

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**April 15, 1998**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, April 15, 1998 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Mark F. Schroeder; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Melody C. Miller; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Cindy Zukovich, County Manager's Office; Mr. Daryl Gardner, County Controller; Ms. Mary Ann Nichols, Director, Personnel Department; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Mark Masterson, Director, Department of Corrections; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

#### **GUESTS**

Ms. Darlene Luallen, Wichita Area Sexual Assault Center  
Ms. Christy Calvert, Wichita Area Sexual Assault Center  
Mr. John Moore, Chairman, United Way Campaign  
Mr. Tom Borninger, Attorney, Rural Water District #3

#### **INVOCATION**

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

#### **FLAG SALUTE**

#### **ROLL CALL**

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

**CONSIDERATION OF MINUTES:** Regular Meeting, March 18, 1998

The Clerk reported that Commissioner Hancock was absent at the Regular Meeting of March 18, 1998.

**Regular Meeting, April 15, 1998**

**Chairman Schroeder** said, "Commissioners, you've received the Minutes of the Meeting, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Minutes of March 18, 1998 as presented.

Commissioner Winters seconded the Motion.

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

**VOTE**

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

**Chairman Schroeder** said, "Thank you. Next item please."

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

**Mr. Daryl Gardner**, County Controller, greeted the Commissioners and said, "I certify that there are funds available for those items that we have identified on today's Agenda requiring expenditure of funds. A listing of those items has been provided to you previously. If you have any questions, I'd be glad to answer them."

**Chairman Schroeder** said, "Thank you, Daryl. No questions. I appreciate it. Next item."

**PROCLAMATION**

**A. PROCLAMATION DECLARING APRIL 19 TO APRIL 25, 1998 AS "KANSAS CRIME VICTIMS' RIGHTS WEEK."**

**Chairman Schroeder** said, "Commissioners, I have that Proclamation before me which I will read into the record."

**Regular Meeting, April 15, 1998**

**PROCLAMATION**

**WHEREAS**, one violent crime is committed in America every 19 seconds, 36.8 million Americans are victimized in the United States each year and of those, 9.1 million are victims of violent crime; and

**WHEREAS**, crime victims play an indispensable role in bringing offenders to justice; and

**WHEREAS**, law-abiding citizens are no less deserving of justice, rights, resources, restoration and rehabilitation than the violent offenders who victimize them; and

**WHEREAS**, crime victims and their advocates over the past two decades have made unparalleled progress toward balancing the scales of justice in our criminal justice system; and

**WHEREAS**, as a nation devoted to liberty and justice for all, America must increase its efforts to protect, restore and expand crime victims' rights; and

**WHEREAS**, volunteers from all walks of life are joining forces with victim service programs, criminal justice officials and concerned citizens throughout Wichita, Sedgwick County, Kansas and America to observe National Crime Victims' Rights Week;

**NOW THEREFORE BE IT RESOLVED**, that I, Mark Schroeder, Chairman of the board of Sedgwick County Commissioners, do hereby proclaim April 19 to April 25, 1998 as

**“KANSAS CRIME VICTIMS’ RIGHTS WEEK”**

in Sedgwick County, and recognize Darlene Luallen, a tireless volunteer for the Wichita Area Sexual Assault Center since 1996.

**MOTION**

Chairman Schroeder moved to adopt the Proclamation.

Commissioner Gwin seconded the Motion.

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

**Regular Meeting, April 15, 1998**

**VOTE**

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

**Chairman Schroeder** said, “Today we have accepting our Proclamation is Darlene. Darlene, please come forward.”

**Ms. Christy Calvert**, greeted the Commissioners and said, “I would like to just take a moment to introduce Darlene. I am the Coordinator of Victim Services from the Wichita Area of Sexual Assault Center. I’m honored to introduce Darlene today to receive the ‘Victims Rights Proclamation’ and I would just like to take a moment to let you all know a little bit about what she has done for victims’ of crime.

“Darlene Luallen is a victim advocate for the Wichita Area Sexual Assault Center (WASAC). Since beginning her volunteer work with the agency in September of 1996, Darlene has dedicated 1,392 hours of her time to working with victims of sexual assault and abuse and their significant others, providing support, empathy, comfort and information on our 24 hour crisis line and at the hospital emergency rooms. In addition to her work on the crisis line, Darlene has facilitated a weekly support group for victims of sexual assault and abuse and has committed herself to educating people about sexual assault and abuse by doing education programs in community booths for the agency. She has also given a great deal of her time to help train new victim advocate. By sharing her knowledge and experiences with them, answering their questions, being supportive and alleviating their fears about working with victims in crisis. Darlene has also helped the agency staff often brightening our days with her surprise cards, kindness, generosity and sometimes much needed sense of humor. Darlene not only gives her time to the Wichita Area Sexual Assault Center, but other agencies serving victims such as the YWCA Women’s Crisis Center and the Citizens Police Academy. The poet, Ralph Waldo Emerson says ‘there are many ways to be successful in life. Among them is the success that comes from knowing that one life has breathed easier because you have lived.’ Darlene is successful everyday of her life because of her dedication to working with victims and she is most certainly a champion of victims’ rights. Thank you.”

## **Regular Meeting, April 15, 1998**

**Ms. Darlene Luallen**, Wichita Area Sexual Assault Center, greeted the Commissioners and said, "Thank you, Christy. On behalf of the victims of crime and volunteers dedicated to serving victims and through their families I am honored to receive the 'Victims Rights Proclamation.' The Wichita Area Sexual Assault Center reflects the basic rights of victims through the training of volunteers. Crisis Intervention, hospital emergency support, law enforcement interviews, courthouse advocacy, public and private education, support groups are a part of the volunteers assistance to victims. For these reasons volunteers are very proud to be a part of WASAC, the YWCA, Women's Crisis Center and other agencies founded on the 'Victim's of Crime Rights.' Thank you."

**Chairman Schroeder** said, "Thank you, Darlene and congratulations again. We appreciate all of your years of commitment to our community and to those victims. We wish you the best in the future. Thank you, once again for being here. Next item please."

### **AWARD PRESENTATION**

#### **B. PRESENTATION OF UNITED WAY DEPARTMENT RECOGNITION PLAQUES.**

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "John Moore the Senior Vice President of Cessna who happens to be a friend of ours and has been supportive of us and this years' Chairman for the United Way Campaign. And as one of the things that you do to friends sometimes is you ask them to do you a special favor. We asked him to come today to give these plaques out. These plaques are in honoring our departments and employees because let's remember it's about Sedgwick County employee's. The people who work for us, giving of their resources, giving of their money to make this community a better place. It's not for any other reason then the commitment to this community. They too, those bureaucrats are citizens and responsible citizens, not only by producing good work here, but by being involved in the community in this way. So we've asked John to come to do that today and I hope he is right behind me."

**Mr. John Moore**, Chairman, United Way Campaign, greeted the Commissioners and said, "I'm typically right behind Bill no matter what he does."

**Chairman Schroeder** said, "Welcome, John. We appreciate you being here."

**Mr. Moore** said, "I am the Chairman this year. I'm very pleased to serve in that capacity. United Way is terribly important to Sedgwick County and to the thousands of people who use the services every year. I understand this is the first time that the departments are being recognized and I applaud the County for that. I think one of the things we do at United Way is ask for money and then disappear and never really make sure that we thank all of the volunteers and all the contributors."

### **Regular Meeting, April 15, 1998**

“One hundred and ten thousand people contribute to United Way and hundreds of thousands of hours are donated and part of my responsibilities this year are to thank the people in the organization that make that possible. So, Bill, I’m pleased to be here.

**Ms. Cindy Zukovich**, County Manager’s Office, greeted the Commissioners and said, “We have four categories of awards that we are going to be presenting today. The first category is in the area of Excellence and this is for those departments who have given at least 90% of their giving potential. Giving potential is based on a percentage of the overall payroll. The following three departments, the first is Risk Management. Next is GIS (Geographic Information Systems). We have Lake Afton Park and I don’t believe they’re here today. But they are also an Excellence Award Winner. In the Gold category of 80 to 90%, we have the County Manager’s Office. In the Silver category which is 70 to 80% we have the Appraiser’s Office, and we also have the Treasurer’s Office.

“We have several departments in the Bronze category which is the 40 to 70%. The first is Emergency Management, Community Development, Aging Department, Environmental Resources, Election Commission, Old Cowtown Museum, and COMCARE (Bureau of Comprehensive Community Care). We have a committee of folks that help us to get these campaigns run in our different departments and so those coordinators we have asked them to be present and if they would stand please because they help these departments to increase and participate in our United Way Campaign.”

**Chairman Schroeder** said, “Thank you, John for being here. I think our loaned executive this year was Mary Ann Nichols. Am I correct? Mary Ann would you please come up. Every year Sedgwick County through the Manager’s Office loans out one of our department heads for this effort and we have been extremely fortunate in the last few years since Mr. Buchanan has been here to find excellent people to serve in that capacity that act on our behalf through this United Way Fund Raising process. Mary Ann, we just want to say ‘thank you’ for your hard work and your help.” Now it’s time to get back to work in the Personnel Department. Thank you so much. We wanted to recognize you.”

**Ms. Mary Ann Nichols**, Director, Personnel Department, greeted the Commissioners and said, “It was my privilege. It is a wonderful organization.”

## **Regular Meeting, April 15, 1998**

**Chairman Schroeder** said, "Thank you. I want to say thank you to you and to the department heads and to all the members and staff and employees of Sedgwick County who contributed to the process and obviously to United Way and John Moore. It is a service throughout every community in this country that is so valuable and we appreciate all that the Sedgwick County employees have done to make it even more successful. Congratulations and thank you. Appreciate it. Good job. Next item please."

### **PUBLIC HEARING**

#### **C. PUBLIC HEARING REGARDING A PETITION FOR ATTACHMENT OF TERRITORY TO RURAL WATER DISTRICT NO. 3, SEDGWICK COUNTY, KANSAS.**

**Mr. Tom Borninger**, Attorney for Petitioners, Rural Water District #3, greeted the Commissioners and said, "Rural Water District #3 exists basically in the southeast quadrant of Sedgwick County. It is essentially east of K-15. East of the communities of Derby and Mulvane but it also extends out into Butler, Sumner and Cowley Counties. Since we have all of the area that we're probably going to have in Sedgwick County all of our growth for the addition of territory tends to be on it's periphery, which means that it's all in Butler, Sumner or Cowley Counties. However, the way the law is written is that since the majority of our territory is and was in Sedgwick County, and since we were incorporated in Sedgwick, we always need to come back to the County Commission anytime that we are adding territory on. I know sometimes it seems like you're being asked to approve something that is going on in another county, but that is the reason we always come to you here.

"In this particular case the schematic you see in front of you, we've tried to show you the existing boundaries of the district which are just kind of outlined in black. The area to be annexed in for which we have petitions of over 50% of the landowners is shown in yellow. This is some property that's in Section 8, 7 and 18. All of this is in Butler County. The boundary that you see for the eastern most boundary is the Walnut River and so this is bringing in land that is just right on the peripheral of the existing district and using a natural boundary as the existing east boundary. It pretty much separates another water system that's providing water to Douglas and that area from ours. It is a natural barrier. This matter was in front of the Butler County Commission yesterday, they unanimously approved the attachment of this land to the district. If there are any questions, I'd be more than happy to answer them."

**Chairman Schroeder** said, "Okay. Thank you, Tom. Questions of Mr. Borninger at this point?"

**Regular Meeting, April 15, 1998**

If not, we will open up the meeting to a public hearing on Item C regarding Rural Water District #3, Sedgwick County, Kansas. Is there anybody here in the audience today that would like to be heard on this item? Apparently, there is no one. We will close the public hearing and limit discussion to bench and staff. Mr. Borninger is there anything else you would like to add at this point? Mr. Euson? Commissioners, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to approve the attachment.

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

**Chairman Schroeder** said, "Thank you. Appreciate you being here today. Next item please."

**PLANNING DEPARTMENT**

**D. CASE NUMBER V-2065 - REQUEST TO VACATE A PORTION OF DUGAN STREET AND PLATTED BUILDING SETBACK LOCATED NORTH OF MACARTHUR AND WEST OF HOOVER STREET.**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "There is just one planning item this morning and it is an advertised public hearing for a vacation case.

**SLIDE PRESENTATION**



## Regular Meeting, April 15, 1998

“This request is by the owner of this Lot 8 which is in the Prospect Park Addition. This is in the southwest part of the County. This is the Prospect Park Addition older suburban addition. This is the newer Gray’s Addition with smaller lots. Some of you may be familiar with these two additions. There was somewhat of a Hatfield and McCoy situation several years ago. That was partly because there was a half of a paved right of way that was actually in part graded for Dugan Road by Prospect Park and then Gray’s Addition came and dedicated a full right of way and built a paved street separately and it is separate right of way and separate street along the edge of that addition. This property owner now is requesting to vacate the half right of way that had been previously dedicated with the plat and also to vacate the 15 foot platted setback that was platted with Prospect Park along that lot line in order to be able to build a garage adjacent to his existing structure to the east in what is part of that right a way and setback area.

“The Planning Commission, County Engineer’s Office looked at it and we have recommended approval. Number one there is adequate access both from the paved Dugan Road along with other access further to the west to facilitate development to the south. This is similar to a request. It’s off of the screen but on the northeast corner of the Prospect Park Addition there was similar request to vacate right of way. The County Engineer’s Office, however, did ask that the north 20 feet be retained as right of way and that a contingent dedication be provided of a somewhat pie shaped area in here so that there would be the opportunity if need be in the future for fire trucks to be able to turn around at what would be basically a street dead end at the location because this street would not and will not be tied back to the paved Dugan right of way in the future. Also, that the east 25 feet of this be retained as a utility easement for public and private utility needs. Those conditions were acceptable to the applicant. The Planning Commission has recommended that this vacation be approved and the vacation order has been provided for you. I’ll be glad to answer any questions that you have on this case.”

**Chairman Schroeder** said, “Okay. Thank you, Marvin. Commissioner Hancock.”

**Commissioner Hancock** said, “Marvin, Block M, Lots 3 & 4 on the east side of that. . . that is a half street right of way also as I recall. I understand that there isn’t a street on the east side of the lot we’re talking about.”

**Mr. Krout** said, “Right. There is a half street right in here, but not in this location.”

**Commissioner Hancock** said, “Would the Planning Commission ever consider a petition to vacate that right of way? Along three and four.”

**Regular Meeting, April 15, 1998**

**Mr. Krout** said, "For sure, I think so that this would then be a cul-de-sac that would have the access off of the east-west street. Three would be a little more questionable. I think we would have to take a look at that a little bit closer, possibly."

**Commissioner Hancock** said, "Possibly. I see. Okay. Thank you, Mr. Chairman."

**Chairman Schroeder** said, "Thank you. Other questions or comments? Is there anybody here today that would like to be heard on this item? I don't believe there is. If there is somebody here today that would like to be heard on this item, please come forward. There is no one here so we will close the public hearing, limit discussion to bench and staff. Marvin, anything else? Commissioners."

**MOTION**

Commissioner Hancock moved to approve the Vacation Order and authorize the Chairman to sign and approve the contingent dedication of the cul-de-sac and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chairman Schroeder** said, "Thank you, Marvin. Next item please."

**Regular Meeting, April 15, 1998**

**NEW BUSINESS**

**E. SEDGWICK COUNTY PARK.**

**1. AGREEMENT WITH RUN WICHITA FOR USE OF SEDGWICK COUNTY PARK MAY 24, 1998 TO HOLD A 15K AND A TWO-MILE RUN.**

**Mr. Jarold D. Harrison**, Assistant County Manager, greeted the Commissioners and said, "It's spring time and just as sure as the flowers are going to bloom and the weeds are going to pop up in your yard we are going to have a lot of requests for use of Sedgwick County Park for a series of runs and walks. We have three on the Agenda today. The first one is with Run Wichita for a 15K and two mile run, May 24, 1998. That is a standard form Agreement. We coordinated the dates with the park superintendent and would request your approval."

**MOTION**

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

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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

**Regular Meeting, April 15, 1998**

**2. AGREEMENT WITH METROPOLITAN BAPTIST CHURCH FOR USE OF SEDGWICK COUNTY PARK APRIL 18, 1998 TO HOLD A "RIVER OF LIFE RUN."**

**Mr. Harrison** said, "Second agreement is with 'Metropolitan Baptist Church to hold the River of Life Run, April 18, 1998 in Sedgwick County Park. Again, this is a standard form Agreement and have coordinated dates and we would recommend your approval."

**MOTION**

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

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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

**3. AGREEMENT WITH PREGNANCY CRISIS CENTER OF WICHITA, INC. FOR USE OF SEDGWICK COUNTY PARK JUNE 6, 1998 TO HOLD A "WALK FOR LIFE."**

**Mr. Harrison** said, "The third and final Agreement is with 'Pregnancy Crisis Center for a 'Walk for Life to be held at Sedgwick County Park, June 6, 1998. Again the dates have been coordinated with the park and would recommend your approval."

**Regular Meeting, April 15, 1998**

**MOTION**

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

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Schroeder** said, "Thank you, Jerry. Next item please."

**F. DEPARTMENT OF CORRECTIONS.**

**1. AGREEMENT WITH CLARENCE M. KELLEY DETENTION SERVICES, INC. TO PROVIDE OFF-SITE JUVENILE DETENTION HOUSING AT FORBES JUVENILE DETENTION FACILITY.**

**Mr. Mark Masterson**, Director, Department of Corrections, greeted the Commissioners and said, "As you know in Sedgwick County we have far more demand for juvenile detention beds than our facility can hold. Since 1995 we have been meeting this demand by contracting with other license juvenile detention facilities to handle the overflow. Before you is a Contract to renew our Agreement for another year with Clarence M. Kelley Detention Services, Inc. Kelley operates licensed facilities in Topeka, at Forbes Field and in Wakeeney. The only increase in cost is an additional \$50.00 per round trip for transportation moving juveniles between facilities. The daily housing rate which of course is the big expense remains the same. If you have any questions I'd be happy to answer them."

**Chairman Schroeder** said, "Thank you, Mark. Discussion on this item? Commissioner Miller."

**Regular Meeting, April 15, 1998**

**Commissioner Miller** said, "Thank you, Mr. Chairman. Mark, would you give us an update of what the numbers have been running for the calendar year of 1998 at JDH (Juvenile Detention Housing)?"

**Mr. Masterson** said, "At JDF (Juvenile Detention Facility) we've averaged about 43 in 1998. For the calendar year of 1997, the whole year, we averaged 40 with 32 off-site. In the first quarter of this year the average daily population off-site has dropped to about 25."

**Commissioner Miller** said, "So, it's been . . ."

**Mr. Masterson** said, "For the first quarter it's gone down and today we're at 56. Yesterday we were at 60. So we're in the scrambling mode and we're moving people after the hearings today."

**Commissioner Miler** said, "Okay. Thank you. Thank you, Mr. Chairman."

**Chairman Schroeder** said, "You bet. Thank you. Other questions or comments? If not, what's the will of the Board?"

**MOTION**

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

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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

**Regular Meeting, April 15, 1998**

**2. GRANT APPLICATION TO KANSAS JUVENILE JUSTICE AUTHORITY  
TO CONTINUE FUNDING THE HOME BASED SUPERVISION  
ENHANCEMENT PROGRAM.**

**Mr. Masterson** said, "Commissioners, the Home Based Supervision Enhancement Program, it is an alternative detention program. Juveniles approved for the program are released from detention under close supervision of program staff pending further court hearings. Since 1995 the State has funded one full time youth counselor position to provide more intensive supervision on the program. This grant application before you seeks funding for this position for a fourth year. In addition we're asking for \$10,000 for electronic monitoring devices for use with selected probation violators as a graduated sanction an alternative to placement in juvenile detention. I ask that you approve the application and authorize the Chairman to sign.

**Chairman Schroeder** asked, "Discussion on this item?"

**Commissioner Miller** said, "Just briefly, Mr. Chairman. Mark, as using the electronic device as a graduated sanction or an alternative to actually. . .not incarceration but detaining an individual, how often is that used in the juvenile situation or juvenile setting?"

**Mr. Masterson** said, "On our Home Base Supervision Program 50% of the juveniles are on monitors as well as our staff supervising. What I included in this grant application for the first time is a new use for electronic monitoring offering juvenile court these devices through our contract to use as a graduated sanction. When they have a juvenile on probation that they are supervising, that is violating the terms, but needs a graduated sanction versus being placed in detention for selected cases, some might work on electronic monitors."

**Commissioner Miller** said, "So actually these individuals are not home based and supervised by our . . ."

**Mr. Masterson** said, "That's correct."

**Commissioner Miller** said, "By the court system."

**Mr. Masterson** said, "That's the proposal and the juvenile court supports the idea and wants to try to augment their probation service in selected cases with this service. So it's something new to try to help a little bit to alleviating the population further."

**Commissioner Miller** said, "Thank you. Thank you for that detail. Thank you, Mr. Chairman."

**Regular Meeting, April 15, 1998**

**Chairman Schroeder** said, "Thank you. Further discussion on this item? If not, what's the will of the Board?"

**MOTION**

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

Commissioner Miller seconded the Motion.

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

**VOTE**

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

**Chairman Schroeder** said, "Thank you, Mark. Next item please."

**G. REALLOCATION (ONE) AND RECLASSIFICATIONS (FOUR).**

**1. REALLOCATION**

- a. DIRECTOR, FAMILY AND CHILDREN'S SERVICES, BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE), RANGE 26, TO RANGE 27**

**Mr. Mary Ann Nichols**, Director, Personnel Department, greeted the Commissioners and said, "The Reclassification Committee met on March 5, 1998 to review first quarter departmental requests and make recommendations to reclassify the following jobs. The first one is director of FCCS. We are asking for a reallocation from range 26 to range 27. The budget impact for 1998 would be \$529 and for 1999 \$741.



**Regular Meeting, April 15, 1998**

**2. RECLASSIFICATIONS**

- a. ADMINISTRATIVE OFFICER, COMCARE, RANGE 21, TO SENIOR ADMINISTRATIVE OFFICER, RANGE 23**
- b. INTAKE AND ASSESSMENT WORKER, COMCARE, RANGE 17, TO INTAKE AND ASSESSMENT SPECIALIST, RANGE 19**
- c. OFFICE ASSISTANT, RANGE 12, COMCARE, TO OFFICE SPECIALIST, RANGE 15**
- d. REAL PROPERTY APPRAISER I, RANGE 17, APPRAISER, TO PROBLEM RESOLUTION SPECIALIST, RANGE 18**

**Ms. Nichols** said, "We are asking for reclassifications for administrative officer, range 21 at COMCARE. Recommending reclassification to senior administrative officer, range 23. Budget impact for 1998 is \$3,153 and for 1999 is \$4,402. Intake and assessment worker, range 17 at COMCARE. We are recommending reclassification to intake and assessment specialist, range 19. Budget impact for 1998 is \$2,330 and for 1999 is \$3,266. Office assistant at COMCARE, recommending reclassification to office specialist, range 15, budget impact for 1998 is \$2,203 and for 1999 is \$3,086. Real property appraiser I, in the Appraiser's Office, recommending reclassification to problem resolution specialist, range 18. The budget impact for 1998 is \$300 and for 1999 \$482. These budget impacts will be absorbed in the departmental budget. I request your approval."

**Chairman Schroeder** said, "Thank you, Mary Ann. Discussion on this item? If not, what's the will of the Board? I think we can take both of these together, reallocation and reclassifications as one."

**MOTION**

Commissioner Hancock moved to approve the reallocation and reclassifications.

Commissioner Gwin seconded the Motion.

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

**Regular Meeting, April 15, 1998**

**VOTE**

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

**Chairman Schroeder** said, "Thank you, Mary Ann. Next item."

**H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' APRIL 9, 1998  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the April 9, 1998 Meeting Board of Bids and Contracts. There is just three items for consideration this morning.

**(1) ROAD IMPROVEMENTS - BUREAU OF PUBLIC SERVICES  
FUNDING: SALES TAX**

"Item one is road improvements for the Bureau of Public Services, project 801-C, D & F. It was recommended to accept the low bid of Asphalt Construction Co. That amount is \$999,795.08.

**(2) STEEL PILINGS - BUREAU OF PUBLIC SERVICES  
FUNDING: BUREAU OF PUBLIC SERVICES**

"Item two is steel pilings also for the Bureau of Public Services. It was recommended to accept the low bid of George Laxon Piling Sales, Inc. That amount is \$19,920.

**(3) RECORDS MANAGEMENT SYSTEM - BUREAU OF PUBLIC SERVICES  
FUNDING: BUREAU OF PUBLIC SERVICES**

"Item three is records management system also for the Bureau of Public Services. It was recommended to accept the low bid of Corporate Express. That amount is \$13,988 and there is a recommendation attached. Would be happy to take questions and would recommend approval of the Minutes provided by the Board of Bids and Contracts."

**Regular Meeting, April 15, 1998**

**Chairman Schroeder** said, "Thank you, Darren. Discussion on this item? If not, what's the will of the Board?"

**MOTION**

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

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

**Chairman Schroeder** said, "Thank you, Darren. Next item please."

**CONSENT AGENDA**

**I. 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 839-Z, Owners: Salvatore Alfieri and Sharon Alfieri, located in the Northwest Quarter of Section 12, Township 29 South, Range 2 East, more specifically located on the east side of 143rd Street East and south of 79th Street South. Rockford Township. District #5.

## **Regular Meeting, April 15, 1998**

- b. Road Number 638-36, Owners: Salvatore Alfieri and Sharon Alfieri, located in the Northwest Quarter of Section 12, Township 29 South, Range 2 East, more specifically located on the south side of 79th Street South and east of 143rd Street East. Rockford Township. District #5.

### **2. Floodway Reserve Easement.**

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

Owners: Darren K. Branizor and Jacquitta L. Branizor, located in the Northeast Quarter of Section 10, Township 26 South, Range 2 East, more specifically located west of 127th Street East and south of 69th Street North. Payne Township. District #1.

### **3. Right-of-Way Instruments.**

- a. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 807-CC-265; Bridge on 103rd Street West between 103rd and 111th Streets South. CIP #B-305. District #2.
- b. One Temporary Construction Easement for channel cleaning a tributary from Clifton west to the Arkansas River. District #5.

### **4. Plats.**

Approved by the Bureau of Public Services. The County Treasurer has certified that taxes for the year 1997 and prior years are paid for the following plats:

North Wood Estates  
Sunnydale Farms Addition

### **5. Order dated April 8, 1998 to correct tax roll for change of assessment.**

### **6. Restated First Amendment to the Bond Agreement with 21st Street Senior Residences, L.C.**

**Regular Meeting, April 15, 1998**

7. **Utility Permit Agreement with Wichita Gas Producers, L.L.C. for use of public road right-of-way.**
8. **Consideration of the Check Register of April 10, 1998.**
9. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980166	1998 Bridge Projects	Supplemental Appropriation
980167	Finance General	
	District Attorney	Transfer
980168	Corrections	Transfer
980169	Corrections	
	Juvenile Justice	Transfer
980170	Detention Facility	
	Expansion	Supplemental Appropriation
980171	Temporary Notes	
	Series 1997-1	Supplemental Appropriation
980172	Temporary Notes	
	Series 1997-1	Transfer

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "You have the Consent Agenda before you and I would recommend you approve it."

**MOTION**

Commissioner Hancock moved to approve the Consent Agenda.

Commissioner Winters seconded the Motion.

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

**Regular Meeting, April 15, 1998**

**VOTE**

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

**Chairman Schroeder** said, "Thank you. Any other business to come before this Board?"

**J. OTHER**

**MOTION**

Commissioner Hancock moved that the Board of County Commissioners recess to Executive Session for 60 minutes to consider consultation with legal counsel on matters privileged in the attorney client relationship relating to pending claims and, potential litigation, legal advice and that the Board of County Commissioners return from Executive Session no sooner than 10:40 a.m.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chairman Schroeder** said, "Thank you. We are in Executive Session."

**The Board of Sedgwick County Commission recessed into Executive Session at 9:40 a.m. and returned at 11:30 a.m.**

**Regular Meeting, April 15, 1998**

**Chairman Schroeder** said, "We're back. Let the record show there was no binding action taken in Executive Session. Mr. Euson, do you have anything to add?"

**Mr. Rich Euson**, County Counselor, greeted the Commissioners and said, "Yes, Mr. Chairman, thank you. While in Executive Session we discussed the possible settlement of the Worker's Compensation matter involving an employee by the name of Uthant McGregor who sustained a low back injury and the settlement would involve a 9% permanent partial disability which converts to the amount of \$10,916.65. There were some under payments of temporary total disability amounting to \$530.53. We would ask for your authority to pay the total sum of \$11,447.18 with the understanding that this award and settlement would be subject to a running award for future medical. Thank you."

**Chairman Schroeder** said, "Thank you, Mr. Euson. Discussion on this item?"

**MOTION**

Commissioner Hancock moved to approve the settlement.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chairman Schroeder** said, "Thank you. Anything else? Mr. Manager?" Anything else Commissioners? If not, we're adjourned."

**K. ADJOURNMENT**

**Regular Meeting, April 15, 1998**

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

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

\_\_\_\_\_  
**MARK F SCHROEDER**, Chairman  
Fifth District

\_\_\_\_\_  
**PAUL W. HANCOCK**, Chairman Pro Tem  
Second District

\_\_\_\_\_  
**BETSY GWIN**, Commissioner  
First District

\_\_\_\_\_  
**THOMAS G. WINTERS**, Commissioner  
Third District

\_\_\_\_\_  
**MELODY C. MILLER**, Commissioner  
Fourth District

ATTEST:

\_\_\_\_\_  
**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1998