance General	Transfer
960419	Legal-Special Liability	Transfer
960420	COMCARE	Supplemental Appropriation
960421	COMCARE	Supplemental Appropriation
960422	COMCARE	Supplemental Appropriation
960423	1996 Bridge Projects	Supplemental Appropriation
960424	Wheatland Addition-Street	Supplemental Appropriation

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

MOTION

Commissioner Hancock moved to approve the Consent Agenda as presented.

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

Chairman Winters said, "Thank you. Is there any other business to come before this Board? Is there any other business to come before this Board? I don't believe we need to have an executive session today, so there if there no other business to come before this Board, we are adjourned."

L. OTHER

M. ADJOURNMENT

Regular Meeting, July 17, 1996

There being no other business to come before the Board, the Meeting was adjourned at 10:18 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

MELODY C. MILLER, Chair Pro Tem
Fourth District

BETSY GWIN, Commissioner
First District

PAUL W. HANCOCK, Commissioner
Second District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

Susan E. Crockett-Spoon, County Clerk

APPROVED:

_____, 1996