

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

**REGULAR MEETING**

**SEPTEMBER 4, 1996**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, September 4, 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; Mr. William P. Buchanan, County Manager; Mr. Stephen B. Plummer, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Ms. Jennifer Reschke, Assistant County Counselor; Mr. Doug King, Records Manager, County Clerk's Office, Ms. Stephanie Knebel, Project Manager, Capital Projects Department; Mr. John DuVall, Director of Operations, COMCARE; Dr. Larry Jecha, M.D., M.P.H., Director/Health Officer, Wichita/Sedgwick County Health Department; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Ken Williams, Assistant Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Susan E. Crockett-Spoon, County Clerk.

**GUESTS**

**Mr. Ben T. Huie**, Ph.D., 12011 Rolling Hills Drive, Wichita, Kansas

**INVOCATION**

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

**FLAG SALUTE**

**ROLL CALL**

The Clerk reported, after calling roll, Commissioner Schroeder was absent.

**CONSIDERATION OF MINUTES:**      **Regular Meeting, August 14, 1996**

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The Clerk reported that all Commissioners were present at the Regular Meeting of August 14, 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 approve the Minutes of August 14, 1996, as presented.

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	Absent
Chairman Thomas G. Winters	Aye

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

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

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

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

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**RETIREMENT PRESENTATION**

**A. PRESENTATION OF RETIREMENT CLOCK TO JERE PHILLIPS, CONSTRUCTION/MAINTENANCE SUPERVISOR, BUREAU OF PUBLIC SERVICES/STREAM MAINTENANCE.**

**Chairman Winters** said, "Thank you Madam Clerk. I did talk to Mary Ann Mamoth in Personnel and was advised that Jere Phillips and his family were going to be out of town this week and so we are going to miss him on this as they were called out of town. We will make sure that he gets his clock. He has been an 18 year employee down at Bureau of Public Services and I think a very valuable one. Just in my short time here I've gotten to know Mr. Phillips and I think he does a good job with his crew down there and has been involved in the flood control way and is an experienced person. We have certainly appreciated his work for Sedgwick County. Next item, please."

**CITIZEN INQUIRY**

**B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING INTEGRATED SOLID WASTE MANAGEMENT.**

**Chairman Winters** said, "Thank you. This is a period on our agenda when citizens can request to address the Board of County Commissioners. Notice needs to be given to the Manager's Office a week before our meeting so we would invite those who feel so compelled to do that. Please state your name and address. You are limited to five minutes."

**Dr. Ben T. Huie**, Ph.D., 12011 Rolling Hills Drive Wichita, Kansas, greeted the Commissioners and said, "I am an Environmental Scientist with over ten years experience dealing with solid waste management issues. I would like to congratulate the County Commission on this courage in taking over solid waste management for Sedgwick County as well as the City of Wichita. New aspects of this whole project show the need to have an entire County involvement. We are going to need the involvement of rural Mayors to implement whatever kind of plans we come up with. We're going to need the involvement and cooperation of non-city residents throughout Sedgwick County to help implement an entire program, as well as of course, the City of Wichita. As I am sure you have heard by now this will be a hard road for you to travel. Many people across the street as well as in the media have pointed this out.

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“I remember what was told to me a little over ten years ago by a friend on the Cook County Board of Commissioners, in Chicago, Illinois. She told me this was the toughest issue that their Commission ever faced. Generated phone calls and mail, even surpassing abortion. It’s not going to be an easy time. As you face this issue I urge you to not look for a magic bullet solution. Do not look for the landfill or the transfer station or the incinerator or the anything else that will solve this problem for us all. It simply won’t be there. Look instead to a comprehensive integrated program to deal with solid waste management. In fact I would advise you before you even ask the question about how we dispose of our solid waste. We deal with other issues such as detoxifying the waste stream and decreasing the trash load. Many people refer to these as peripheral issues. I see them instead as being the foundation upon which you build a solid waste management program.

“It’s not generally known that about 50 to 100 tons per day of hazardous materials are in our municipal solid waste stream. This is according to Health Department figures. Virtually all of this currently goes to the Brooks Landfill. It’s these toxins going into the landfills today that become our leachate tomorrow. I urge you to deal with the hazardous waste issue. There are two primary sources of these materials; households, everyone of us when we do our cleaning, our car work, our yard work, potentially generate haz waste.

“The other source, exempt small quantity generators. These are the generators that do not generate the amount that would bring them under RCRA or Kansas state statutes for disposing of their material. They really don’t have a whole lot of options in front of them today. Most their stuff goes in the dumpster. I urge you to establish a comprehensive household hazardous waste program. In order to work this program we must have multiple sites convenient to the citizens. It is an unfortunate fact of life that most people won’t go very far to dispose of things. Go to a city park and notice that if you don’t have trash barrels by almost every picnic table, what do you see on the ground? It is a fact of human nature. I don’t understand it but it’s there.

“It’s also going to require a mobile facility of some sort to travel through the rural areas and the small towns. In fact, in the small towns this is where some of the small town mayors become important to promote this. In the mobile units out at Cheney I’d like to see Carl Koster out there helping with the mobile unit but also helping to impress upon his people, his citizens, why it’s important that they participate. Small quantity generators are a larger problem but really they will be easier to deal with. There’s a finite number of these generators to some extent we already know who they might be and they know who they are.

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“An important point to impress upon small quantity generators is that although we are exempt from RCRA and although they are exempt from the Kansas statutes on waste disposal, they are not exempt from superfund. If it can be shown that they sent material to a landfill and that landfill goes under the superfund list. They like anybody else come under the strict joint severable liability of the superfund statutes so participating in a program of this nature is good insurance for the small companies so they don't have to face that kind of liability in the future. We need a program that these businesses can turn to with some kind of confidence.

“Finally, the less technical sides of it, the parts that we really know, we've talked about for years decreasing the amount of trash to get rid of. There have been some starts on this but it has been agonizingly slow. We need to be keeping yard waste out of our waste stream. Again the small towns are very important here because composting is the kind of thing that needs to be done on a very local level. Again using Cheney as an example. The materials can be collected locally and used on facilities such as the golf course that they have recently built.

**Chairman Winters** said, “Mr. Huie how much more do you have?”

**Mr. Huie** said, “About three more minutes if I could?”

**Chairman Winters** said, “Can you cut that down pretty close? We like to try to limit this to five minutes.”

**Mr. Huie** said, “Sure, I'll cut it as quick as I can. Other materials, construction demolition debris most of these we've heard of. We need to be enhancing recycling. We need to be removing the economic disincentus. Work for our health department to allow for every other week trash pick up for people who do heavily recycle so that we're not paying for both every week trash pick up as well as our recycling pick up. Forty percent reductions in the waste stream have been found routinely throughout the United States. States like New Jersey, Florida all over the place these days. Only after this should we move to the disposal question. It's going to be a lot easier though if you are only looking at 900 tons with pretty much detoxified waste. Rather than 1,500 tons right now of rather dangerous materials. When you come to this, I urge you, do not rule out any options. There are three that are fairly well understood that have been talked about a lot. Landfill, transfer stations and incineration. They all have their potential problems.

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“They all have potential benefits relative to the other ones. At this point, I would say, consider all of them. There are other high tech solutions that we may be hearing about. Let’s give any of them full consideration. There may be another technology out there that we can utilize to help us with this. It may require a combination of techniques to deal with our waste stream. “Finally I would like to say good luck to all of you. I think in a lot of ways you are going to need it. I think my final little coment was, buy a lot of Malox and a lot of Excedrin. I have a sinking feeling you’re going to need it. Thank you very much and good luck.”

**Chairman Winters** said, “Thank you very much. Commissioner Hancock.”

**Commissioner Hancock** said, “I just want to thank Ben for being here. That’s pretty good advice, Ben and it is all based pretty much on common sense and all doable. I wish more people would come in and say pretty much the same things as you have said. Appreciate you being here.”

**Chairman Winters** said, “Alright, thank you. Any other comments? Seeing none we’ll move on to the next item. Madam Clerk please call Item C.”

### **NEW BUSINESS**

#### **C. RESOLUTION AUTHORIZING OPTICAL AND MAGNETIC IMAGING OF PUBLIC RECORDS.**

**Ms. Jennifer Reschke**, Assistant County Counselor, greeted the Commissioners and said, “Various County departments and offices are accumulating thousands of cubic feet of permanent and nonpermanent records that are taking up expensive and convenient storage space. Sedgwick County is now looking at taking advantage of various record storage technologies including not limited to optical imaging, microfilm and other technologies, to maintain public access to these records and be more efficient in providing access to the public of these records. These media would provide a high level of efficiency in public access while reducing crowding and storage costs.

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“The state statutes provide for this process to be done by Resolution of each County’s Commissioners. I therefore recommend that you approve this Resolution and so that Sedgwick County may take a progressive approach to records storage management and comply with state law. Doug King, Records Management, the Records Manager and I are available for questions.”

**Chairman Winters** said, “Thank you. I am supportive of this project but one of the things we have here is our records are readily available, hopefully for the public if they need to see anything that is of public information. How will this system impact the public coming in to the Courthouse and needing information?”

**Ms. Reschke** said, “Well as I understand it and I might defer that to Doug but my initial answer is that I think currently because of the storage boxes and just the vast space that it takes, sometimes it takes a long time to find the records that the public is looking for. If it is on a disk or some type of electronic storage the time frame should be a lot less for finding the records the public wants. Doug, do you have anything to add?”

**Mr. Douglas King**, Records Manager, County Clerk’s Office, greeted the Commissioners and said, “The discussions that we have had in the Imaging Committee and other groups that are considering the new technologies, we’re very concerned about that because now especially if you go back a few years you are probably looking through boxes in storage. Whether in the vault or on the fifth floor of this building or in the salt mines and that’s often times very difficult to find a specific record. Now a lot of those historical records, it’s going to still be difficult in the future because we can’t go back and image or micro-film immediately all of that volume that’s been done over the many decades in many cases. We hope that in the future we will be able to access the information much more quickly. Through the uses of various technologies that are available that is very much possible. In the future what I see is, if it’s on a computer imaging system there should be a public access terminal so citizens can sit down and it should be easy to use, they can sit down and they can look for the information themselves. That’s not only more convenient for the citizen but that’s more efficient use of County employees. We won’t have to stop and take time on routine requests that people can take care of themselves.”

**Chairman Winters** said, “Alright, thanks. Would there be a..once a document is imaged and have it in that, will we still continue to store some of that either at a commercial storage facility will we keep a number of those hard copies?”

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**Mr. King** said, "Yes, we have some choices there in the future. You have a problem when you implement a new technology say digital imaging and you store that on, just to pick out an example, say you put it on a CD Rom, and that's a fine technology now but ten, twenty, fifty years in the future we don't know what technology there will be. I suppose I could use as an example, if we had been storing records and some records were stored on different media in the past but how many of us have an eight track tape player now? We don't want to be caught in that kind of pickle. The state statutes and where Jennifer is beginning to research those and I've looked through them too and they set higher standards. If you are going to go, get completely away from paper and go to a new technology there are higher standards set in statutes and there ought to be. We need to be able to access that record throughout its life whatever that may be. In some cases we are required to keep records permanently. I think we are required to keep too much permanently but, that is another issue to address with the State over time."

**Chairman Winters** said, "With this Resolution then will this give the elected officials, department heads, the ability and the authority then to decide what is going to be imaged or what isn't?"

**Mr. King** said, "With oversight. The statute doesn't really require in Jennifer's opinion and our opinion that each specific little project come forward. We have budget development process here, there is a committee with oversight, any kind of purchase of major equipment has to go through this governing body anyway and so it seems like with this general authorization to proceed and the mechanisms are already set up there should be ample oversight but considerable leeway especially for elected officials to make use of the new technologies."

**Chairman Winters** said, "Okay, thank you. Commissioner Miller has a question."

**Commissioner Miller** said, "Thank you Mr. Chairman. Doug, and my question probably follows what Chairman Winters was speaking to and that is what is going to be an approximate time line or year that we will actually go back and image? I know you said that there are probably some documents that will take us a long, long time to get there. In the short term for the public what are we looking at imaging quickly and having it accessible to them?"



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**Mr. King** said, "I am one member of a committee and I've participated in some of those discussions and there are multiple projects going on. A project that I brought forward to you on the County Commission Minutes for the last five years is nearing completion. We found in that there were a few missing Minutes that needed to be signed and all so those are getting wrapped up and those should be imaged in the near future. So that should be available. We do have a... we need to go ahead and get some appropriate equipment set up on that so there can be easy public access. The basic equipment there is a computer with a screen and CD Rom drives so people can look at it. Now for some of the other projects that are under way now I've heard one that is currently in development is for the Register of Deeds. I don't really want to speak out of turn here cause that really isn't my system of course, but they are looking at next year target for that to be implemented. That is one that involves all the different County departments that use that information. That's a very important one. So I think we're talking about beginning next year, '97."

**Commissioner Miller** said, "It sounds as though we are talking about those types of services or information that the public readily seeks. Is that what we're going to target and get that imaged as quickly as possible?"

**Mr. King** said, "Yes and the best kind of systems are not only the one that have the direct public impact what the public sees but also used intensively by County departments in their everyday work. So when you pick up the employee productivity and also the convenience of productivity on the private side as well."

**Commissioner Miller** said, "Dual system. Thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you very much. Commissioners, you've heard the report about this Resolution are there any other questions?"

### **MOTION**

Commissioner Miller moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

**Chairman Winters** said, "We have a Motion and a second. Any other discussion? Seeing none, call the vote."

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**VOTE**

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

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

**D. CONTRACTS (2) FOR PURCHASE OF REAL PROPERTY LOCATED AT 9630 AND 9704 SOUTHWEST BOULEVARD, RELATED TO THE TYLER ROAD RELOCATION PROJECT.**

**Mr. Steve Plummer**, County Counselor, greeted the Commissioners and said, "You have in front of you two real estate purchase contracts. There are both tied in to our relocation of Tyler Road. The addresses on those are 9630 and 9704 Southwest Boulevard. Legal has reviewed those contracts, several people have. I recommend you approve those contracts and authorize the Chairman to sign."

**MOTION**

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

Commissioner Miller seconded the Motion.

**Chairman Winters** said, "We have a Motion and a second. I see Rich Euson standing here. If anyone has any questions I am sure Rich is standing there prepared to answer them. Are there any questions? We have a Motion. Are there any other questions about this Motion? Seeing none call the vote."

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**VOTE**

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

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

**E. MODIFICATION NUMBER TWO TO CONTRACT WITH SCHAEFER JOHNSON COX FREY AND ASSOCIATES PA FOR ARCHITECTURAL SERVICES RELATED TO THE ADULT LOCAL DETENTION FACILITY EXPANSION.**

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "This is sort of a tag team project and Stephanie as you know is in charge of this project and she will brief you on some of the details of this item. I have the opportunity to work with Schaefer, Johnson, Cox, Frey and so I have some...if there are some additional questions I may be able to provide some of those answers also."

**Ms. Stephanie Knebel**, Project Manager, Capital Projects Department, greeted the Commissioners and said, "The existing contract that the County has with Schaefer, Johnson, Cox, Frey for architectural engineering services indicates that we contracted with them in November of '93 to design and build a 300 bed expansion to the detention facility in addition to landscaping, a kitchen, modifications to the existing facility, furnishings and equipment. The construction estimate for this type of work was just over \$13,000,000. This modification will increase their scope of work to provide for architectural engineering services for a 650 bed addition. As well as modifications and increase to core support area that will support 1,400 inmates. It will also increase our scope of services to include designing a new central records as well as new Sheriff's administration. The amount of this contract modification is \$840,000 and if this is approved their new contract amount will be \$1,976,580. Funds for this contract modification will be from the detention facility expansion. Approving this will not increase the amount of the project. I recommend approval. Are there any questions for myself or for the Manager?"

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**Chairman Winters** said, "Commissioner Miller."

**Commissioner Miller** said, "Thank you Mr. Chairman. Stephanie or Bill you said that funds coming from where, I'm sorry I just kind of lost it when you said that."

**Mr. Buchanan** said, "Funds are from the project. The Commission has put a cap on those expenditures. This increase, we're not coming to you and asking you to increase the total scope of the project."

**Commissioner Miller** said, "So within the project we had already estimated or over put into the budget right at \$800,000."

**Mr. Buchanan** said, "We have..the project cost is \$35,000,000. This increase in cost will be within that \$35,000,000."

**Commissioner Miller** said, "I'm just..the point that I'm making is. When we talked about putting the cap on it and actually line by line itemizing out each cost that would occur or we would incur to build the jail that evidently there was a little bit of cushion because we didn't know that we were going to adjust this contract."

**Mr. Buchanan** said, "When we discussed the \$35,000,000 cap with you with the Commission several months ago we did know that there would be a cost increase for architectural services so that was considered when we talked about that cap."

**Commissioner Miller** said, "So you are saying that was included?"

**Mr. Buchanan** said, "Some of it was. I cannot tell you a specifically how much."

**Commissioner Hancock** said, "Mr. Manager I don't think you put that cap on, we did."

**Mr. Buchanan** said, "That's right."

**Commissioner Hancock** said, "So it would be up to us if there is cushion in there, it would be up to us to build it in."

**Commissioner Miller** said, "Or to accept it. To agree with it. I have no other questions."

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**Chairman Winters** said, "Okay, thank you very much. Any other questions? I guess the recap, I mean for some time we've known that as we started out with our architect and talking about a 300 bed and the original contract is talking about 300 beds we are some ways past that and we knew that some day we would need to make an adjustment in that contract with the architects to reflect what we are actually doing."

**Mr. Buchanan** said, "Let me just say it in a different sort of way Mr. Chairman. We've increased the project from 300 to 650 beds. We've increased the project from \$13,000,000 to \$35,000,000 and that both of those are more than half, more than two times and we're taking the architect's contract and increasing it less than half."

**Chairman Winters** said, "In effect their good nature. I mean we've been working with that old contract here for awhile. So it is time we get it proper for what we're properly doing. Alright Commissioners are there other questions? If not, what's the will of the Board?"

### **MOTION**

Commissioner Gwin moved to approve the contract modification and authorize the Chairman to sign.

Chairman Winters seconded the Motion.

**Chairman Winters** said, "Is there further discussion?"

**Commissioner Hancock** said, "I just want to say to the architect that we appreciate their considerations in our budget, that their charge is in our expansion. We appreciate what they are doing there. Very much."

**Chairman Winters** said, "I would echo that. I think our architects have just done a superb job to this point and I'm sure that will continue and that we do appreciate their efforts to keep these bills as low as possible. We know that is our intention and we certainly appreciate your efforts in that also. Commissioners we have a Motion before the Board, is there any other discussion? Seeing none, call the vote."

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**VOTE**

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

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

**F. GRANT APPLICATION TO KANSAS HEALTH FOUNDATION TO FUND A NEW PARENT EDUCATOR POSITION FOR WOMEN'S ALCOHOLISM TREATMENT SERVICES.**

**Mr. John DuVall**, Director of Operations, COMCARE, greeted the Commissioners and said, "This morning we are requesting an approval of a grant application to the Kansas Health Foundation in the amount of \$25,000. This would fund a parent education child development specialist. This individual would work with families that are currently or would be in treatment with our women's alcoholism treatment service. I would recommend your approval of the grant application."

**Chairman Winters** said, "Thank you John. Do you know..have we received grants from the Kansas Health Foundation before this? Mr. Manager, maybe do you know that? I don't have a problem with it I just think that maybe this is the first that we have done this. I think it sounds like a good project and glad we're taking advantage of it."

**Mr. DuVall** said, "I am not sure whether..I think we have applied several times to the Kansas Health Foundation. Their projects are limited to a maximum of \$25,000. This is another application, whether we received anything in the past, I'm not sure, in all honesty."

**Commissioner Gwin** said, "Well, let's keep trying. Maybe we will get one."

**Chairman Winters** said, "Commissioners you've heard John's report. Is there other questions or what's the will of the Board?"

**MOTION**

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

Commissioner Miller seconded the Motion.

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

**VOTE**

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

**G. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.**

**Dr. Larry Jecha, M.D.,M.P.H.** Director/Health Officer, greeted the Commissioners and said, “Before you is our July monthly report. We were on the agenda last week and I think you had a full plate last week. Staff from the Kansas Health and Environment was here in July to gather information for a particulate network design. These are the small particals that we measure on the ambient six sights through out the city. They were gathering information to see if we have them in the proper locations compared to what industry we have in the community, so we are working on that.

“Review of new plats are at an all time high almost 40 so far this year. Good news, Commissioner Hancock will be pleased that the Conservation Commission has gotten some money for helping to defray costs of failing septic tanks and we will be working with them to give them the names of the people for replacing a failing system.

“Mosquito control continues to be doing well. Again, we are encouraging people to drain the water areas that breed mosquitos and this is the best control we have. But we do do the larva sighting in standing water in certain areas. We are able to keep up pretty much where the most complaints occur.

“Household hazardous waste I want to mention that in July we had 32 WSU chemistry

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students volunteer at that event. It was a great success that having this to help educate the benefits of household hazardous waste. I'd like to put a plug in. This Saturday we are also collecting, nine to three. Dr. Ben Huie is going to be out there helping us. I think he left now but I think he is a volunteer and people can volunteer to help. All they need to do is call the Health Department if they would like to volunteer to help us in collecting this household hazardous waste."

**Commissioner Gwin** said, "Dr. Jecha just real quickly. What is that address?"

**Dr. Jecha** said, "That address is the sewage treatment plant on the south side."

**Commissioner Hancock** said, "Approximately 55th and south Hydraulic. I'll be there with my oil."

**Dr. Jecha** said, "Very Good. I hope a lot of people listening will be there too. Discussions in progress with the state on a program to dispose of orphan drums and other chemicals collected from neighboring counties. They would reimburse us for any expense incurred by the Health Department but it's a way of helping our smaller counties surrounding Sedgwick County to help them on that program.

"Waste tire program has officially come to an end but we're hoping there will be more available money at December or January. There's good news in the tire shredding operation in that the market has finally opened up and they're able to have a source for all the tires that they are shredding now, which has been a problem in the past. So that's the good news.

"The recommended changes to the Yard Waste code have been approved by the Board of Health and recommended for approval to the City Council for their ordinance. North Industrial Corridor application forms were prepared and distributed.

"We're assisting the contractor working on the Brooks Landfill investigation. We have lent them the GeoProbe equipment for that month and we'll continue to use the GeoProbe more as a very valuable instrument in knowing where pollution is throughout our community.

"We have had a couple of events at the Sedgwick County Fair. Our Animal Control Officer made a great hit with taking a Great Dane out there and teaching the importance of rabies vaccinations. Our mobile van was also on sight at the Sedgwick County Fair providing



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immunizations and blood pressure checks and that sort of thing. The Wichita Animal Shelter received a plaque from the Sunflower Boxer Club & Rescue Society. Thanking us for our help in placing lost and abandoned boxers.

“Considerable staff time was devoted to the Northeast Clean-up that was more successful than anyone dreamed of. We had a lot of trash. Lot of tires and it took weeks to recoup but it finally, all the tires in their proper place and that was a great success. It took a lot of staff time though.

“One of our employees was got to volunteer as an honorary food inspector for the Olympics. She had a great time and was a good representative. She took leave time to fulfill this but she really enjoyed it and good exposure for her and for our community being there.

“Going along to administrative services where our exercise program in-house was a great success. We gave out, 55 employees did the first month, and got some t-shirts for participating so it was great to see that many participate in a fitness program that never had before. It’s good prevention and we encourage everyone to get into a good fitness program.

“The Clinic, I’ll just say a few words. The bilingual/bicultural grant received an onsite visit from the Federal Office of Minority Health. That program we are getting all the positions filled. We have 100% FTE for Spanish and 75% FTE for Vietnamese translators. The Multi Cultural Advisory Committee is established and they have had their first meeting in July.

“The TB Clinic, we had a suspected, now it’s a confirmed case of TB Meningitis in a four year old. So TB can be more than just a pulmonary disease, it can be a meningitis. It is a very debilitating disease when it does become that. We also had a pulmonary TB in a young Vietnamese mother. Both in the month of July. So we still have TB in our community.

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“Training was completed this month in July for a new WIT team and that’s Wichita Intravasation Team. This is a team that works on improving services in the Health Department and this is a professional team that we make up of nurses from each of the sites and social workers and nutritionalists will also be involved to help how we can improve our services at the grass roots level.

“Stanley station was closed two weeks in July for asbestos removal project and the staff there either took vacation or moved to the main health clinic. No problems there.

“Free blood lead testing was offered as a special event July 24 through the 26th. Fourteen children were tested and two showed levels above the cut-off limit. We will be going out and doing on-site evaluations and recommendations to the parents of these and be following them up for future testing.

“Enteric diseases this year are your diarrheal diseases this is what most people know them as, have increased quite a bit and we have a wide range but most were salmonella that was confirmed during the month. So that seemed to be the disease of the month for July. With that I will close and open up for any questions you might have.”

**Chairman Winters** said, “Alright I do believe Commissioner Miller does have a question.”

**Commissioner Miller** said, “A question and then a comment. It looks as though Dr. Jecha that July was a full month. It looks like it was really busy and then for the public’s sake under the summer swimming pool program and the weed mowing and the lot clean-up program. Can you give us just a little bit of background on that?”

**Dr. Jecha** said, “Well this is a summer program we have summer hires, usually college students and some that return back. As you know there is a lot of safety involved in both programs. One the safety of our water.

“Especially the enteric diseases can be spread if they don’t have proper chlorination, proper safety devices and that. We do go out to all public pools and inspect routinely and that’s a program for the summer. We do it year round but we don’t have near the number and so we hire extra staff to do that.

“Weed mowing of course is a public health matter and a nuisance but it is safety too. If you

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have weeds and you can't see at intersections, it can be a safety hazard but it's also a breeding ground for mosquitos and other things too and pollen. As you know, this time of year we have weeds so all those weeds growing and flowering out there everyone with your allergy problems so these are the programs that are summer programs and usually they are college students, summer hire and some of them come back year after year."

**Commissioner Miller** said, "So the public will call in regards to the weed mowing? Because I know I have had calls from individuals. They would call the Health Department and we'd get someone out there and follow-up. Thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Any other questions?"

**MOTION**

Commissioner Gwin moved to receive and file Dr. Jecha's report.

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	Absent
Chairman Thomas G. Winters	Aye

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

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**H. BUREAU OF PUBLIC SERVICES.**

- 1. APPROVAL OF MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH CENTRAL PAVING, INC. ON SEDGWICK COUNTY PROJECT NO. 594-34, 35, 36; 101ST STREET NORTH BETWEEN GREENWICH ROAD AND THE BUTLER COUNTY LINE. A NET DECREASE OF \$44,560.98 RESULTED DUE TO VARIATIONS IN PLAN QUANTITIES FROM ACTUAL FIELD MEASUREMENTS. CIP #R-58. DISTRICT #1.**

**Mr. David C. Spears**, P.E. Director, Bureau of Public Services, greeted the Commissioners and said, "Item H-1 is a modification of plans and construction for the road improvement project on 101st Street North between Greenwich Road and the Butler County line designated as R-58 in the Capital Improvement Program. This project has been constructed and is ready to be finalized. There will be a net decrease of \$44,560.98 due to variations in plan quantities from actual field measurements. Recommend that you approve the modification and authorize the Chairman to sign."

**MOTION**

Commissioner Gwin moved to approve the modification and authorize the ~~Chairman~~ to sign.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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**Chairman Winters** said, "Thank you next item."

2. **APPROVAL OF KDOT FORM NO. 375 FOR THE PURPOSE OF REMOVING HIGHWAY K-296 (BEGINNING AT THE WEST JUNCTION OF K-96 AND K-296, THENCE SOUTH 5.723 MILES, THENCE EAST 9.945 MILES TO THE EAST JUNCTION OF K-96 AND K-296) FROM THE STATE HIGHWAY SYSTEM. DISTRICTS #3 AND #4.**

**Mr. Spears** said, "Item H-2 is approval of KDOT form number 375 for removing portions of highway from the state system and transferring ownership of all rights-of-ways to Sedgwick County. In this particular case, 15.668 miles of K-296 will become part of the Sedgwick County highway system in accordance with the agreement that the County and KDOT entered into on October 30, 1991. That portion is shown in red on the map that we are going to take over. That agreement is in your back-up information and specifically this item is mentioned on page 47, item #13. The agreement was made after we were successful in having KDOT select K-96 between Maize and Hutchinson as a system enhancement project. Phase I of the project has been constructed to a four lane expressway between Maize and Mt. Hope. It is now appropriate that we accept K-296 into the Sedgwick County highway system. I recommend that you approve KDOT Form Number 375 and authorize the Chairman to sign."

**MOTION**

Commissioner Miller moved to approve the KDOT Form No. 375 and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

**Chairman Winters** said, "David to reiterate again, this was part of the plan working with the state as they were selecting the route of new K-96 four lane."

**Mr. Spears** said, "That's right. We made application for this project and one of the things we said we would do in making application was that we would take over this road. We're also paying for the design of it, \$3,000,000 with Hutchinson and Reno County each paying \$1,000,000."

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**Chairman Winters** said, "Of the new K-96?"

**Mr. Spears** said, "Of the entire..the new 96, yes that's right. This was one of the things we did. We thought this would help us be selected as receiving that state money and we were. You are talking about \$90,000,000 that we are probably going to receive for the entire project."

**Chairman Winters** said, "And this was one of the enhancing items that local government could participate in with the state project to entice them to think that local commitment was there to help move this along."

**Mr. Spears** said, "Exactly."

**Chairman Winters** said, "One last thing then for me is what kind of condition are we getting this piece of road in?"

**Mr. Spears** said, "Well the north-south portion was recently overlayed I think about two years ago. It is in real good shape. The east-west portion is probably being overlayed as we speak now by Ritchie. The state led a project when they first did this a couple of years ago there were some mistakes made in construction. The crown was actually inverted and it was noticed after a rain that water stood in the middle so they redid that. That was not also to our satisfaction so we asked them to overlay it again. That is taking place right now."

**Chairman Winters** said, "So we..the state is going to have this road back and it is going to be in pretty good shape?"

**Mr. Spears** said, "That is correct. I wouldn't recommend we take it unless it was."

**Chairman Winters** said, "Commissioner Gwin."

**Commissioner Gwin** said, "David, K-296 doesn't mean much to most of us. Can you identify the east west and the north south streets by a more familiar name?"

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**Mr. Spears** said, "53rd Street North between approximately Maize Road and Andale Road which most folks know those names. Also Andale Road between 53rd Street North and 101st Street North which is also known as the East-West Mt. Hope Road."

**Commissioner Gwin** said, "I think that identification helps more of us. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you very much. Commissioners are there other questions? We have a Motion to approve the KDOT form and authorize the Chairman to sign. Are there any other questions? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "Can you tell me who made that Motion?"

**Ms. Susan E. Crockett-Spoon**, County Clerk, said, "Commissioner Miller, Commissioner Hancock seconded it."

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

**I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' AUGUST 29, 1996 REGULAR MEETING.**

**Mr. Ken Williams**, Assistant Purchasing Director, Purchasing Department, greeted the Commissioners and said, "I have seven items from the Bid Board of the 29th for your approval."

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**ITEMS REQUIRING BOCC ACTION**

**(1) MODIFICATIONS TO REGISTER OF DEEDS OFFICE - CAPITAL PROJECTS FUNDING: CAPITAL PROJECT**

“First item is modifications to the Register of Deeds Office - Capital Projects. The recommendation is to accept the low bid of Caro Construction, in the amount of \$12,995.00.”

**(2) TAX FORECLOSURE & TITLE SEARCH SERVICES - ACCOUNTING FUNDING: ACCOUNTING**

“Item two is tax foreclosure & title search services - Accounting Department. Recommendation is to accept the low bid of Columbian Abstract & Title Company.”

**(3) DISPOSITION OF PROPERTY - CENTRAL & 127TH ST. - CAPITAL PROJECTS FUNDING: CAPITAL PROJECT**

“Third item is disposition of property - Capital Projects. It was moved to accept the high bid of Parcel #1 is Scott Land Developers, Inc. at \$315,000; Parcels #2 & #4 would be Todd E. Parker in the amount of \$647,444; Parcel #3 would be W.E. Lusk, Jr., \$76,335.51.

**(4) UNINTERRUPTIBLE POWER SUPPLY - INFORMATION SERVICES FUNDING: INFORMATION SERVICES**

“Item four is uninterruptible power supply for Information Services. The recommendation is to accept the low bid or the low proposal of Liebert Corporation, in the amount of \$15,165.”

**(5) CONSULTANT SERVICES FOR AUDIT OF COMMUNICATIONS NETWORK - INFORMATION SERVICES FUNDING: INFORMATION SERVICES**



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“Item number five is consultant services for audit of communications network - Information Services. Recommendation is to accept low proposal of Memorex-Telex, in the amount of \$6,250.”

**(6) CNE CERTIFICATE TRAINING - INFORMATION SERVICES  
FUNDING: INFORMATION SERVICES**

“Item six CNE certificate training for Information Services. It was recommended to accept the low..to accept the sole source bid of professional training of New Horizons, in the amount of \$16,877.10.”

**(7) PAPERS & LABELS - INFORMATION SERVICES  
FUNDING: INFORMATION SERVICES**

“Item seven is paper and labels for Information Services. Recommendation is to accept the low total bid of Southwest Paper for the paper items, total of \$25,821.75; and the low bid of Single Source for labels, in the amount of \$2,088.80.”

**ITEMS NOT REQUIRING BOCC ACTION**

**(8) COMPUTER ROOM A/C BACK-UP SYSTEM - CAPITAL PROJECT  
FUNDING: 1996 CAPITAL PROJECT**

“Computer room a/c back-up system for Capital Projects. It was recommended to table indefinitely for review.”

**(9) CONSTRUCTION OF PARKING GARAGE - CAPITAL PROJECTS  
FUNDING: CAPITAL PROJECT**

“Construction of the parking garage recommended to table indefinitely for review. That is the report of the Board of Bids for your consideration.”

**Chairman Winters** said, “Alright, thank you very much Ken. Commissioner Gwin.”

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**Commissioner Gwin** said, “Just prior to any Motion I just want to point out that on item three which is the disposition of property at Central and 127th. Those are parcels that the County had to take for K-96 coming that direction. We have held onto them for several years waiting till what we believed was the appropriate time to sell them. With the development and good things happening out east and northeast it appeared that this is the appropriate time to do so. I was pleased with the number of bidders that we received. “We knew that there was much interest and I am also...will be supporting the recommendation of the Bid Board on selling those parcels because I believe that the people who have made those high bids are better prepared to develop and get those things on the tax rolls and get them moving than the County is. So I will be supportive of accepting those offers today and with the optimism that I think some of the prospective bidders have as to what their projects might be to expand our tax base and turn vacant land into nice projects out there. I am most anxious to proceed with that.”

**Chairman Winters** said, “Alright good. The only comment I would make, I agree with you on that and I think the response we had showed that there was significant interest and we had a number of bids on these parcels so I think the market has spoken. Are there any questions or comments about Ken’s report?”

**MOTION**

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

Commissioner Miller seconded the Motion.

**Chairman Winters** said, “We have a Motion and a second, is there other discussion? Any other discussion? Seeing none, call the vote.”

**VOTE**

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

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**CONSENT AGENDA**

**J. CONSENT AGENDA.**

**1. Right-of-Way Easements.**

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

- a. Road Number 624-6, Owners: Robert F. Robben, Sherry A. Robben, Richard Hageman and Ronda Hageman, located in the Southwest Quarter of Section 36, Township 27 South, Range 4 West, more specifically located on the north side of 23rd Street South (Pawnee) and east of 327th Street West. Grand River Township. District #3.
- b. Road Number 634-13, Owners: C. Eugene Francis and Connie M. Francis, located in the Northeast Quarter of Section 31, Township 28 South, Range 2 West, more specifically located on the south side of 63rd Street South and west of 199th Street West as extended. Illinois Township. District #3.
- c. Road Number 817-Z, Owners: Steven D. Howerton and Robin L. Howerton, located in the Northwest Quarter of Section 12, Township 29 South, Range 1 West, more specifically located on the west side of 24th Street West (Meridian) and south of 79st Street South. Ohio Township. District #2.
- d. Road Number 638-24, Owners: Steven D. Howerton and Robin L. Howerton, located in the Northwest Quarter of Section 12, Township 29 South, Range 1 West, more specifically located on the south side of 79st Street South and west of 24th Street West (Meridian). Ohio Township. District #2.

The following tract of land has been granted by Easement for Right-of-Way

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at no cost to the County. This Easement was requested by the Director, Bureau of Public Services, to construct a new public road in an unplatted subdivision. Street name "77th Street North Circle."

- e. Road Number 840-G, Owners: Frieda E. Lee and Joe H. Lee, located in the Northeast Quarter of Section 1, Township 26 South, Range 2 East, more specifically located south of 77th Street North and west of 159th Street East. Payne Township. District #1.

The following tract of land has been granted by Easement for Drainage at no cost to the County. This Easement is for the off-site drainage of "Kuhn Company Commercial 2nd Addition."

- f. Owners: Dale V. Kuhn, Shelly Kuhn, Patricia C. Kuhn and Jeffery W. Kuhn, aka General Partners of Kuhn Company General Partnership, located in the Southeast Quarter of Section 26, Township 28 South, Range 1 East, more specifically located west of K-15 Highway and north of 63rd Street South. Riverside Township. District #5.

**2. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C96075	\$325.00	5	Michael and Lori Anderson
V96076	\$568.00	1	Brian J. Goodwin

**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.**

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<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V94087	\$220.00	\$147.00
C94083	\$286.00	\$78.00
V94099	\$212.00	\$208.00
V96003	\$91.00	\$169.00
V95036	\$370.00	\$300.00
V95151	\$286.00	\$225.00
C62017	\$240.00	\$150.00
V03004	\$268.00	\$237.00
C95037	\$306.00	\$278.00

- 4. Agreement with James Van Ella & Associates to provide on-line access to Sedgwick County's electronic data.**
- 5. Order dated August 28, 1996 to correct tax roll for change of assessment.**
- 6. Resolution authorizing sale of the fire station located at 6151 South Broadway.**
- 7. 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:

Crestview Country Club Estates Kimberly Hills 2nd

- 8. Consideration of the Check Register of August 30, 1996.**

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**9. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960530	District Attorney Special Trust Fund	Supplemental Appropriation
960536	Finance General 18th Judicial District	Transfer
960537	Central Svcs. Security	Transfer
960538	Sheriff	Transfer
960539	Appraisal	Transfer
960540	Capital Projects	Supplemental Appropriation
960541	Court Trustee Operations	Transfer
960542	COMCARE-ATS	Transfer
960543	COMCARE-ACCESS	Supplemental Appropriation
960544	1995 Capital Projects	Supplemental Appropriation
960545	Detention Facility Expansion	Supplemental Appropriation
960546	Overbrook 2nd Phase 2-Street	Supplemental Appropriation

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

**MOTION**

Commissioner Gwin moved to approve the Consent Agenda.

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

**Chairman Winters** said, "Thank you. At this time, I will recess the Regular Meeting of the Board of County Commissioners."

**The Board of Sedgwick County Commissioners recessed into the Sewer District Agenda at 9:56 a.m. and returned at 10:25 a.m.**

**K. OTHER**

**EXECUTIVE SESSION**

**MOTION**

Commissioner Miller moved that the Board of County Commissioners recess into executive session for about fifteen minutes to consider consultation with legal counsel on matters privileged to attorney-client relationship, to pending claims and litigation and personnel matters of non-elected personnel and the Board of County Commissioners return no sooner than 10:20 a.m.

Commissioner Hancock seconded the Motion.

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

**Regular Meeting, September 4, 1996**

**VOTE**

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

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

**Chairman Winters** said, "I will call back to order the Regular Meeting of the Sedgwick County Commissioners, September 4. We're back from executive session. Let the record show that there was no binding action taken in executive session. Is there other business? Mr. Plummer."

**Mr. Steve Plummer**, County Counselor said, "We have a COMCARE item involving a cancellation of a contract with a vendor. John DuVall from COMCARE is here to present that item and make the appropriate recommendation to you."

**Mr. DuVall** said, "In February of 1996 COMCARE as part of its family support and children's services entered into a contract with a vendor named Mid-America Parents to provide family support and advocacy services. The amount of the contract was approximately \$300,000 and it ran for a twelve month period. It came to our attention from within the community and other agencies that there was a possibility of some financial irregularities. At that point COMCARE requested the services of Allen, Gibbs & Houlik an independent audit firm who performed an audit of this particular vendor. Due to the results of this particular audit and the conclusion that they came to there appears to be some fairly major fiscal irregularities. We are recommending at this point that we terminate this contract. We will continue to work with Allen, Gibbs & Houlik and the Legal Department to pursue whatever appropriate action is necessary to finish this particular project. I would recommend your approval of the termination of this particular contract."



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**MOTION**

Commissioner Hancock moved to cancel this contract.

Commissioner Miller seconded this Motion.

**Chairman Winters** said, "We have a Motion and a second to cancel this contract. Commissioners, is there other discussion? Commissioner Gwin."

**Commissioner Gwin** said, "Mr. DuVall do you expect to hand this information over to whatever appropriate agency it might be to see if there might be some criminal wrong doing or something like that?"

**Mr. DuVall** said, "Very much so. We will pursue this to the fullest extent to see if there has been criminal wrong doing here or misuse or misappropriation of funds."

**Commissioner Gwin** said, "What about the families who or individuals who may have been receiving services? What will we do to assist them?"

**Mr. DuVall** said, "As this particular grant requires a family advocacy vendor to be present or to operate within the confine of the grant. We are currently recruiting another agency that will provide these particular services. In the interim our Family and Childrens Services Department has picked up the slack and it still continues to provide the services that are necessary underneath this grant."

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

**Chairman Winters** said, "Are there other questions? Seeing none, we have a Motion to cancel this contract. Any other questions? 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	Absent
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Is there any other business to come before this Board? Seeing none, we are adjourned."

**L. ADJOURNMENT**

**Regular Meeting, September 4, 1996**

There being no other business to come before the Board, the Meeting was adjourned at 10:30 a.m.

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

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**THOMAS G. WINTERS**, Chairman  
Third District

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**MELODY C. MILLER**, Chair Pro Tem  
Fourth District

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**BETSY GWIN**, Commissioner  
First District

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**PAUL W. HANCOCK**, Commissioner  
Second District

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**MARK F. SCHROEDER**, Commissioner  
Fifth District

ATTEST:

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**Susan E. Crockett-Spoon**, County Clerk

APPROVED:

\_\_\_\_\_, 1996