

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JUNE 28, 2000

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, June 28, 2000 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Carolyn McGinn; Commissioner Betsy Gwin; Commissioner Bill Hancock; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Jan Kennedy, County Treasurer; Ms. Paula Downs, Special Projects Manager, Tag Office; Mr. James Alford, County Clerk; Dr. Ralph Teran, Member, Sedgwick County Juvenile Corrections Advisory Board; Undersheriff Gary Steed, Sheriff's Department; Ms. Irene Hart, Director, Division of Community Development; Mr. Doug Russell, Director, Division of Human Resources; Ms. Kathleen B. Sexton, Director, Division of Information and Operations; Dr. Mary Dudley, M.D., Coroner/ Medical Examiner, Regional Forensic Science Center; Mr. Mark Masterson, Director, Department of Corrections; Ms. Annette Graham, Director, Department on Aging; Ms. Marilyn Cook, Assistant Director, Comprehensive Community Care; Ms. Nola Foulston, District Attorney; Mr. David Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Thomas R. Powell, Attorney, Hinkle, Elkouri Law Firm, LLC.
Mr. Bill Bolin, Executive Director, South Central Kansas Economic Development District.
Mr. Tim Norton, Mayor, City of Haysville.
Mr. Kim DeLong, 7700 Evergreen, Derby, Ks.
Ms. Cristin Keimig, Wichita/ Sedgwick County Health Department.
Ms. Andree Simonsen-Sisco, 4426 Hemlock, Wichita, Ks.
Mr. Charlie Wasyk, 3372 Riverdale, Wichita, Ks.
Mr. Don Myers, State Representative, 613 Briarwood, Derby, Ks.
Mr. James Mastin, 4438 Hemlock, Wichita, Ks.
Ms. Beatrice Foss, 4949 Cedardale, Wichita, Ks.
Ms. Angee Sisco, 5015 Jade Avenue, Wichita, Ks.
Ms. Shirley Crosby, 4977 Tierra, Wichita, Ks.
Ms. Barbara Stapleton, 4940 Hemlock, Wichita, Ks.
Mr. Michael O'Donnell, 4218 Eagle Lake Court, Wichita, Ks.
Ms. Marg Paiva, 4922 Hemlock, Wichita, Ks.

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Mr. Charles O'Hara, 1502 N. Broadway, Wichita, Ks.

GUESTS (con't)

Mr. Mark Galvan, 1100 S. Baltimore, Derby, Ks.

Mr. Steve Otto, 4865 N. Maize, Maize, Ks.

Mr. Art Lohrensel, 20300 W. 87th Street S., Viola, Ks.

Mr. Norman Massey VI, 1045 S. Dalton, Wichita, Ks.

Ms. Becky Morris, 1612 Brendonwood, Wichita, Ks.

Ms. Debra O'Shields, 4580 Brookhaven, Wichita, Ks.

INVOCATION

The invocation was led by Ms. Rosella Taylor of Bahai.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: **Regular Meeting, May 31, 2000.**

The Clerk reported that all Commissioners were present at the Regular Meeting of May 31, 2000.

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

MOTION

Commissioner McGinn moved to approve the Minutes of the Regular Meeting of May 31, 2000.

Commissioner Sciortino seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

YOUR COUNTY SERVICES

A. TAG OFFICE.

Chairman Winters said, "Commissioners and friends, you know that once a week we try to take just a couple of minutes to talk about a particular department or office in the courthouse or County service function. Today, we're going to talk about the tag office, which is the responsibility of County Treasurer Jan Kennedy."

Ms. Jan Kennedy, County Treasurer, said, "Thank you very much for this opportunity to brag about my staff, which I think is just a terrific bunch of people. The tag office is a division of my office. There are four tag office locations: Derby, Brittany Shopping Center, downtown at Murdock, and our brand new location at Chadsworth Center. There are 62 employees in the department. We collect approximately \$38,000,000 in motor vehicle taxes each year. So each line clerk is responsible for the collection of about \$950,000.

"Our mission is to provide honest, friendly service, and to be accountable to the citizens of Sedgwick County through the timely collection and distribution of public funds, thus financing services provided by Kansas schools, cities, townships, and other public agencies in accordance with legislative mandates. Successfully following our mission requires each employee to be the best they can be.

"One of our best is our project manager, Paula Downs, who is here to share with you what is happening in the tag office. Joining her at the podium is Chief Deputy Ann Smarsh and Auto Manager Patrick

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Brose."

Ms. Paula Downs, Special Projects Manager, greeted the Commissioners and said, "Each year, all the vehicle owners in Sedgwick County get to come and visit our office, either reluctantly or willingly, I'm not sure which. Through the commitment to our strategic planning process, we've discovered that information is absolutely vital in order to provide a quick and pleasant experience to the citizens of Sedgwick County. With that in mind, we have aggressively worked on being a leader in customer service by providing a comprehensive web site, education efforts, not only for the public but for our employees also, and establishing updated offices for the convenience of all of our citizens.

"Our web site has sort of been our biggest project that we've tried to do over the last six months. We are committed to improving it all the time and to provide convenient and timely information to the citizens of Sedgwick County. Recently, we just added a visual example of every Kansas tag that is available through our office. One example is if you are interested, by chance, in getting the KU tag, it not only has the tag on there, but it also has the instructions on how to obtain it and there is also a link to the KU Alumni Association so when the customer gets on our web site they have all the information they would possibly need to get that tag.

"We also have every form that we use in our office available and they are interactive on the web site so that people save a trip to the tag office, or two trips I should say, one to pick up the form and then come back to do the transaction. Right now, we are testing a new motor vehicle tax estimator to give all of our citizens the ability to determine the cost of their personal property taxes on their vehicles. In addition, they can also link to the additional costs and fees associated with completing a transaction. This application will save the citizens and staff valuable time and eliminate some of the guess work involved in determining what you are going to pay when you come to the tag office. That application will be available to all Internet users on July 3.

"We also have, as of June 12, a new tag office opened on the west side of town at 2330 N. Maize. We closed our Crossroads tax office to move into Chadsworth, a new larger facility. It has double the space and a much better environment for those who are visiting our tag office. A grand opening or an open house at the facility has been scheduled for July 11 at 2:00. You're all very welcome to come and look at our new facility because we're very proud of it.

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"As part of our commitment to customer service, it was also determined that we need to do some public education. Even though we assume that everybody knew what they were supposed to do when they came into the tag office, that's not always the case. So as a starting point, we decided to educate the young. We have been doing a driver's ed education program where we've been going to the driver's education classes around the County and telling them that it is not only important for them to have a driver's license to operate a vehicle, but it is also important to have a tag on that vehicle, because you can't drive without one. So we are in the process of continuing that education effort and also creating informational brochures for the citizens so they have something in their hand that tell them how to complete their transaction efficiently and effectively in our offices without wasting their time.

"We are currently also involved in issuing the new personalized tags. If you haven't seen them, they look like this. You might have seen them on the road. That effort is a great effort because now every personalized tag owner has to come in and get this brand new tag. That increases business obviously and our citizens have to come in not only once but twice. Also it creates a burden or a bigger responsibility for our employees because now we have a whole bunch of new inventory in our office we're trying to get out.

"Also, beginning January 1, 2001, of next year of course, we'll be issuing new standard issue plates to everyone in the County. It has a copy of the Capitol Building on it in the background. So everyone will now be coming into our office to get a new tag next year.

"In November, citizens of Kansas will also vote on a constitutional amendment to bring boats and airplanes into our tag office system to have individuals pay their personal property taxes on boats and airplanes at our office. There are approximately 100,000 boats and airplanes in the state and we have no idea what percentage will be in Sedgwick County but we know it will be quite a work load if that happens next year.

"Either through the purchase of more vehicles or the increase in the population of Sedgwick County, our business has increased about 14% from this time last year. At the end of the month, which is our busiest day, the lines form around the building very early in the morning and does not let up until five o'clock and that is only because we lock the doors.

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“Our staff is committed to working fast and efficient in order to complete the transactions and keep waiting lines down to a minimum. But we have been complimented several times in the last few months on the last day of the month saying that from the time they have to wait outside around the building until the time they’re leaving the building is about 25 minutes. If you’ve been to the tag office on the last day of the month, you know that is a pretty incredible feat to get you out of there in 25 minutes. We are working more and more trying to get that efficiency down a little more, maybe get it down to 22 minutes in the next couple of days. I will take questions and I appreciate the opportunity to brag about our office and provide you information.”

Chairman Winters said, "Thank you very much, Paula. Good report. I don't see any questions, but would you reintroduce the folks with you. I think there is one more back there in the back. No, she's with the next item. Okay. Reintroduce your folks.”

Ms. Downs said, “This is our auto tag license manager, Patrick Brose. This is Deputy Chief Treasurer, Ann Smarsh.”

Commissioner Sciortino said, " And that lady in the middle?”

Ms. Downs said, “I don't know her. This is our Treasurer, Jan Kennedy.

Chairman Winters said, "I would give one bit of plug, although I am kind of partial to KU a little bit. The other colleges do have tags that are available.”

Ms. Downs said, "All of the colleges have tags. You can see them on our web site. They also give you the instructions on how to obtain them. WSU, KU, K-State, Pittsburg State, and we're working on Fort Hays State.”

Chairman Winters said, "All right. Thank you very much. We appreciate your being here. Do I have a motion to receive and file?”

MOTION

Commissioner Gwin moved to receive and file.

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Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

APPOINTMENTS

B. APPOINTING RESOLUTIONS (EIGHT - ALL AT-LARGE APPOINTMENTS).

- 1. RESOLUTION APPOINTING DR. RALPH TERAN TO THE SEDGWICK COUNTY JUVENILE CORRECTIONS ADVISORY BOARD.**
- 2. RESOLUTION REAPPOINTING STEVE SHEPHERD TO THE BOARD OF BUILDING EXAMINERS AND APPEALS.**
- 3. RESOLUTION REAPPOINTING GARY WETZEL TO THE BOARD OF BUILDING EXAMINERS AND APPEALS.**
- 4. RESOLUTION REAPPOINTING RICHARD E. LANDERS TO THE BOARD OF ELECTRICAL EXAMINERS AND APPEALS.**
- 5. RESOLUTION APPOINTING JAMES W. BAKER TO THE BOARD OF MECHANICAL EXAMINERS AND APPEALS.**
- 6. RESOLUTION REAPPOINTING TOM G. SALTER TO THE BOARD OF MECHANICAL EXAMINERS AND APPEALS.**

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- 7. RESOLUTION REAPPOINTING SUSAN ERLLENWEIN TO THE BOARD OF PLUMBING EXAMINERS AND APPEALS.**
- 8. RESOLUTION APPOINTING MIKE BRAND TO THE BOARD OF PLUMBING EXAMINERS AND APPEALS.**

Mr. Euson, County Counselor, greeted the Commissioners and said, "These are several appointments to our various advisory boards. We've prepared a resolution for each and you can take them all as one action."

Chairman Winters said, "All right, thank you. Rich, would you just read through each one of those so we'll know exactly, for the record, who all we're appointing?"

Mr. Euson said, "Yes, these are individual resolutions. The first one is to appoint Dr. Ralph Teran to the Sedgwick County Juvenile Corrections Advisory Board. The second is to reappoint Steve Shepherd to the Board of Building Examiners and Appeals. The third is reappointing Gary Wetzel to the Board of Building Examiners and Appeals. The fourth is to appoint Richard Landers to the Board of Electrical Examiners and Appeals. The next is to appoint James Baker to the Board of Mechanical Examiners and Appeals. The next is a reappointment of Tom Salter to the Board of Mechanical Examiners and Appeals. Then there is a reappointment of Susan Erlenwein to the Board of Plumbing Examiners and Appeals. Finally, a resolution appointing Mike Brand to the Board of Plumbing Examiners and Appeals."

Chairman Winters said, "Thank you very much. Commissioners, you've heard all of these appointments, what's the will of the Board?"

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin

Aye

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Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "I believe Dr. Ralph Teran is here this morning, if he'd please come to the podium. Are there any of the other folks here this morning? I don't believe there are, but if there is any of those. County Clerk James Alford will swear in Dr. Teran to the Juvenile Corrections Advisory Board."

Mr. James Alford, County Clerk, said, "I will read the oath and if you'll say I do so swear at the end. Please raise your right hand.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of Juvenile Corrections Advisory Board, so help me God."

Dr. Ralph Teran said, "I do so swear."

Chairman Winters said, "Thank you. We need to get you signed up on the dotted line before you get too far away."

Mr. Alford said, "It's a big crowd, I didn't want to lose you."

Chairman Winters said, "I did want to make just a quick comment. Ralph, we do appreciate very much your serving on this Juvenile Corrections Advisory Board. The Board of County Commissioners takes very seriously the efforts to work in prevention and other areas when it comes to juvenile justice and areas of dealing with the young people of Sedgwick County. We also know and we're committed that education is a key part of that. So as all of us have worked over the past few years in dealing with the Adult Detention Center and the Juvenile Detention Center, we look for ways of how can Sedgwick County be connected with our education and school system. This is one of those places where we can do this. We appreciate your work on this committee. If you see things that you need to be visiting or Winston Brooks needs to be visiting with us as Commissioners about, things that we can do as we go along on these juvenile justice prevention issue, please contact us. Please know that we realize that education is

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important. We realize the school board can't do it alone. You, as administrators, can't do it alone. Teachers can't do it alone. It has to be a community wide effort. We appreciate your connection with this board."

Dr. Teran said, "Thank you, Chairman Winters. Likewise, the school district is very pleased because indeed we've seen a level of cooperation between the various forms of government, County, School Board, City, and the cooperation unlike what we've seen in the past. It is very very exciting connecting all our kids and out community and it does take the entire community. Your support, your involvement, is much needed and appreciated. Thank you."

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

AWARD PRESENTATIONS

C. PRESENTATION OF BRONZE MEDALS OF MERITORIOUS CONDUCT TO CITIZENS JAY WOHLGEMUTH AND DUANE BOSWELL.

Mr. Gary Steed, Undersheriff, Sheriff's Department, said, "If I could ask Mr. Boswell and Mr. Wohlgemuth to come up here. Good morning, Commissioners. I'm Gary Steed, Undersheriff of Sedgwick County, representing the Sheriff's Department this morning. I want to thank the Commissioners for allowing this presentation. There are a couple of individuals here who deserve our recognition by both the Sheriff's Department and Sedgwick County.

"Commissioners, on March 6 of 2000, an accident occurred at 101st Street North and the Union Pacific Railroad tracks between Rock and Webb Roads. A vehicle driven by Stanley Boone collided with a train at that location. The accident resulted in Mr. Boone being pinned in his damaged vehicle. Two citizens, Duane Boswell, a conductor from the train, and Jay Wohlgemuth attempted to extricate Mr. Boone from the wrecked vehicle. The vehicle caught fire and became engulfed in flame. Wohlgemuth and Boswell continued to work to rescue the victim. Mr. Boswell was even burned on his arms while trying to help Mr. Boone. The flames eventually became too hot and the rescuers had to abandon their attempt to rescue Mr. Boone. For their efforts and their act of bravery, the Sedgwick County Sheriff's Department is awarding Mr. Boswell and Mr. Wohlgemuth the bronze medal of meritorious conduct. Commissioners, they have chosen not to say anything."

Chairman Winters said, "Well, maybe some of us will say a few words. It is really, we think about it as very heroic, but you gentlemen have exemplified what all of us hope we would be able to do. Sometimes

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we're not sure we'd be able to do that. But what both of you have done in this instance was certainly worthy of the award that the Sheriff's Department has chosen to bestow upon you. We do have a comment or two. Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I was a little bit surprised when I saw the name yesterday on the back-up material. Jay Wohlgemuth, I had the pleasure of serving with Jay on the Andale Coop Board. But what doesn't surprise me, after getting to know Jay for five years, that he would be the type of person that would do everything that he could to save that individual. Thank you for coming up here, Jay and Mr. Boswell. We appreciate the efforts that you made."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Just to both of you, I'm a little in awe of what you did. I want to assure you that, in my eyes, and I think in the eyes of all of the public, you have really elevated what the term 'Good Samaritan' really means. I just hope that I would have the fortitude and the courage, if I'm placed in a similar situation, to do what you two gentlemen have done. Congratulations."

Chairman Winters said, "Let's give these gentlemen a round of applause. Thank you very much. Thank you, Undersheriff Steed, for bringing this to our attention and presenting these awards. It is a very good project. Good awards. Thank you. Next item."

D. PRESENTATION OF UNITED WAY RECOGNITION AWARDS.

Ms. Kristi Zukovich, Communications Director, greeted the Commissioners and said, "For the past nine or ten years, I have helped to coordinate the County's United Way campaign. This has been with a lot of help from folks in different departments, who help to make sure that we have a successful campaign. It is about our employees giving back to the community. I would like to share a little bit of information before we talk about the awards and present the awards to the departments who are deserving today.

"Last year, our organization was a pace setter company, which meant that we did our campaign during the summer and we had to push a whole lot of meetings in a short amount of time. Fortunately, we did have the support of our departments to help us do that. Our goal last year for the 1999 campaign, which allows funding for this year's agencies, was \$100,000. While we didn't quite meet that goal, we reached \$97,402. I would like to put it in a little bit of perspective for you. In 1992, Sedgwick County's giving was \$38,251 for our employees, what employees gave to United Way agencies. So we have increased

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quite significantly over a very short period of time. I think it does demonstrate that our employees do care about the agencies and the services that are needed in our community.

"We did increase \$11,000 from our 1998 campaign, so we did have quite a substantial boost. Of course this year we're hoping to surpass that \$100,000 mark. We had seven leadership givers in our organization, which means we have seven folks who give at least \$1,000 or more. Sedgwick County also provides a loaned executive every year. That means one of our folks goes and helps with the United Way campaign for an eleven week period. So we do understand those services. We do partner with some of them with services that we provide. So it is a very good experience for all of us.

"We have four levels of awards today. They are based on giving potential. What that means is we take the annual payroll for the different departments. The United Way provides us a formula to use that would come up with what their total potential would be, how much they could give if everyone gave to some degree. We have the bronze, silver and gold and excellence awards to give out today. I would like to start with the bronze awards.

"Sedgwick County Park has received the bronze award. Warren is not here today, he is on vacation, but they are always very supportive. We have COMCARE. COMCARE contributes \$9,962. We have the Election Office, they contribute \$856. Environmental Resources contributes \$360. Cowtown contributes \$1,498. Lake Afton Park, they can't seem to find their award, but they contribute \$360.

"For the silver award, the Division of Information and Operations contributes \$13,038. This is a first year for them. They've kind of combined their different departments into one division of giving. Human Resources contributes \$1,616. The Appraiser's Office, who I think probably has the most fun out of all departments doing the United Way campaign, is also a silver recipient with \$9,405.

"The gold recipients, the County Manager's Office contributes \$2,664. The Department on Aging contributes \$2,187. Then the Excellence Award winner is Risk Management, with \$732. Risk Management has gotten this award of excellence the last three years. Good job. I would like to remind you that we do have the support of all of the other departments. The Fire Department does an excellent job and it is quite a chore to get around to all the different stations. The same with EMS on a rotational basis, but they are very supportive. The Sheriff's Department has increased significantly over the past couple of years. We are always very happy and very encouraged when people chose to give back to the community. I will hope to come to you next year with over \$100,000. Thank you."

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Chairman Winters said, "Thank you, Kristi. On behalf of the Board of County Commissioners to the County employees who contribute to the United Way fund, we say thank you. It is really very significant and important that public employees, private employees share in all of the things that need to be done in this community that are still waiting to be done. The only way we can do that is, well there are many ways we can do it, but certainly one of the ways is through the United Way. We appreciate the work, Kristi, that you do as our connection to that group and with the loaned executive that we put into that program. I know that our manager, Bill Buchanan, believes in that project very much and is a strong supporter of the United Way. Again, on behalf of the Board of County Commissioners to our employees, thank you County employees for your contributions. Madam Clerk, the next item."

PUBLIC HEARING

E. PUBLIC HEARING AND RESOLUTION REGARDING ANNEXATION OF CERTAIN LANDS INTO THE OAKLAWN IMPROVEMENT DISTRICT.

Mr. Thomas R. Powell, Hinkle, Elkouri Law Firm, L.L.C., Attorney for Petitioners, greeted the Commissioners and said, "I'm here today representing the Oaklawn Improvement District. I have with me Andree Sisco, who is one of the members of the Board of Directors of the Oaklawn Improvement District. She is here on behalf of the board also. What I'm before the County Commission on today is a request for annexing some additional land into the Oaklawn Improvement District. I'll step to your map here and show you where this land is. It is right here, the property that is proposed for annexation today. To give you some idea, this is 47th Street South. This right here is the present boundary of Oaklawn. This land does abut Oaklawn, which is one of the requirements of annexation.

"In regards to this annexation, we received a petition from the owners of this land, which was signed 100% by the owners of this land. We have published the notice that the statute requires us to publish. That was published as required by the statute, seven days prior to this hearing. We have presented a resolution for you to adopt, in relation to this annexation, that has been reviewed by your law department. We would ask you to adopt the Resolution, which results in the property shown on the map being annexed into and becoming part of the Oaklawn Improvement District. I don't know for sure what these land owners have in mind. I think they want to develop this land and one of the things they are going to need when they develop it is sewer. That is why they've asked the improvement district to have this annexed into the improvement district because upon annexation the improvement district can, when the land owners request it, extend sewer to that property. With that, I don't have anything further, but Andree or I, either one, would be glad to answer any questions you have."

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Chairman Winters said, "The only question I have is, can you tell me about how many acres or square feet this place is?"

Mr. Powell said, "That is a quarter section. You can see the part that is already part of the district. It is that much less than a quarter section."

Chairman Winters said, "That puts it in perspective. I see that now. Commissioners, are there any questions before we open the public hearing? Ms. Sisco, did you have any comments you want to make now?"

Ms. Andree Sisco, Member, Board of Directors/ Oaklawn Improvement District said, "The board is in favor of this annexation."

Chairman Winters said, "Thank you. Mr. Euson, the proper notice has been published for this public meeting, is that correct?"

Mr. Euson said, "That is correct, sir."

Chairman Winters said, "At this time, I will open this meeting for public hearing for the Board of County Commissioners to take public comment regarding the annexation of certain lands into the Oaklawn Improvement District. Is there anyone here who would like to address the Board of County Commissioners on this item? Is there anyone here who would like to address the Board of County Commissioners on our Item E, which is a public hearing concerning annexation of certain areas into the Oaklawn Improvement District? Anyone here who would like to address the Commission? Seeing no one, we'll close the public hearing and limit discussion to Commissioners and staff. Commissioners, comments? Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. I know this area somewhat and this is a proposed Neal and Tanner property, those are the owners?"

Mr. Powell said, "That's right."

Commissioner Hancock said, "Is the property just to the west of that, is it Boeing property?"

Mr. Powell said, "I'm not sure. I'll give you some perspective. This area right here has a club, Jezebel's."

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Commissioner Hancock said, "I understand that but I still have the question, is the property just to the east . . . is that the Boeing lay out, where they have the lake?"

Mr. Powell said, "It is. It is right adjacent to Boeing and Boeing does own land around it but I'm not sure if that land to the east is owned by Boeing."

Commissioner Hancock said, "We have an industrial zone and an agreement with Boeing, will it have any effect on that whatsoever?"

Mr. Powell said, "No effect whatsoever. This area is outside the boundaries of the Boeing Industrial District."

Commissioner Hancock said, "Okay, that's what I needed. Thank you."

Chairman Winters said, "Thank you, Commissioner Hancock. Anyone else? I see no other questions. Commissioners?"

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you very much, Tom and Andree. We appreciate you being here for that item."

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Mr. Powell said, "Thank you very much."

Chairman Winters said, "Next item, Madam Clerk."

DEFERRED ITEM

F. PRESENTATION REGARDING THE OLDS MODEL PROJECT.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "We have before us this morning a proposal to extend the Olds Model County wide. This program will cost an additional \$1,000,000 over the next three years. However, the benefits are clear what they will provide to this community.

"This is a proven formula that, in fact, does reduce juvenile problems in the community. The current knowledge of these problems that this particular model focuses on are three miscellaneous risk factors and what is referred to as a childhood onset conduct disorder. This disorder leads to delinquency, crime, and violent behavior. Currently, the program is being run in three zip codes within the City of Wichita and Cristin Keimig, who is here, is a nurse practitioner and runs the program in the City and can answer and give some details of how that is working.

"The Olds Model is simply a standardized validated pre-natal and early childhood home nurse visitation program. The model targets populations of the highest risk group. They are low income, first time mothers lacking high school education. This program addresses the three risk factors that I mentioned. One is adverse maternal, prenatal health related behaviors. This is behaviors of the mother before the child is born. It addresses childhood and child abuse and neglect issues and, finally, it deals with maternal life course issues: not working, substance abuse, criminal behavior, unwanted successive pregnancies.

"The childhood onset conduct disorder, COCD, deals with the prenatal health related behaviors, these risk factors, in several ways. These are just two of them. Children with this childhood onset conduct disorder are more likely to have impaired neurological functioning. Secondly, they have poor prenatal health conditions can compromise the development of the fetal nervous system.

"Secondly, the issue of child abuse and neglect, the second risk factor. Abused and neglected children are increased at risk for persistent behavioral problems, we understand that, academic failure, chronic

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delinquency, anti-social personality disorder and violent crime.

"Thirdly, the issue of compromised maternal life force risk factors also deals with if the mother is unmarried and lacks a high school education or a high school diploma and/ or the household has three or more children, there is an increased likelihood of behavior problems among those children, we understand that and we know that. This program deals with those issues. It decreases all three of those risk factors. It lessens health risks and prenatal period. It decreases incidence of child abuse and neglect, and there is improved social circumstances for the mother.

"The outcomes, there are page after page of outcomes. I've just highlighted a few. These outcomes come from two very specific programs that we've used. There are other examples around the country. One is Elmira, New York, which has had this program in operation for 20 years. So there is 20 years of data to back this information up. Another one is in Memphis, Tennessee, which is about ten years old. So, both programs are seeing the same kind of results. Clearly, Elmira has a longer history, but the same results are being found elsewhere.

"Fifty-six percent, when this program is in place in the home, the nurses visiting on a routine and regular basis, 56% fewer arrests among 15 year olds with mothers enrolled in the program. You and I both know that we're spending an excess of \$10,000,000 a year for juvenile detention functions in all the programs we do. If we could invest dollars that reduces that cost in the long term, that makes sense. We also realize that we're spending much more of that in the adult detention facilities. So that we're involved somewhere in the neighborhood of \$20,000,000 to \$30,000,000 in the prevention end, and we could start pecking away at some of those costs with this program, it seems to me that it is value for the dollar.

"Sixty-nine percent fewer convictions and probation violations among children with mothers enrolled in the program. Sixty-nine percent, all the people enrolled in the program, of all the children of that age group, 69% fewer convictions.

"Paternal life course outcomes, 43% reduction in subsequent pregnancy among low-income folks, 83% increase in the rates of labor force participation, people working, participating in the work force. People in this program out of that population, 83% of those are working when others are not. Third is a 30-month reduction in AFDC, Aid to Families and Dependent Children, a federal program for families, Welfare, a 30 month reduction in those payments. Maternal life course outcome, 44% reduction in problems due to alcohol or drug use. Sixty-nine percent fewer arrests among unmarried mothers. Twenty-five percent reduction in cigarette smoking during pregnancy.

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"What is the cost benefit ratio? Does it make sense? Well the net reduction of public expenditures began to accrue by the time the child is four years old. So it starts paying off, we start accruing benefits by the time the child is four. Cost savings to society and government over the child's life time, at least four times. Pretty conservative estimates. We've looked at some of the numbers and these estimates are conservative. Four times greater than the cost of the program itself. Savings begin to accumulate sooner than in other early childhood programs.

"Implementation budget, you see that before you, that we would begin the program July 1st. We need to negotiate, because it is run in the Health Department, we need to continue to discuss with the City whether these nurses would become County employees or City employees. It makes sense for them to be City employees but if not we're going to proceed with the program. Here is the cost to run the program. We think we can adequately do this over the next three years and provide it on a County wide basis rather than just in three zip codes. We think it is such an important program.

"So the issue before you is we want you to receive and file this report and endorse this program and we will begin the implementation process. Again, Dr. Magruder, who briefed us about four or five months ago, brought this plan to the community. We're thankful to him for doing that. With the proposal about making it County wide. Again, Cristin Keimig has some actual stories and some actual life experiences in the program, if you'd care to ask her any questions. This is a program that I believe makes sense, in terms of our continuum of prevention programs. We do a lot of prevention programs, a \$1,000,000 or so for children who are already in the system or about to enter the system. Prevention programs to keep them out of the system, but identified as risks. Here's a program that identifies before the child becomes a risk. I think, in our view of how we deal with juvenile issues in the community, this is a logical next step. Any questions?"

Chairman Winters said, "We have several questions. Cristin, would you like to make a brief comment? I don't know that you need to go into a lot of detail, but why don't you come and make a couple of comments. We've got several questions up here."

Ms. Cristin Keimig, Wichita Sedgwick County Health Department, said, "That's no problem. Thank you for allowing me the opportunity to speak today. It is something I am very, very passionate about. I'm lucky in the sense that I'm not only the coordinator for the program but I'm also a nurse and I have a case load. So I get to stay very much in close contact with the clients, the actual program, and the nurses and

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what they're going through. It provides me a lot of opportunity that way to meet the needs.

"In specific to Mr. Buchanan's comments with the juvenile justice. That's probably the figures that I was most impressed with and how we can really make a difference because we do have a lot of moms in very high risk situations that are even at risk themselves, let alone their children, of becoming a part of this system like that. Would you like to hear some of them?"

Chairman Winters said, "Why don't we take some questions first and then we'll go from there and then maybe if the both of you could just stay right there. We'll kind of tag team the questions. Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. Cristin, how are the mothers identified? How do you find the women who need these services?"

Ms. Keimig said, "We have quite a vast array of referral basis that we get referrals from. We're working very closely right now with Wesley Women's Care and their clientele, which are a good percentage Medicaid recipients. We also work very close with SRS and the young ladies who come in and apply for the medical cards and want services. We have referrals coming in from them daily."

Commissioner Gwin said, "If we would expand this to a County wide program, do you have any ideas of other sources you might look for for referrals?"

Ms. Keimig said, "We do have many different ways. The school system is a very good place that we also collaborate with as well as Parents As Teachers. They just received a grant to be part of an early intervention type of identifying early pregnancy, young girls that are in the system and pregnant. So, We have already collaborated with their department in getting . . . as soon as they find out, they'll be letting us know."

Commissioner Gwin said, "I have comments later but I'll wait and let others ask questions."

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

Commissioner Hancock said, "Thank you, Mr. Chairman. Cristin, Bill, I know we're going to start in the year 2000 to approve this program, so that gives us about 2 ½ to 3 years to look at. I know we set up a budget based on a certain number of clients, do you have any idea how many clients we can possibly expect in the County, throughout that time?"

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Ms. Keimig said, "I can let you know that the David Olds Model is very specific in not allowing the nurses to go over 25 in their case load. That is because it is so intensive and it does take a lot of effort and energy and it is just impossible to do it affectively otherwise. That is their research finding. With, I believe, the current budget we would be able to have approximately four additional nurses funded. So that would allow another 100 families. It does take a building up process, but it is fairly rapid."

Commissioner Hancock said, "Sure. Okay, thank you. Thank you, Mr. Chairman."

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

Commissioner McGinn said, "Just a little clarification once again. We talked about it twice now, but is it going to start out with zip codes and then go County wide, Mr. Buchanan?"

Mr. Buchanan said, "Currently the program is only in existence in three zip codes in the city. Once we institute this, we would begin then County wide."

Commissioner McGinn said, "Okay, and those are federal dollars."

Mr. Buchanan said, "Yes. That is a federal program, we're just expanding on that."

Commissioner McGinn said, "Okay, thank you."

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

Commissioner Gwin said, "I don't have any other questions, I just have a couple of comments in support of the Olds Project. I think we're all getting more familiar with it all along, particular with the very positive statistics that Mr. Buchanan presented, and Cristin, with your work currently. I would share with my colleagues, I think all of us may be, but I am personally aware or very familiar with a young mother and her children whom I believe could have benefited had this program been in existence when the first child was born. She met the criteria: no high school degree, first child, low income. One of the things I've watched as she's worked to raise her children is that she wasn't quite sure how to do that. She wasn't quite sure how to go about teaching children, particularly in the very important formative years, the first two to three years when so many of those brain connections need to be made, so the children can learn for life. The result of some of those behaviors or her lack of knowledge, is that now we, as taxpayers, are paying for special education, counseling, those kinds of things, to try to get the children back to the level they should be. I believe, I think you see it, that if this program were in place we wouldn't be paying for

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this. These kids would be okay. Is that what you see?"

Ms. Keimig said, "That is very much what we see, because we do know exactly what you said, that 90% of the brain development has already been established by the child's third birthday. I mean, 90% of their ability to have conscience and responsibility, it has already happened. It scared me, as a parent, thinking, 'oh, my goodness', because my children are over three now. We don't know what we don't know and even though the mothers may give it their best shot, with a nurse in there giving the intervention, just showing them ways that they can do some different things, it really makes it a lot easier."

Commissioner Gwin said, "Well teaching and stimulation, I mean play is an important part of it, but teaching and stimulation and the ability to make neurons connect when those kids are just teensy babies is an important part of their whole life process. If that is missed, then I don't know that they can ever get it back."

Ms. Keimig said, "They can't ever. Research is showing that they can't ever really get it back. You can only then go based on what you have. Prenatally, we've finding even more data than ten years ago that what the mom does prenatally and how her diet is and how her ability is to stay away from the drugs and alcohol make all the difference in how the baby develops from day one."

Commissioner Gwin said, "I think it is an excellent program. I would certainly encourage us to consider this as a County wide project. Thank you, Cristin. Thank you, Bill."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. I think some of my questions were answered. If I did the math right, we're going to be able to service about 100 additional families and they would stay for what period of time? What is the length of the program?"

Ms. Keimig said, "The programs begin in the early pregnancy phase. We do take them in pregnancy because, as I just alluded to, it is so important during that developmental phase while the baby is developing. Then we keep them until the child's second birthday. So, we are able to really stay in there. Now, the visiting schedule is very intense. It is not like a once a month thing. We are there weekly to bi-weekly and we do spend an hour to an hour and a half each week going over various . . . there is actual detailed protocol guidelines that we follow. But they are also flexible in the sense that depending upon the client's individual needs, we can meet them with our nursing judgement. It goes through the second

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birthday."

Commissioner Sciortino said, "It is my observation, and I could be wrong, but I would assume there are probably many more mothers that could avail themselves of this project than the 100 that . . . the way we've got it presented, that we're going to propose serving. But there is going to be a vehicle in place where they can get adequate referrals and then someone has to, I guess, decide which referral will be taking into the program?"

Ms. Keimig said, "We would then start the process. Once it gets to that point, we will then start the process of looking at the highest risk families. We do have some, approximately the people in the research center have said that you can anticipate maybe a 10 to 20% drop out rate because people move and the babies may not make it to term or you have various issues that go on with that. We do currently have openings, of course, in our case loads and then would have some as it does take a building up process. We would have to eliminate some of the more non-risk moms. I don't want to say not a risk, but lower risk moms. We do have an eleven year old that one of the nurses is currently seeing. So, if we're not thinking that it is here and it is now and it is happening. It is disturbing that it has come to this, but if we can make a difference."

Commissioner Sciortino said, "You have an eleven year old mother?"

Ms. Keimig said, "We have an eleven year old mother. Yes, sir."

Commissioner Sciortino said, "I don't have any further questions, other than to say that I'll be in support of this project."

Chairman Winters said, "Thank you. I just have one question and then a couple of comments. Will the federal funds for the part of the three zip codes that we're working with now, will that continue on, even though we expand the program?"

Ms. Keimig said, "Yes, the way I understand it, it sure will."

Chairman Winters said, "I'm going to be supportive also. I had the opportunity a year ago to attend a conference in Topeka on early childhood brain development. I was amazed to learn how much of a child, a baby's brain, develops in the first three years of its life. Cristin said by age three, 90% is developed. But at birth, less than 50% of the child's brain is really developed. So that first two or two and a half years is just critically important. I think this is a plan that will really address that. I'd like to thank Manager Bill

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Buchanan for continuing to look at and research this opportunity. I'd also like to thank Dr. Charlie Magruder. Charlie is in the room today and Charles is the Director of the Wichita Sedgwick County Health Department. He is where I heard about this program first. He may have not been the first one to think of it in Sedgwick County, but he is certainly the one who brought it to us as a recommendation and 'here, what do you think about this issue'. Charles, we appreciate very much your involvement in this and we hope, if we do and I think it looks like we're going to move forward, that we continue that close connection with our COMCARE group as we go in these prevention routes, monitoring outcomes and looking for results. This is something that we continually want to do. We're going to be in close touch on those kinds of issues. Mr. Manager, it appears that we're not here today to take an action on this, but to receive this report. What is it that you would exactly like us to do today?"

Mr. Buchanan said, "That's fine. We're going to proceed to implement the program July 1st. The Resolution probably needs to say to instruct the staff to do that."

Chairman Winters said, "Our agenda item says to receive and file. I'd like to, if the Board is prepared to move forward, I'd like some kind of a motion that directs staff to proceed on with this project."

MOTION

Commissioner Hancock moved to direct the staff to proceed with the Olds Model Project and on occasion to report back to the Board of County Commissioners on the progress of the project.

Commissioner Gwin seconded the Motion.

Commissioner Hancock said, "Dr. Magruder, thank you very much for being here today. We appreciate you bringing this to the community. We appreciate it very much."

Chairman Winters said, "For anyone in the community out there listening who would like to hear more details about this, we'd be glad to have a team of folks present programs, whatever need be, to help inform the community of this process. We have a motion and a second. Is there any other discussion? Seeing none, call the vote."

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Mr. Buchanan said, "Thank you very much."

Chairman Winters said, "Thank you. Thank you, Cristin for being here. Next item."

NEW BUSINESS

G. PRESENTATION REGARDING SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT (SCKEDD) LOAN PROGRAMS AND GRANT AND WEATHERIZATION ACTIVITIES.

Mr. Bill Bolin, Executive Director, SCKEDD, greeted the Commissioners and said, "We have been in existence since 1973, and you have been a member of SCKEDD since that time. We are an economic development district and certified development company. We also have revolving loan programs, intermediary lending programs, micro-loan programs, and we do the housing program. I've handed you what was originally our annual report. It talks about our mission statement on the very first page. Our mission is to provide professional leadership, technical assistance, and finance packaging advice and procedures to individuals, companies, and government agencies for the purpose of stimulating the economy in our 14 county area.

"If you open it up, you can see our objectives are in five different areas. That's to provide job opportunities through comprehensive financial strategies, identify and assist, when appropriate, infrastructure improvements, maintain a proactive organization, develop and maintain partnerships with other agencies, and enhance the economic development knowledge of our area. Then if you look on this light green section, you'll see each of the counties that we serve. You can look across and see Sedgwick County. It has a report of everything we've done in each of our different areas to the tune of about \$4,800,000 coming back into Sedgwick County.

"You'll also see a report talking about the different grants that have come into the Sedgwick County as a

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result of belonging to SCKEDD. On the first page of this very thick pamphlet you'll see that we've brought in about \$10,400,000 worth of grants to Sedgwick County. Then, in terms of loans we've assisted businesses with in Sedgwick County, it is a lot of pages but getting down to the very end, you'll see a little bit over 300 loans to the tune of about \$55,700,000, which means we've assisted in bringing in a little over \$66,000,000 into Sedgwick County. The cost of that to Sedgwick County in terms of fees has been \$869,000. So you're getting a very good return on your dollar for what we do to help.

"In addition, on the last page, you'll see your representation on our Board of Directors and on our Executive Committee. Representation has required that at least 51% be elected officials or representatives of elected officials. Right now, Sedgwick County has four of the six as elected or representatives. So you are about 60%, but you also have 22 vacancies. So you have plenty of room to put additional people on our Board of Directors. I would also indicate that you've been very active. When you look at who the present delegates are, Tom Sandoval is out in Garden Plain is a past president of SCKEDD. Yvonne Coon was a past president of SCKEDD. She was the City Clerk down at Clearwater. Irene Hart, who is presently on your staff, will be our vice-president this coming year.

"The other thing I'd like to do is that we normally like to do a thing that once a month we invite County Commissioners in prior to our meeting on the fourth Thursday of the month and ask them to come in. If you have any concerns about your County that you'd like to discuss with us or get better knowledge and meet our staff and the programs that we do, we'd like to invite you in. I'll be sending you a letter about the fourth week of this month, or July rather, to invite you to come on the fourth Thursday of July, which I think is the 27th if I've got that right. I'd be more than happy to answer any questions you may have. It's a lot of stuff to just run by you real quick."

Chairman Winters said, "All right, Bill. I guess I would think that one of the most important things that you could be saying, again, is that anybody who may be listening or watching this on one of our broadcasts is how they contact you if they've got questions about any program they may think they're eligible for and what you do once someone contacts you."

Mr. Bolin said, "All they have to do is call our office, it is 262-7035. If they need weatherization or some

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sort of housing repair, we can assist them with that. If they're looking at business loans, we have several different divisions that do that. They just call in and give us a rough idea of what they want and we'll direct them to the right person from there."

Chairman Winters said, "Who might be eligible for a weatherization grant? Is that companies only?"

Mr. Bolin said, "No. Weatherization is to make a home more energy efficient. It is for people whose family incomes are at 150% of poverty or less. So, they just call us. That is based on their most recent 12 month income. Of if they receive Aid for Dependent Children, supplemental security income, they're an automatic qualifier."

Chairman Winters said, "Okay. Give your telephone number one more time."

Mr. Bolin said, "It is 262-7035."

Chairman Winters said, "If anybody listening wants more information they can sure call Bill or someone with his organization or call the County Commissioners' Office and we'll put you in touch with them. Bill, do you have anything else you'd like to share?"

Mr. Bolin said, "No, this was just to let you know what we've been doing with the dollars you've been giving us."

Chairman Winters said, "Very good, we appreciate the report. Thank you. Commissioners, do a hear a motion to receive and file?"

MOTION

Commissioner McGinn moved to receive and file.

Commissioner Hancock seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

H. RESOLUTION APPROVING THE INTERLOCAL AGREEMENT WITH CITY OF HAYSVILLE, KANSAS AND UNIFIED SCHOOL DISTRICT NO. 259, AND AUTHORIZING THE CHAIRMAN TO SIGN THE INTERLOCAL AGREEMENT.

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, "Today, we're asking you to consider an Interlocal Agreement with the City of Haysville and Unified School District No. 261 regarding the Neighborhood Revitalization Act. I'd like to tell you a little bit about the Neighborhood Revitalization Act. Mayor Tim Norton is here and can talk to you more about the specifics of the Haysville plan.

"In 1994, the Kansas Legislature passed a Neighborhood Revitalization Act. That allows a municipality to designate a neighborhood revitalization area. That area is then the beneficiary of certain incentives that helps that neighborhood revitalize. The municipality designs a plan which provides property tax rebates for certain improvements to property in that area, such as the construction or renovation of property. Each community's plan varies according to that community's objectives. In general the act authorizes a rebate of property taxes to a property owner based on the increment on the increase in value brought about by that improvement.

"In 1998, the taxes which are rebated are only the City, the County, and the School District portions of property taxes generated by the improvement. Therefore, the City, the County, and the School District must each approve this Interlocal agreement. None of the three units of local government will lose existing revenue. What they will do is they will delay their revenue from the improvements over a period of time. That is the incentive to encourage those improvements to occur.

"In 1998, this Commission approved an interlocal agreement with the City of Wichita for a similar plan which provides incentives for residential and commercial revitalization in the core area of the City. The interlocal agreement before you has been approved by the Haysville City Council and the School District USD 261 and Mayor Norton, would you like to outline any additional specifics on the Haysville plan?"

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Mr. Tim Norton, Mayor, City of Haysville, greeted the Commissioners and said, "Thank you, Irene. Thanks for letting me speak today. I'll only take a minute. This is really tying all together the Neighborhood Revitalization Area with the area so devastated by the tornado. Our intent is to inject tax rebates into that area to be able to stimulate, not only rebuilding, but growth of new development. Our intent is to take that area that was so devastated and blighted and give tax incentives for new developer and for those who were hurt to rebuild their buildings. I think this is going to be a real positive thing for the south side and for Haysville. Once again, the School District and the City Council have already authorized it. I have talked with individuals on the County Commission and it is hopefully ready to go now and we can move forward on this. Any questions?"

Chairman Winters said, "All right. Commissioner Hancock was a question or a comment."

Commissioner Hancock said, "Thank you. Mayor or Irene, this is pretty much like tax increment financing system that we're looking. The improvements, that is what is rebated back to the owners, directly?"

Ms. Hart said, "In an tax increment financing district, the increment goes into public improvements and in this case they're rebated back to the property owner."

Commissioner Hancock said, "Is it retroactive to 1999 or earlier?"

Ms. Hart said, "I believe that is the starting date. They say the rebate is for ten years, with a minimum investment of \$25,000. They have criteria that varies according to the type of property and whether or not they owned the property before the tornado. The City of Haysville plans to review this plan after three years to see if it is doing what they intended it to do."

Commissioner Hancock said, "So if a property owner then built back or improved property subsequent to, for example the tornado, then those improvements, the increase taxes on those would be rebated back, after they're paid, rebated back to the property owners."

Ms. Hart said, "Yes, sir. To qualify for it, they need to get an application at the Haysville City Hall."

Commissioner Hancock said, "Okay, thank you. Thank you, Irene. Thank you, Mr. Mayor."

Chairman Winters said, "A follow-up question then, if someone didn't rebuild, then that is off the tax role

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and zero is collected on any property that is not rebuilt. Thank you. Sounds like a good program to me."

Commissioner Hancock said, "It is. You know, we've had a couple of tornadoes down there and one of the questions that came up over and over again and I thought maybe the legislature was going to deal with it and apparently they haven't yet. Maybe they will. It is a difficult issue. That is if it didn't exist on January 1 then it isn't taxed, however, it did exist and it is taxed even if a tornado would have occurred January 2. It is a real difficult issue. This is one of those things where it was created in 1994 in the event of things like this and it identified areas where they need to revitalize. I would encourage everyone in those areas in the districts that have been approved, to take a look at their business. This is an opportunity to save some money. It is a good program. I appreciate Mayor Norton and Irene working together on this. I know it has been a real hassle. I've heard stories."

Mayor Norton said, "This has been about an eight month passionate, keep after it, tenacity kind of thing. We haven't given up on it. It really speaks to the future of our downtown core area. If we can't add these kinds of incentives, we're going to have a very blighted area for a long time and we just can't allow that."

Commissioner Hancock said, "I appreciate your work on it and the staff's work on it and everyone else. I know it has been really troublesome. Way to hang in there. Thank you very much."

Chairman Winters said, "Commissioners, you've heard the report from Irene and Mayor Norton, what's the will of the Board?"

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you, Irene. Thank you, Mayor Norton. Next item."

I. RESOLUTIONS RELATED TO PURPLE HEART RECIPIENTS.

1. RESOLUTION DESIGNATING SEDGWICK COUNTY BRIDGE NO. 639-30-690 AS THE "PURPLE HEART BRIDGE."

Mr. David C. Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item I-1 is a Resolution designating the bridge on 83rd Street South, over the Arkansas River, as 'Purple Heart Bridge', a memorial to all Purple Heart recipients representing each branch of the military. The bridge will be temporarily closed on July 8, 2000, for the designation ceremony. I recommend that you adopt the Resolution."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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Chairman Winters said, "Next item."

2. RESOLUTION DESIGNATING A MEMORIAL TO RECIPIENTS OF THE PURPLE HEART.

Mr. Spears said, "Item I-2 is a Resolution designating a memorial to recipients of the Purple Heart. There will be a designation of the sidewalk along the west side of Meridian between 77th and 53rd Streets North, to be named in honor of all veterans wounded in the line of duty. Valley Center also supports this proposition. With us today we have Charlie Wasylk, Commander of Wichita Chapter 558 of the Military Order of Purple Heart Veterans. I would recommend that you adopt the Resolution."

MOTION

Commissioner McGinn moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Mr. Wasylk, would you please come forward. If you'd like to make a comment, we'd be glad to hear from you for a moment."

Mr. Charlie Wasylk, 3372 Riverdale, Wichita, Ks. said, "I'd be proud to make a comment to you folks. This isn't the first time I've been here. I've been here before when you did Kechi and Park City, 61st Street, you named it for all veterans. You are one bunch of terrific folks. If there are any veterans out there who can hear me, move to Sedgwick County because they believe in you. They actually believe in you. I saw combat wounded veterans and just veterans alone, we had to fight for everything we got. We fought and fought and fought. But when I came up here and I had one of my fellow comrades come up

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here, we asked about the bridge and asked about the sidewalk and asked about the roads and stuff, we had no fight. There is absolutely no fighting. You call me. You work on it and work on it hard and diligently and you say yes, this is great, we can do it. I am very, very proud of this County that I chose to live in. I sure hope on July 8th everyone can make it out there at ten o'clock. We're going to have fly overs. We're going to have speakers out there. I sure would appreciate everyone showing up. I really do thank you from the bottom of my heart for everything you have done for us. Thank you very much."

Chairman Winters said, "Thank you, Mr. Wasyk. On behalf of the Board of County Commissioners, we're proud to dedicate this bridge. Thanks for all your hard work. Thank you. Next item."

J. VACATION ORDER FOR PLATTED BUILDING SETBACKS FROM VACATED STREET RIGHTS-OF-WAY, GENERALLY LOCATED IN AREAS WEST OF ROCK ROAD AND NORTH OF EVERGREEN STREET IN THE CITY OF DERBY, KANSAS.

POWERPOINT PRESENTATION

Mr. Kim DeLong, 7700 Evergreen, Derby, Kansas, said, "I'm the one that is requesting the vacation of the building setback on these adjacent streets. The actual streets were vacated I think back in 1981, but for some reason the building setbacks didn't get vacated at that time. Actually, I'm setting there with 30 feet of property that I can't utilize because of the building setbacks."

Commissioner Hancock said, "Orientate me just a little bit. What part of Derby is this in? I don't recognize it."

Mr. DeLong said, "It is south of the Madison and Rock Road area. It is about a mile and a half south of that. It is not actually in the City of Derby. It is within Derby's jurisdiction so I presented it to the Derby City Council and the Planning Commission and they approved vacation."

Chairman Winters said, "Commissioners, any questions? Can you go back to that bigger map Clancy?"

Commissioner Sciortino said, "Commissioner Hancock, Madison Street in Derby, that's the street where the City Hall is located. He is talking about a mile and a half south of there. I believe the intersecting street is Evergreen. Just barely outside of the city limits."

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Commissioner Hancock said, "South of 87th?"

Commissioner Sciortino said, "Just, just south of the city limits. On the west side of Rock Road."

Mr. DeLong said, "The Derby city limits, I believe, extends south to 87th Street or Chet Smith Avenue. I'm a half mile south of there."

Chairman Winters said, "I guess my question is, the Derby Planning Commission agreed to this, Derby City Council, and our public works?"

Mr. DeLong said, "Yes."

Chairman Winters said, "Dave, as far as you know, everybody has check off?"

Commissioner Sciortino said, "I've had conversations with Mr. DeLong and also with Clancy from our Legal Department."

Chairman Winters said, "Commissioner Sciortino, you're satisfied?"

Commissioner Sciortino said, "I'm very satisfied."

Chairman Winters said, "We're ready for a motion."

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye

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Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Mr. DeLong, thank you for being here. Next item." "

K. LEGAL DEPARTMENT.

1. PRESENTATION REGARDING ADULT ENTERTAINMENT REGULATION.

Chairman Winters said, "If there is anyone over in the County Board Room who has been waiting for this item, this would be the time you would need to move out from the County Board Room and move into the Commission Chambers Room."

Mr. Euson said, "Back in April of this year, residents and public officials from the County's Oaklawn area presented this Commission with a petition asking the Commission to enact new adult entertainment regulations. Since that time, we have worked extensively with Commissioner Sciortino to come up with a proposal. The proposal that you have before you is a Resolution which is 51 pages in length. Due to the length of it and due to the fact that we are amending existing regulations and that they are a little bit complicated, I thought it would be good to have a presentation regarding a little bit of the history of what we now regulate and what we're proposing to regulate. After that, a presentation by the Sheriff's Department relating to secondary effects. So for the first portion, I am going to ask Michelle Daise, Assistant County Counselor, to present that information to you."

Chairman Winters said, "Michelle, why don't you wait for just a second until we see how we are going to get everybody in here. Is that everybody? Okay."

Ms. Michelle Daise, Assistant County Counselor, greeted the Commissioners and said, "I will be making a presentation now relating to adult businesses and drinking establishments that feature topless entertainment located in the unincorporated areas of Sedgwick County. As Rich indicated, I'm going to give a brief history and then Colonel Steed will be speaking and I will be speaking some more after he does."

"To get started, just a little bit of the history on the drinking establishments. In 1990, the Commission passed a Resolution that regulated conduct in establishments that are licensed to serve alcoholic liquor and cereal malt beverages. These regulations prohibited total nudity at both types of establishments, both those

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that serve alcoholic liquor and those that serve cereal malt beverage. The regulations did, however, permit and continue to permit topless entertainment at establishments licensed to serve alcoholic liquor but not cereal malt beverages. In 1997, the Commission passed regulations addressing adult businesses. Adult businesses, for purpose of these regulations, included places with nude entertainment, escort services, book stores, video stores, adult theaters, those types of establishment. Those are the regulations that we have been working on amending at this time.

"Those regulations prohibited the sale of alcohol at any adult establishment. They did, however, permit possession and consumption of alcohol on the premises, just not the sale of it. Those regulations also required any new adult business to locate at least 1,000 feet from a church, school, park, or residential zoning district. Those regulations did also, however, grandfather any existing adult business that was in that 1,000 foot buffer zone.

"As you know, on April 12th of this year, residents of Oaklawn came and made a presentation to you and presented a petition as well, asking that some things be done to deal with the situations involving those adult businesses in their neighborhood. They told you stories, they gave you statistics, and they brought you a petition that had more than 1,400 signature on it, to address the concerns they have in those areas. The presentation and the petition complained about several things. One included crime, not only at the adult businesses, but in the areas surrounding those adult businesses. Concerns of disease and other health concerns, both within and without the businesses. Neighborhood degradation and diminished property values, they talked about people coming in and looking at rental houses and then changing their minds because they see the businesses as they are driving by and they don't want their kids to grow up in those neighborhoods. They talked about having difficulty renting some of the homes. They also talked about problems of getting commercial businesses to come in as well. So, we're not just talking about diminished residential property values, we're also talking about diminished commercial property values as well, according to the residents of Oaklawn. The residents also spoke about quality of life issues, just in general, and gave you some stories about things that they have seen there. They also focused on the impact upon children.

"At that April 12th meeting, the Commissioners asked the County Counselor's Office, our office, to

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research some options and to figure out what could be done to address the concerns of the residents of Sedgwick County. In order to determine just exactly what it was we were dealing with, our office met with various other County departments, including the Sheriff's Department. I have asked Colonel Steed, with the Sheriff's Department, to come and discuss a little bit about the impacts that these adult businesses have, not only on his department, but also on the community as a whole. Once Colonel Steed is finished with his presentation, I do have some other things that I need to present to you at that time."

Colonel Steed said, "I want to thank the Board of County Commissioners for asking the Sheriff's Department and asking me to speak today and asking me to provide this information. Michelle has asked me to speak specifically about the impact of the adult entertainment sites on Sheriff's Department operations.

"The Sheriff Department's initial involvement with these institutions starts with the licensing application. The Sheriff's Department conducts criminal history checks on all applicants for club, liquor, and dancing licenses. Investigators at the Sheriff's Department spend approximately 16 hours per week conducting criminal history checks for licensing purposes. The department has on file a database of approximately 850 dancers or exotic entertainment licensees.

"Uniformed patrol deputies routinely conduct club checks at adult entertainment establishments. These checks are generally conducted nightly and consist primarily of uniformed patrol beat deputies stopping to monitor the general order of the club, check licenses, and to look for potential problems or actual violations. If violations are observed, enforcement action is taken. Enforcement may consist of an arrest or the issuing of a citation. Patrol deputies are of course uniformed and are therefore limited in their effectiveness of enforcing many potential violations. Uniformed patrol deputies also patrol the parking lots of these establishments. The parking lots provide the potential for accidents, vehicle thefts, auto break-ins, and things of that nature. Parking lots, also at any establishment where alcohol is served, there is an increased potential for alcohol related incidents including vehicle accidents, intoxicated drivers, disorderly conducts, and assaults and batteries.

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"Undercover or plain clothes deputies are used to investigate and identify many of the potential violations that occur at clubs and adult entertainment locations. The amount of time spent by undercover deputies at adult entertainment locations varies greatly depending on the nature of their current investigations. Generally, the deputies are in these locations weekly. Much of their work consists of drug investigations. The nature of the drug scene at many locations with dancers makes the dancers an ideal contact to initiate drug investigations. Many cases have been made in this manner. Drug investigations often require investments of deputy's time, resources, and in many cases substantial amounts of money to complete.

"We're also aware, through these same drug investigations, that crime and violations, such as prostitution, unlawful sex and touching, violation of liquor laws and other County Resolution violations occur. Deputies observe these violations but are reluctant to compromise a drug investigation to give up their identity for lesser offenses than the drug investigation that they are working on. As a result, drug investigations tend to take precedence over vice crimes. We are aware of at least one individual that had 128 prior prostitution arrests. It is difficult to give up a drug investigation that has taken considerable time, effort, and money to make another prostitution arrest. We have, in the past, made prostitution arrests at virtually every adult entertainment establishment in Sedgwick County.

"Finally, the department has on many occasion also assisted other agencies, such as Alcohol and Beverage Control and the Internal Revenue Service with their investigations. I know that the Commissioners have been provided with some statistics. I'm going to caution the Commissioners about some of the interpretation of the statistics. It should be kept in mind that patrons at adult entertainment locations are often embarrassed to report crimes that may occur at an adult entertainment site and that reflects on the number of crimes that might be reported there. Of course, victims such as prostitutes are not going to report a crime such as them being ripped off. Of course owners and managers of these establishments are also not going to report crimes that might reflect negatively on the establishment. Crimes or violations of County Resolutions, such as touching during lap dances, obviously both parties are consenting there so neither one of those are going to report that violation of a resolution. Thank you. That's all I have."

Chairman Winters said, "Thank you, Mr. Steed, we appreciate that. Michelle."

Ms. Michelle Daise, Assistant County Counselor said, "Commissioners, Sedgwick County is not unlike

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many other communities. The things that you just heard Colonel Steed speak about and these items that are listed here that Oaklawn residents spoke about a couple of months ago. Those things have been found in communities across the nation. Those communities have passed regulations to try and address these secondary effects and courts have upheld the regulations that have been passed to deal with the types of things that you've heard about through Oaklawn and also through Colonel Steed.

"The studies of the court cases that we've reviewed have shown incidence of criminal activity, including things such as improper sexual contact, prostitution, drug use, disorderly conduct among many others. Those cases and reports have also shown health concerns and the decrease in property values that you've heard spoken about before, and a general decline in property values in those neighborhood. Commissioners, you do not need to wait for extreme circumstances to pass regulations effecting these businesses. You can rely on the experiences of these other communities in these other jurisdictions that have dealt with this already and have passed regulations. But even though you don't have to wait for those things to happen, you have before you sufficient information from the residents that this is the type of thing that they do want regulated and that the secondary effects are there to actually go ahead and make that regulation.

"At your request in April, our office, with the assistance as I indicated before, of various County departments, not only the Sheriff's Department but also the Clerk's Office and Code Enforcement. We sat down and we went through the types of things they are dealing with and also with case law and resolutions for other jurisdictions as well. You have before you the Resolution that we have drafted. It is our recommendation that you pass it, as we have drafted it, to go ahead and address these secondary effects. I'm going to go through just a very brief summary of what those recommendation are and what this Resolution would do.

"The Resolution would ban nudity at all alcohol establishments. That means any establishment license to serve cereal malt beverage or alcoholic liquor. It would also prohibit the sale, use, consumption and possession of alcoholic liquor and cereal malt beverages at all adult businesses. Many cases have supported regulations that, basically, deter or prohibit the mixing of alcohol and adult businesses. In fact, one case found the following and called this age old truth. The court said eroticism or sex as the national headlines establish, causes individuals to engage in irrational conduct. Alcohol lessens inhibitions and clouds judgment, also causing people to engage in irrational conduct. And the ultimate age old truth, sex and alcohol in combination causes people to engage in incredibly irrational and dangerous conduct.

"Taking those truths into consideration, the court that the board reasonable determined that nudity and

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alcohol were a combustible mixture. While certainly there is some humor in that case, that court did uphold and many courts have upheld regulations that do separate out the alcohol and the nudity.

"The recommended Resolution will also strengthen our current regulations to address the concerns that were addressed by residents in Sedgwick County. It will also prohibit any new adult business from locating within 1,000 feet of a church, school, residence, park, alcohol establishment, which is basically a placed license to serve cereal malt beverages or alcoholic liquor, or other adult businesses. Some of this has already been in place. The main difference here is that we are putting a barrier, a distance, between two adult businesses. We're putting a distance between an adult business and a place serving liquor. That has been upheld by the courts.

"Finally, the Resolution we have before you today would require existing adult businesses, those who have been grandfathered in, within 1,000 feet of a church, school, park, the same things I mentioned before, it would require them to cease operation at said location on or before June 30th, 2004. That completes my presentation. I am willing to answer any questions you may have now or if you would like to ask any questions following the public hearing, I'd be happy to do that as well."

Chairman Winters said, "Thank you. Commissioners, are there any questions or comments for clarification at this time? It is our intention to take public comment today and listen to citizens as they would like to share their view with the Commissioners. Before we get started though, a couple of things. I would ask maybe we would start off by asking those who are in support or believe the Commission should pass this Resolution, we're going to ask them to speak first and then anyone who is opposed, we'll give them an opportunity to speak. Those would like to address the Commission in support of this, could I see a show of hands of people who plan on speaking to the Commission this morning in support of this Resolution. Thank you. Could I see a hand show of those who plan on speaking in opposition to this. All right, thank you. What I would suggest is that we do this in a very orderly manner and everyone please stay calm and rational. We're going to listen to those who would like to speak. I'm going to begin, I see Representative Don Myers in the audience. Don, I'd like to give you an opportunity as an elected official, a State Representative, if you would like to address the Commission, I'd invite you to come and do that now. Don is a State Representative representing this district. Don, welcome to the County Commission. Before we get started, I didn't mention that we're going to try to limit comments to five minutes and the Clerk will set the timer. Representative, we'll certainly give you some leeway but we're going to try to hold everything to five minutes."

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Mr. Don Myers, State Representative, greeted the Commissioners and said, "A half hour would probably be just about sufficient, Mr. Chairman. I am Don Myers. I am a state legislator. I am a State Representative for District 82, which includes the area that we're talking about here in Oaklawn. I do have Derby and everything to the city limits of Wichita in my district. I want to thank you, Commissioners, for acting what I think is very expeditiously and appropriately to the complaints that the people of the Oaklawn area, the residents and the parents have brought before you back in April. I especially want to thank Commissioner Sciortino for his effort and he certainly has represented his district well. Thank you, Commissioner, for that. By the way, he has kept me apprised of what the Resolution states. I appreciate that. I met Counselor Rich Euson just last week and I appreciate his effort and the effort of the County Counselors in this area. Don't want to forget Andree Sisco and her efforts in representing the parents and the residents of the Oaklawn area.

"It probably would take half an hour for me to express my disgust at the type of entertainment, so called entertainment, that is in that area. I think it is very disrespectful to women and to children and it certainly does not represent the moral standards of our community. It can be, as has been shown, very counter-productive in communities in trying to maintain a standard. These establishments that are in question are very close to Derby District 260 school system and I know that the superintendent, had he been able to be here . . . I have not seen him. He is in the process of moving to Broken Arrow and he was here, previously, discussing this matter. I would like to thank you, on behalf of the school system, for taking action in this matter.

"I briefly read the ordinance. I say briefly, I did see it last week. I think probably it was in its final form. I think the ordinance is workable, enforceable, and may very well be a piece of model legislation that other communities in the State of Kansas would like to take. Even model legislation that maybe we might want to consider at the State level. However, I do feel very strongly about local government and their ability to handle affairs like this. I think that these affairs should be handled on the basis of community standards. I would certainly hope that our community standards are high enough to be able to go ahead and pass this Resolution.

"I do urge that you pass this Resolution as favorable and let's get on with cleaning up the County and the Oaklawn area from this type of establishment and get them out of the sight of our families and our children and especially our school districts. Thank you once again. I do appreciate if you would act upon this. Thank you."

Chairman Winters said, "Thank you, Representative Myers. Is there someone else who would like to speak in support of this Resolution? Someone else in support of this Resolution?"

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POWERPOINT PRESENTATION

Mr. James Mastin said, "I live in the Oaklawn area, 4438 Hemlock. I am in support of this Resolution. I would like to reiterate the area that we're focusing on, as far as people caring about kids in the Oaklawn area. We try to save our children. On April 12, 2000, we came before you to express our concerns about our children being exposed to this type of environment, which is not wholesome. Our main concern is for the three establishments that are in the area of 47th and Clifton, which is Exotic, Silhouette Club, Teddy Bares, and Xcitement Video. They are there within less than about 500 feet of each other. So we would like to support this Resolution.

"I do have some visual pictures here that show school buses going by. This picture here shows Teddy Bare's, which is on Clifton. There is the school bus leaving the schools, which would be over towards the right, right in this area. This picture here shows 47th and Clifton. This is the Silhouette Club. Over on this side we have Xcitement Video. Here we have a different view. The Silhouette Club is right here. Teddy Bare's is over on this side and Xcitement Video is over here. So they are in very close in proximity. This sexual orientated establishments really are not wholesome towards the children's welfare. We do have concerned parents that would not allow their kids by themselves to go to the Quik Shop to buy pop because they are concerned for their welfare. They might not come back. This is our church, which is in the vicinity also. This is one of two churches. Now here is an interesting picture. This is a very nice church, isn't it? It is over by 52nd and Broadway. Isn't it nice to be able to go to church and pray as a group, as you can still do, and actually try to share the good things with your children in a wholesome environment. Then, as you walk out of the church, here's the church, here to the left we see a big sign, it says adult store. On the side it says 'toys'. So, now when your child asks can we go in and buy toys, what are you going to say? I would go ahead and say that this Resolution should go ahead and be passed, so it can help us out in the community. Any questions?"

Chairman Winters said, "Commissioner Gwin."

Commissioner Gwin said, "Just a real quick question. There was a suggestion in today's paper that we might want to compromise on this issue. They suggested that surely some sort of compromise would further the neighborhood self-esteem, without forcing out the businesses: different signage, fencing or landscaping. Would differ signage, fencing or landscaping change your mind?"

Mr. Mastin said, "Actually, what attracts the establishments is what we are concerned about also. The alcohol beverages, we had a fatality last year that should not have occurred. No, I don't think it would

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be an option, on my part. I do represent People Caring About Kids."

Commissioner Gwin said, "Just thought I'd ask the question. Thank you."

Chairman Winters said, "Thank you very much. Is there someone else who would like to speak in support of this Resolution? Please come forward."

Ms. Beatrice Foss, 4949 Cedardale Avenue, said, "I have lived in the Oaklawn area, I moved into the south side of Oaklawn when the first new houses were built there. I have been a resident ever since. I belong to the Oakview Christian Church, which is in the area. Work with P.T.A. and am now affiliated mostly with seniors and our seniors are important in our life at this point. My concern is for our seniors that do drive to and from our establishments have to face these people who have already been to the establishments and drank their drinks. I feel that this Resolution will help us, as a community, not only children as well as seniors. Thank you."

Chairman Winters said, "Thank you very much, Ma'am. Someone else who would like to address the Board in favor of this Resolution. Please come forward."

Ms. Shirley Crosby, 4977 Tierra, said, "I spoke to you, previously, and told you of the story when my son was walking to the Quick Trip or the Kwik Shop there on the corner, which is not far from my house. He was 14 at the time and discovered the syringes and needles in between the two businesses that are on that corner. That is scary, in itself. He has friends who have been taken down because of looking into these establishments. I'd just like to tell you that no matter who we are, what we do effects many, many more people that we can possibly imagine. While these businesses do not feel like they are affecting our children, they are. I would just like you to know that I am very much in favor of this being passed. Our children are what is important. We need to get this kind of activity away from them. It does attract a certain type of people who are more reckless in nature. While, probably, those people who are running these businesses are not apt to go out and harm our children, some of the people that they do attract are more likely to harm our children than the average. So please, if you would, pass this."

Chairman Winters said, "Thank you very much, Ms. Crosby. Next speaker."

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Ms. Barbara Stapleton, 4940 Hemlock Place, Wichita, Ks. greeted the Commissioners and said, "I am a mother, a grandmother, a child care provider. I run a licensed day care out of my home. I take my children on field trips and today is one of them. When we go on a field trip and we come back and you have a child recognize the landmarks by the girly bars and they want to know why they have no windows, how do you explain this to a three year old. How do you make her understand that this is what the world is coming to. This is our next generation. I do not, as a mother or a grandmother, want my children to grow up and this is what they deal with. Not that close to their home and to their school. You can't walk them up to the Kwik Shop to get a pop because then they ask questions. What's that and why don't they have windows? I want to be able to explain to them what is there. As one of your earlier speakers spoke, a child's learning years is between birth and three or four years old. Is this what we want them to learn during that early time? Thank you."

Chairman Winters said, "Thank you, Ms. Stapleton. Next speaker. Is there someone else who would like to speak in favor of this Resolution?"

Mr. Michael O'Donnell, 4218 Eagle Lake Court, Wichita, greeted the Commissioners and said, "I'm also pastor of Grace Baptist Church in Wichita and have been involved with the American Family Association in the past, spoke before this body on this issue a number of years ago when the Sheriff had found some of these similar concerns at the time. I don't want to take much time today, but I do want to encourage you that I believe the climate for making ordinances such as this has improved dramatically, even in the last 90 days. The Supreme Court has ruled, just on March 29, in the City of Erie versus Candyland that the City of Erie's ban on public nudity is able to be upheld because of the secondary effects that nude dancing establishments bring. From the case summary I read, 'the ordinance banning public nudity is a content neutral regulation that is not designed to suppress the freedom of expression in nude dancing. The ordinance was not aimed at any erotic messages delivered by totally nude dancers, but the harmful secondary effects allegedly associated with such businesses. If states are to be able to regulate secondary effects, then the minimum intrusions of expressions, such as those at issue here, cannot be sufficient to render the ordinance content based.' In other words, effecting the first amendment. That was what the plurality wrote as a quote. Justice O'Connor, who wrote the summary said this, 'Even if Erie's public nudity has some minimal effect on the erotic message, by muting that portion of the expression that occurred when the last stitch of clothing is dropped, then the dancers at Candyland and other such establishments are free to perform wearing pasties and G-strings', Justice O'Connor said. So she was

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suggesting that first amendment speech doesn't become more greatly enhanced by saying it with nothing on, was basically how she responded.

"A couple of other thoughts from a couple of the other opinions that were wrote as well. She said, Justice O'Connor again, writing the Court's main opinion, 'nude dancing is expressive conduct but that it fails only with the outer ambient of first amendment protection.' She went on to say as well, 'that the nude dancing ban furthers Erie's interest in combating the negative secondary effects associated with adult entertainment establishments, such as crime. It was not aimed at the erotic message and nude dancing.' In that way she said the nude dancing ban is no different than the ban on burning draft registration cards previously upheld by the Supreme Court, in which the government sought to prevent the means of expression, and not the expression of anti-war sentiment itself. She went on to say that it might have some minimal effect but she said on its face it is a content neutral restriction that regulates conduct, not first amendment expression. I know that you as a body reflect on this issue, it does bring up inherently first amendment thoughts and concerns but the Supreme Court has already ruled in your favor concerning the approval of this ordinance, that they are minimal, if at all, and not only are they minimal but, certainly, the secondary effects are greater than the minimal impact. We want to encourage you in that issue.

"Also, concerning a total ban of nude dancing and this, again, the Supreme Court upheld that on March 29 of this year. Also, just recently there was another ruling concerning what you are looking at specifically, nude dancing banned where alcohol is served from the Mobile, Alabama's 11th Circuit Court of Appeals, ruled in May. They said the Mobile ordinance does not seek to ban whatever message is conveyed by nude dancing. It does not even seek to ban nude dancing. In prohibiting nude dancing where liquor is sold, the ordinance restricts only the place or manner of nude dancing without regulating any particular message it might convey. The suite was brought by Sandy's in Mobile and the Candy Store, two businesses who sold alcoholic beverages and presented nude dancing. The city had claimed that the ordinance was designed in the interest of public health, safety, and welfare and it merely wanted to eliminate the alleged negative effects of mixing alcohol and nude dancing. The court accepted the trial court's determination that studies from other cities, as well as wisdom, common sense, provided sufficient proof of these effects. Of course, the Sheriff's Department has already did studies for you, to show that there are negative effects there, and you do have a preponderance of some evidence to regulate these businesses.

"My only concern would be that there would be a four year window before these establishments are closed. I certainly don't think it can be done over night but I think, if anything, this ordinance is very broad in allowing the ban to take place. If there would be any amendment that we would suggest, it would be

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maybe reduce that a year or so. We haven't talked to County Legal about that, but we would certainly encourage you to look into that as well.

"Real quickly in closing, again, I do appreciate you looking into this issue. I appreciate us having the opportunity to speak on moral issues like this to the County. Thank you very much."

Chairman Winters said, "Mr. O'Donnell, thank you very much. Next speaker. Is there someone else who would like to speak? Both of you can come up there."

Ms. Andree Sisco, 5015 Jade, Wichita, Ks., said, "I'm coordinator of People Caring About Kids. I want to personally thank the County Commissioners and Ben and the legal staff here at Sedgwick County. I feel that they have far exceeded our expectations, in the Resolution that they have put before you. Many of us came to speak in April. Some of those faces are in this audience again today. We are in favor of you passing that. We wish to change and better our community and you asked the question of Mr. Mastin about the part out front. I was asked that question and Derby did that a few years back with the establishment that is there. You still have the lights. But unfortunately, what you truly have are the secondary effects and the effects on my children and the overall deal that is still there. You can cover it up, you can put a band-aid on it and that would be my response to putting a fence around it and doing stuff like that. I would be putting a band-aid on a broken leg. I'd really like my legs fixed and to be able to walk straight and upright. Thank you."

Chairman Winters said, "Thank you, Ms. Sisco."

Commissioner Gwin said, "I appreciate you getting back to that question. It wasn't my idea. It was a suggestion from the editorial board at the Eagle. They say that you all should be satisfied, as neighbors, if you make the businesses change the signage or plant trees or put up fences. I'm just trying to find out if what they think is what the residents think."

Ms. Sisco said, "I have not read today's paper. I'm, generally, a person who reads the paper in the evening unless somebody actually calls me up and says to read it. The only reason, like I said, is we would still have the overall effects there and that is the true reason why we are here. We want to grow and continue to instill good morals in our children. I'm a mother. I'm a grandmother. I'm a single mother. I've been a single mother for many years. There are lots of ways out there for people to make a living and to continue to raise their children properly. I do wish that this County Commission would find in favor of this particular Resolution. I wish to make one other comment and that is that I want to personally thank everybody who helped me get the petition signed, getting them back to me, and the people who actually

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signed the petition. Mr. Myers coming out, Mr. Helms, Rick and a few of the others who have helped us in backing this particular thing. I, personally, want to thank all of you for, hopefully, voting yes. Thank you."

Chairman Winters said, "Thank you. Next speaker. We've had about eight speakers now and I might remind anybody that if you want to just say 'I agree with previous speakers'. If you have new points, we certainly want to hear them. Proceed."

Ms. Marg Paiva said, "I live at 4922 Hemlock and have for probably 32 years. I have grandchildren and great grandchildren. I, too, am concerned about the four year window they're talking about here. About five years ago, my granddaughter was brutally raped in my living room when she was baby sitting there. I know it was from what they talked about, is what is attracted to our area by the nudity. We had a dance club and an after hour after work 'happy hour' place with no nudity and nothing like that happened up until it was changed.

"I have grandchildren coming up, an 11 year old girl and a 12 year old grandson. I'm afraid for them walking to school. They don't like it when I don't want them to get out of sight down the street because my house is right across the street from the Bomber Burger, which is not real far from Teddy Bares and just about a block from the Silhouette. I think the four year window, they're going to be 15 to 16 by then, these little ones that I've got. I'd just like you to consider that."

Chairman Winters said, "Thank you very much, Ma'am. Next speaker. Is there anyone else who would like to speak in favor of this Resolution that the Commission is considering? Anyone else?"

Ms. Angee Sisco, 5015 Jade Avenue, said, "I was born and raised in Oaklawn. I am 19 years old now. I attend Wichita State University full time. I'm coming at this two points of view. I was born and raised and they've been there every since I was there and I'm now a mother. I have a one year old daughter at home. Back to the newspaper this morning, the questions we asked our parents when we were little kids is what Barbara said, why do they have no windows? Now if we were to put fences up, the question my daughter would come to me with is why are they fenced in. The question wasn't answered by my parents because they had an answer but didn't want to come to us with it. When you don't provide a child with an answer, they make one up. So we found our own answers for why the clubs had no windows or why the guy in front of us was swerving when we were on our way to the Kwik Shop. We found our own answers for that.

"When my child comes to me with these questions, I feel that I'm a strong parent and I'm going to provide

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a strong background for her, but when I get the chance, there are moral values that I want to provide. I respect my community. I want it to grow and flourish, but if these changes are not made, my child will not be raised in that community because I do not want to have to answer these questions. I don't feel I should have to. I feel that my child should not have to come with me with these kinds of questions. These establishments should be moved out of the community, away from our children who are trying to grow. She is just a baby now. These questions are going to come soon. These questions will be here within the next few years."

Chairman Winters said, "Thank you, Ms. Sisco. Is there anyone else who would like to speak to the Commission in support of this Resolution? Is there anyone else who would like to speak to the Commission in support of this Resolution? Seeing no one, I'll ask if there is anyone here who would like to speak in opposition to this Resolution? Yes sir, come forward."

Mr. Charles O'Hara, 1502 N. Broadway, said, "I'm an attorney here in town and I first want to say one thing that is very important, I represent a number of the clubs, but one club specifically, which is now Pleasures and used to be Glamour Girls, made a settlement on May 2, 1990 with this Council. The settlement was to settle a law suit that we had filed and I was involved in filing. It applied specifically to five clubs. Those five clubs, Glamour Girls is still in existence. If you read the ordinance, the settlement which all of you have seen, it applies to the representatives, the devisees, the successors and assigns and it passed a specific ordinance which allowed these five clubs to dance topless with bottoms on. It was done as a compromise. It was negotiated with Mike Pepoon, who still works in the Legal Department here. Mr. Hancock was involved in signing the ordinance. I believe both of them to be people of their words. That was a settlement that was done. If this Council acts in good faith, that settlement was done so that we would not have to come back to court and have these fights about whether we have nude dancing or not.

"For the people from Oaklawn, none of those clubs were involved in this settlement. But the five that I represent were involved in a settlement that this Council negotiated in good faith to end this. My clients gave up certain things. Mr. Massey, that I represent right now that owns Pleasures has, based upon this settlement, spent significant sums of money for a place that serves alcohol and has nude dancing. It is not one of the ones in Oaklawn. What you do in Oaklawn, I guess, is up to you but I think that this, and if this Council does not agree, we intend to go to court again. But I would think this Council, and I know the people that are involved with, and I speak specifically of Mr. Hancock. I know him and he will go by his word that this was a settlement. I know Mr. Pepoon will go by his word that this was a settlement. These

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five clubs settled this matter back in 1990. If this Council is going to change their word and good faith word because of political pressure from people on a settlement they made, then their word is not going to be good at any time.

"I've talked to some of the legal department and if you want to take their point of view, I guess it is if you guys make a contract or an agreement with somebody, which is what this is, and you change council members or the next day changes, I guess they think you can just change that agreement. That is not how I do things in Kansas. If I give my word, I stand by it. I would think this legal department and the people who voted for this and the Council should do this. This settlement, which I got off microfilm yesterday, is signed by Mark Schroeder, who was the Chairman of the County Commission at that time. If you guys are not going to follow your words, then I guess when you build a jail you can contract with one contractor and then the next day switch and go to another contractor. Or when someone else is voted in, you can change your mind when you build a jail and just decide you'll have another contractor because you don't like the guy you have. That's not how work is done in Kansas.

"So, specifically, in relation to the five clubs that I represent, those were specifically agreed to. I think you are prohibited from changing in relation to those clubs. That is, basically, my position that I'm here for. I will add one more thing. I understand how these people feel about their moral values but in the United States I believe we have to let all kinds of people live. Just because I represent these clubs doesn't mean that I frequent them or go, but we have to give and take with different people that are there. Teddy Bare's, which I do not represent, I personally know has been open on one name or the other at the same location for all the time I've been a lawyer, which is over 24 years now. So, some of these people who are saying their children are walking by a place where they moved in and saw. I understand that they want to change the neighborhood but when they decide to live in that neighborhood, they knew what they were moving next to. Some of those buildings were even there. I think Teddy Bare's, that building may have actually been there before the school was there. When we go back and hear these complaints, I understand they mean a lot to these people, but in a free society we have to have give and take and if you chose to move into a neighborhood I might not want to live next to a Kwik Trip, where they have bright

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lights. Or I might not want to live next to Wichita State, where they have a lot of people driving in. But if I chose to live next to those, then I chose to live in that neighborhood. That is just a comment of mine, generally. I think that, in our society, we really need to look and think about all the people we effect.

"My clients are not popular people. Everybody wants to change their agreements with them. They want to bash them. It is a politically popular thing to come in and say I'm against nude dancing and we ought to change the morals. But these people in this free United States are guaranteed the same rights as everyone else is. I think they're rights should be protected, too, but specifically if you make an agreement, and that's the way I've always understood it, if you make an agreement you need to stand by it. I ask that you stand by it. Thank you."

Chairman Winters said, "Thank you, Mr. O'Hara. Is there anyone else who would like to speak in opposition to this ordinance? Yes sir, please come forward."

Mr. Mark Galvan, 1100 S. Baltimore, Derby, said, "I am presently residing in Derby. Approximately last September I was asked to be the doorman and bouncer at the Silhouette Club. When I came into that place there was a lot of bad element in there. Since that time, we've weeded out the bad apples and we have a very good clientele. We have lawyers, doctors, dentists. I frequent the parking lot every hour to make sure that the cars of our patrons are safe. I see many things when I frequent the parking lot. I see kids out 10, 11, 12 o'clock going to Kwik Trip under the age of 15. I frequently pick up the parking lot, as I'm watching the cars, to keep the place clean. Recently, Saturday night, casing the parking lot, I looked in a car and saw an EMT (Emergency Medical Technician) jacket. There are many people in Sedgwick County of all walks of life who come into those clubs to have a good time. That is what I intend to see is done is that the people come in, they have a good time and they go home. The bad elements, of course you're going to have a bad element every now and then. That is when, I'm not one for violence. I'm not one of those bouncers who will grab a guy by the hair and drag him out the door. I'll ask him to leave. If he chooses not to leave, that's when my friends at the Sedgwick County Sheriff's Department come in and I call 911 and they escort them out. That's the way I handle things.

"I personally believe, in the last 10 months, the Silhouette Club has really been cleaned up. You talk about exposing these kids. They don't want to expose these kids. Personally, I'm appalled at anybody who would bring kids to this meeting and address adult entertainment. Had they not brought them, they would not have been exposed.

"These are places of business. They brought up the comment of it has no windows. What do you tell them when you pass a Jehovah's Witness Church? It is a place of business that has no windows. You can't

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single us out because we have no windows. That is irrelevant. These girls, right now at this time in our lives, this is a place where they chose to work. That is where they chose to work and that's where they chose to get their money to raise their kids. Take this away and what do you have, them going back on welfare. It is a place of business. If it is ran right and sufficiently and cleanly, I don't see anything wrong with it. As far as when their kids . . . one of the persons said when their children walk to school and I believe the ages were four and eight, I don't recall. My child is 13 years old. She won't go to school by herself, walking. I care too much for her. I'll drive her myself. If you've got an eight year old, a ten year old walking to school, that is just my personal opinion, that if you care enough about your child you're not going to let them walk alone to school at four years old.

"Recently, it hasn't hit me too personally, but hearing these comments just irritates me because I've taken pride in what I've done to clean up that club and to weed out the bad apples. You're always going to have a bad apple come in. I have a very good repertoire with the Sedgwick County Sheriffs. They always come in and stop in the parking lot, chat with me, if you need us, call us. That brings up another point that when a patron chooses not to leave and I chose to call 911 to have them escorted out, that call goes under a disturbance. By no means is that a disturbance, but that is what they classify it as. So, on your statistics of disturbances, it doesn't fly. Also, they say how they see so many cops in the parking lot all the time. I'll bet probably four to five times a week people who are driving down 47th Street, for whatever reason, get pulled over and chose to park in our parking lot. It has nothing to do with us. It hurts our business. We hope that the officers take care of it and leave promptly but whatever it takes, they have to do their job, I understand, but it doesn't reflect on our club just because the police officers are in our parking lot."

Chairman Winters said, "Mr. Galvan, that is five minutes. Do you have much else?"

Mr. Galvan said, "Yes, I do."

Chairman Winters said, "Can you bring it to a conclusion then?"

Mr. Galvan said, "I think I've said my piece, thank you very much."

Chairman Winters said, "Thank you, sir. Next speaker who would like to speak in opposition before the Commission. Yes, sir. Please step forward."

Mr. Steve Otto, 4865 N. Maize Road, Maize, said, "I'm a home owner and one of these places is located somewhat down the street from me. I don't have any problems with that. I think out of a town

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of 350,000 to 400,000 people, 1,400 people is not a very big percentage. Most of the comments I hear area largely based on religion. If you look at the statistics that they're talking about, you can find those at most of the drinking clubs in this town but what you have is a town where you have a lot of people moving in. You have different religions, different viewpoints, different moral beliefs and cultural beliefs. You got 1,400 people who are offended by certain entertainment, so they want to tell the rest of us how we can live and what we can see. I think that is just inappropriate for a community this big."

Chairman Winters said, "Thank you, Mr. Otto. Next speaker. Anyone else who would like to speak in opposition to this Resolution?"

Mr. Art Lohrengel, 20300 West 87th South, Viola, said, "I was reading the paper yesterday and read this and that's the main reason I'm here. I have no vested interest in these clubs, one way or the other. What I look at is just the idea of what I hear here, what the Constitution is supposed to protect. As Charlie O'Hara already reiterated it is contract law, as well as what the Constitution says as far as licensing, building permits and all this. Well, we're protected for all that stuff for you guys changing your mind. Now, we're also protected under the grandfather clause or these clubs are protected under the grandfather clause as are all businesses. We had a recommendation here that the grandfather clause only be enacted until the year 2004. Now, I don't have a Black's Law Dictionary in front of me right now, but I thought the definition of that was that it was a grandfather's clause to go on continuous.

"Right now you are targeting dancer's clubs. We also had another comment here about 'okay lets go for the toy shops', the adult toy shops. After we start eliminating them now we go for the toy shops and what is after that? The whole idea of protection from the government, which is called our Constitution, is to make sure we limit what you guys can do if you change your mind, shut down companies at any whim. That's about the only reason I'm here is because I want to see what is going on here and how good the government is with contract law and what a grandfather clause is worth and go from that. I am very sympathetic to the people who have the day care centers next to them, but in most cases, like Charlie said, these clubs were here ahead of time. People moved in. They knew the locations they were going in to. I'm in total opposition of shutting down these clubs or limiting them and saying the Council should stick behind the agreement they've already made in 1990. Otherwise, their word is no good."

Chairman Winters said, "Mr. Lohrengel, thank you very much. Next speaker. Anyone else who would like to speak in opposition? Yes sir, please come forward."

Mr. Norman Massey, 1045 S. Dalton, said, "I'm the owner of Pleasures, at 4849 S. West Street. At

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the present time, I'm in the adult entertainment business."

Chairman Winters said, "Sir, could you raise that microphone a little bit, we're having trouble hearing you. Thank you."

Mr. Massey said, "At the present time I'm in our adult entertainment business. I employ approximately 140 employees. I have college students, I have housewives, I have people going to trade school, they work for me. These peoples that work for me they are some of you alls relatives, friends, neighbors. But at the present time that is what we chose to do for our livelihood. By the way, I have five kids. I'm a grandpa. I'm a great grandpa. I have a son going to WSU. I have a daughter going to Georgia Tech. At the present time she is in Oxford University in England. I have a granddaughter that wanted to go to Maryland to join the Olympics last year. So even though, I say this to say that even though I'm in the adult entertainment business I'm still human just like everybody else. And the peoples that work in this business, we have dreams just like anybody else.

"As a business person, I've made a significant investment in the location I am in, under the current laws that you have in place. Now, all of a sudden you want to change the law and totally destroy my business. Well, as a business person I don't think that is fair. If there was any other business, maybe we would look at it differently. And I've heard a lot of speakers say a lot of different stuff about the adult entertainment business. Within the year of 1999, I had approximately 110,000 customers come through the door. Thirty thousand of those was out of town. Now, I'm sure that out of those 110,000 people they was neighbors, friends, relatives of this community. So, to say that because they come where we are they turn out to be violent criminals. Then, when they go back home, next door to you, they are fine. I disagree with that. I think the type of business that we are in, the market place will determine whether we survive or not. If people want to come where we are, fine, if they don't want to come where we are then they won't come.

"Now, in order for me to be eligible to get an adult license, for the last ten years I have to have a clean record. That is what the County requires. In order for the people that work for me, in order for them to get a job, they have to go to the County and get a license. They have to have no prostitution charges, no

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drug charges, no D.W.I.s for the last five years. Pretty stringent rules that you have to go by to work in this business. It is not like when we go in a neighborhood the peoples that we take as employees is criminals. I'm saying to be qualified as a day care provider you don't have to meet those requirements."

Chairman Winters said, "Mr. Massey that is five minutes, can you bring it to a conclusion."

Mr. Massey said, "Yeah, I can wrap it up. I'm just saying under the proposed ordinance that you are proposing at this present time, me as a business person, if I would move to a location, no school, no church, no residence, and I invest my money, I own my own business, a year later somebody come and decide to build a house next to me. What do I do? But that is the ordinance that you are proposing. So I would like to say thank you for your time and when you make your decisions just think we are just peoples trying to make a living, got dreams just like everybody else. Thank you."

Chairman Winters said, "Mr. Massey, there is a question. Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. Mr. Massey, can you describe to me, if this Resolution went into effect, how would it directly affect your business?"

Mr. Massey said, "How would it affect my business? Because my understanding of the Resolution is that if it went into affect because on one side of my business I do topless dancing and one side of it I do nude dancing. So if this Resolution goes into affect, I can only have one or the other one at the location."

Commissioner Hancock said, "I see. Thank you, Mr. Massey."

Chairman Winters said, "Thank you, Mr. Massey. Next speaker. Is there someone else who would like to speak in opposition to this ordinance before the Board of County Commissioners? Anyone else? Anyone else wish to speak? Any one else who has had second thoughts about speaking in support of the Resolution? There is one back there, come forward. If there is anyone else who wants to speak after this speaker, we're going to cut it off in a couple of seconds unless someone shows their hand that they want to speak. Yes, Ma'am."

Ms. Becky Morris, 1612 Brendonwood, Derby, said, "I've reconsidered speaking in favor because I think I've heard some comments that it would hurt their business and stuff like that. I think you guys have an opportunity here to direct what kind of business we want in Sedgwick County. We moved here from Texas. We had a choice between going to Newark, New Jersey, San Jose, California, and we chose the Wichita area, and Derby specifically, to raise our children. I think you have an opportunity to make sure

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that this is a good wholesome place to raise children. The signs that I've seen when my son goes out here, I've seen Wife Beaters \$2.00, Sex on the Beach \$2.00. Those are signs for drinks and how do you explain that to a young child that those are just drinks they aren't comments. I think it is a horrible way to raise children in this sort of environment and I would like to see you support this Resolution and vote for it."

Chairman Winters said, "Thank you very much, Ms. Morris. One last call. Representative Myers. I'm going to give Representative Myers a chance to speak because of his status as an elected official and we want to hear what he says, but we are not going to start a give and take, back and forth, debate dialogue. Representative Myers, we're pleased to have you back."

Mr. Myers said, "Thank you, Mr. Chairman. Listening to some of the dialogue back there and I do not wish to enter into any debate with anybody, but I do want to point out one thing. Frequently, we . . . well, I'll say more than frequently, almost on a daily basis at the State Legislature, we change laws. We make them more strict. We may make them weaker. Always, there is the argument that it's a law, you can't change it now. It is a contract with the people. The counter argument to that is and I think this is also in text, that one legislature cannot bind another legislature. What that means is that if we would pass something in the 1999 session, the year 2000 session we can change it. The same thing exists here with this Commission. One Commission cannot bind the hands of another Commission. I think we should not consider any compromise on this Resolution. Compromise on this Resolution, to water it down would do nothing. We'd be back here next year or the year after looking at it again. Now is the time to move forward with it. Also, in the legislature, someone is always using the argument 'we're going to sue the state if you do this'. I say let them sue. Thank you."

Chairman Winters said, "Thank you, Representative Myers. Is there anyone who hasn't spoken before who would like to speak in either opposition or for this Resolution?"

Ms. Debra O'Shields said, "I live at 4580 Brookhaven. I'm also an Oaklawn resident. I'm also a manager of the Xcitement Video on South Broadway. I feel like, hearing everyone talk about their children and their moral issues, teach your children. If you are in opposition of your children going into these establishments when they are an adult, then teach them that you don't want them to go there. But don't condemn us for doing a job. That is what everyone is trying to do is make a living and support their

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families. I have a brother and his children who live in Oaklawn. My sister, as well, lives in Oaklawn and is also a manager for Xcitement Video. We all pay our bills and deal with our responsibilities as adults. My niece and nephew are eight and five. They know that my sister and I both are managers who work in a store for adults only. That is all they need to know. I don't have to explain to them what I sell, the kind of movies I sell. The people who walk through my door are consenting adults. That is the way I feel about these establishments. People need to know that they are consenting when they walk in. So, I am opposed to what is going on. Thank you."

Chairman Winters said, "Thank you, Ma'am. Is there anyone else who would like to speak to this item before the Board of County Commissioners? This is the last chance for anyone who has not spoken? Is there anyone else who has not spoken who would like to speak? We're going to close the public comment at this time and we're going to have discussion limited to the Commissioners and their staff. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Initially, when I got involved with this, I got involved with a group People Caring About Kids. My focus was only my firm belief that in the Oaklawn area these were not good businesses in such close proximity to the schools and churches. I'd like to ask the County Attorney, why did this get expanded County wide? I was primarily concerned with keeping them too close to schools and churches."

Mr. Euson said, "Commissioner Sciortino, it is necessary, when doing regulations like this, that they be done County wide. We cannot take a regulation and carve out just one part of the unincorporated area to deal with them. So it was necessary to do that."

Commissioner Sciortino said, "Okay. We can't just focus on those businesses in the Oaklawn area, that is why you expanded it?"

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

Commissioner Sciortino said, "Okay. I guess one of the things that upsets me or bothers me is that I, early on to this, had a meeting with some of the others of clubs there in the Oaklawn area and, at that time, was trying to work out some kind of an informal agreement and I believe Mr. Massey was supportive of it and was with me on that or actually started the meeting. I think this could have all been avoided had

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those businesses there in the Oaklawn area reached an informal agreement with us that they would voluntarily move, over a period of time, and it would have negated maybe what this board might be doing and that is passing a Resolution that is County wide. That disappoints me because I was in hopes that we could reach some sort of an informal agreement.

"One other question I have of you, Mr. Euson, is it was brought up by a couple of people on the amortization schedule, why are we going such a long period of time or what is perceived a long period of time, four years."

Mr. Euson said, "It is a relatively long period of time, but we felt that, due to the case law and the precedence that we looked at, that the four year period would be more likely to survive a legal challenge."

Commissioner Sciortino said, "Okay. I may have another comment, but not at this time."

Chairman Winters said, "Commissioners, other questions or comments?"

Commissioner Gwin said, "After all the public hearing and comments, is there something else that you need to add? Something that you heard that you need to clarify for us?"

Ms. Daise said, "Just a couple of things and certainly I am available for questions if you have any. I did want to clarify one thing. The amortization period effects those businesses that are currently located as adult businesses within that 1,000 foot area. They would be required, under the proposed Resolution, to move out in four years. The other provisions, the separating out the alcohol from the nude dancing, would be effective immediately upon publication if you pass this Resolution. I want to clarify that a little bit further though, as well.

"Mr. Massey indicated at Pleasures he has one portion on one side that is topless and the one on the other side that is nude. He would be allowed to continue that, subject to our regulations, for that four year amortization period. At that time, he would then be required to move those two apart. So, we're giving that type of business the same amortization period to relocate or to cease operation. The one thing that would be required in an establishment like that immediately would be some type of a barrier between those two businesses, so that someone drinking on one side could not see the nudity on another. That also has been upheld by the case law. I did just want to clarify that. Certainly, if you have any other questions, I'd be happy to answer those."

Chairman Winters said, "I have, I guess, one question. When we started out, and I was certainly in

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support of Commissioner Sciortino and Andree Sisco and the work they've done. We were talking about mainly within 1,000 foot of a school or a church. I am still fully in support of trying to get some changes done, particular in this Oaklawn area, where we have had the frequent requests. How did this thing get into a different realm? I mean, why can't we just say within 1,000 foot of a church or school?"

Ms. Daise said, "We looked at resolutions and ordinances from across the United States. We looked at the case law to see what has been done, why it had been done and had it been upheld. In listening to the comments of the Oaklawn residents, in reading their petition and in going back through the Minutes of their presentation back in April, we identified a lot of the things that they referred to as the secondary effects. The secondary effects they were talking about were not limited to those areas next to a church or a school. They talked about their homes, they talked about the businesses, they talked about the neighborhoods. The other resolutions and case studies we read also focused on the community as a whole. We did not find evidence that said crime is worse near the church and school. It said here is what the crime is and this is how it effects the community as a whole. So it makes it very difficult for us to craft a resolution that says 'okay we're going to only effect that area and we're going to ignore the fact that the crime and health concerns and the decrease in the value of the property, we're going to ignore the fact that it is elsewhere in the County' and only address these areas. We can't do that because we, as a County, and you, as a Commission, and us, in our legal capacity, must advise you that you have to find what the secondary effects are, in order to regulate these businesses.

"The secondary effects we have found, as you heard from Colonel Steed, and that you've heard from the community members, they're County wide. They are not restricted only to those areas. So, that is where that came from. Because it is an attempt to make this legal and make it possible to withstand any kind of challenge that we would have on this matter. Like I say, it has something that has been done, across the nation, and the studies are there to support that."

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

Commissioner Hancock said, "Thank you, Mr. Chairman. Specifically, the businesses that we've been addressing here in Oaklawn, and later on I'll be more than happy to address why, specifically, we are looking at those. Can you tell me how each one will be affected? Will there be viable businesses left or will they not be there or will they change substantially if the Resolution is passed?"

Ms. Daise said, "I'll give it a shot. It is my understanding at this time that Teddy Bare's is not in business, just within the past few months. If someone would chose to go back into that location, they could certainly have a drinking establishment because I believe they are in compliance with the zoning and distance

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requirements and that. They could have a drinking establishment there, as could Silhouettes. Both of those establishments could continue as that. They would be required, however, to put the clothing that is required in the Resolution, the minimal clothing. They would be required to have that on their entertainers. There would not be any nude dancing allowed nor would there be any topless dancing allowed. But the drinking establishment could continue at both Silhouettes and Teddy Bares. Xcitement Video, which is located at the corner there would be allowed to continue until 2004. It certainly could move any time prior to that, but it would need to cease operations there by June 30, 2004. The main difference for that establishment is just going to be that people can't carry in alcohol. That is going to be the main difference for them in the next four years.

"Jezebel's, as I understand, does have several different licenses. It has one for a liquor store, a beer store, one for a drinking establishment, which would allow the topless dancing and then also the nude dancing. They, like Pleasures, would be required to have a barrier between those different establishments for the next four years. The portion of Jezebel's that is nude dancing, people would not be able to bring in alcohol. They could be, I believe it is called Black Tie, next door, and drink the alcohol but nude dancing would not be allowed there. At the end of the four year period, Jezebel's would need to make a decision on which establishment would remain there and if they wanted to open the other one up out in the County away from residential areas, school, churches, etcetera."

Commissioner Hancock said, "Thank you. Let me go back through them. Teddy Bare's and Silhouette would remain, they could remain as drinking establishments, but no nude dancing. Xcitement Video has until 2004 with no liquor. Could they remain without liquor?"

Ms. Daise said, "No, they would not be able to. They would still have to move away from that location."

Commissioner Hancock said, "Okay. Thank you."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. One question that was brought up by Mr. Massey that I think was valid, not that that was the only question brought up that was valid. Say that a business, I'll just be generic here, moves, within the four year time frame, to another location that is outside the ring of a 1,000 feet of a school or church or . . . complies with all of our regulations and then, subsequent to his moving there, somebody builds a house within that 1,000 foot area, would he be forced

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to move again?"

Ms. Daise said, "No, he is not. The way we drafted the Resolution and the way we recommend that you pass it, it would prohibit him from moving his business next to a house. But if someone made the decision to purchase land next to that establishment and build a home, he would not be required to move, under this Resolution as we presented it."

Commissioner Sciortino said, "Okay, I wanted to clarify that. I don't have any other questions of the attorney. I do have one of the Undersheriff."

Chairman Winters said, "Gary Steed, would you please come forward?"

Commissioner Sciortino said, "Undersheriff Steed, I don't know yet, from the comments of this Bench, where we're going with this but if we were to pass this Resolution and I think they are much more stringent than they have been in the past, is the Sheriff's Department prepared to enforce these new regulations?"

Colonel Steed said, "Well, absolutely. That is the Sheriff's job to enforce the resolutions that the Commissioners pass. Absolutely, yes."

Commissioner Sciortino said, "That's the only question I have. I just have one comment and then I'm done here for a minute. I am disappointed that our attempts, and as I understand it even last evening we had a phone call that indicated that there might be something that could be done, voluntarily, as far as compromising or changing this that would take care of the problem that is located just in Oaklawn. Then I heard, this morning, that the offer was withdrawn. So, I don't like the idea that this has been expanded to the entire County but if that's what it takes in order to solve the problem that I've been involved in, then I'm going to be supportive of this."

Chairman Winters said, "Thank you. It appears to me that the only two options that I see that we're looking at now is one, today's discussion has been very worthwhile. As Commissioners, this is the first time we've really had a detailed presentation, with all the charts and the matrix about what all it means and how it all fits together and it is very complicated. The issue that I thought was going to be relatively simple, we're talking about 1,000 feet of a church and a school, all at once has become very complicated. This is the first time we've really had an opportunity to discuss the issues. It is certainly the first time we've

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heard from the public. What we've heard has been valuable information. I think our choice today is one, either to move forward and pass this Resolution or to defer this item for two weeks. I would think that a legitimate reason to consider the deferment would just be for the Commissioners to have time to think about what it is this all means. It is complicated. We all have been reading the information. That is one option. The other is to move forward and pass this Resolution. I will, in a sense, kind of defer to the rest of the Commissioners of what you have ideas or thoughts on either one of those. If we need to move forward, we need to move forward. If we need to look and examine and become clear in our minds why it is that we wanted to look at an area, basically, in the Oaklawn Improvement District, how it grew to a different scenario, I think that is something we can consider. Again, I'd look to direction from any other Commissioner who would like to give us some direction. Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. Commissioner Sciortino has certainly had his hands full with this issue and it is very, very difficult. The issue of adult entertainment, generally, is a very difficult issue to address. As I look around the Commission room this morning, I see a number of folks here, I know, who for certain are supportive of this Resolution and a number of folks who make their living in adult entertainment and that's okay, too. That's what composes our community. Oaklawn has been a community that we all recognize in not an affluent neighborhood, who has had in the past these difficulties. It has struggled mightily. It is amazing the resolution that these folks have had in creating a community that is better than it has been. They work every day, as a community, to make things better.

"This is one more step in that process to try to make things better. We have, in the past worked with Oaklawn-Sunview in granting them grants, projects, to assist them in improving the community. It has been a tough deal. Even now, the community, as I understand, has even talked about incorporating as a city, so they would have a little more authority in deciding their future.

"We have a neighborhood down there of folks who need a certain kind of housing but chose, in the long run, to make it the best it can possibly be and that has been part of our assignment, here in the County Commission, to help them do the best they can. That's important. We have, on the other hand, a group of businesses who have located in a given area, unfortunately, all coalesced within a block of each other, so to speak, and not really giving to the community much of an opportunity to get beyond where it has been and that is unfortunate also. I agree with Tom Winters, right now, today, is that I'd like to see us have an opportunity to digest a little bit more of what we've heard for about a week and give the industry an opportunity to come to us. It was our understanding that they would take a look at this issue and not

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affect those other businesses County wide.

"In my time as a Commissioner I've had to deal with adult entertainment facilities on South Broadway. One in particular that I thought thumbed its nose at our resolution that we passed three years ago and I thought came under the wire illegally. Our County Counselor and the Board of County Commissioners gave to that business the benefit of the doubt. It is those kinds of things that makes our relationship to adult entertainment and the respect that we should have for one another, them as a business, us as a governing body, less than helpful. It doesn't do much to create a very good working relationship. I would like to have an opportunity to think about it for a week, to take a look at the matrix that we were given by the County Counselor's Office and what the affects of this Resolution would have on businesses throughout Sedgwick County, and give those businesses in the Oaklawn-Sunview area an opportunity to come to us and talk a little bit more.

"I haven't had the opportunity to visit with any of them. None of them have come to me, directly. It is time to let Oaklawn-Sunview up. It is time to give them the opportunity to grow, as a healthy community, to raise children and not be affected adversely by adult entertainment. We talked about children and the relationship to these businesses. I don't think there is anyone in here, even those owners who are here or those people who are employed by adult entertainment, would agree that we all want to take our children to an adult entertainment facility and educate them there. It is just not the best place to be, for kids. They'll make up their minds in times.

"So, we've addressed this in terms of children but I'm going to address it in terms of a community. They need a chance and we need to give them a chance. Those responsible owners need to help us give Oaklawn a chance. That is what this has all been about. It hasn't been with other adult entertainment facilities in our community, it's been about Oaklawn. It has been about those businesses that are located there. So, I'd like to take about a week to think about it and address it a week from now and vote it up or down and then move on."

Chairman Winters said, "Thank you, Commissioner Hancock. Commissioner Sciortino. Let me say that I agree with Commissioner Hancock. I do respect and appreciate all the work you've done on this issue, Commissioner. You have worked very hard on this project and I'm certainly am going to take some leadership advice from you on this and look to you. Commissioner Sciortino."

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Commissioner Sciortino said, "I'd like to defer until I hear if any other Commissioners have a comment."

Chairman Winters said, "Does any one else have a comment before Commissioner Sciortino has a comment?"

Commissioner Sciortino said, "Well, my reluctance to approve or vote for a deferral is because of my disappointment in the work that we did a month or a month and a half ago, where we sat down with these people and in good faith tried to get these businesses, just in the Oaklawn area, and I agree with you Mr. Chairman, that's my only focus, was trying to eliminate those businesses in such close proximity to our schools and churches in Oaklawn.

"I know Mr. Massey worked with me on that, very diligently. In fact, he was the one chiefly responsible for getting those other owners to the table. But I heard absolutely nothing. I believe there was one offer, which I presented to the group, where the businesses would be willing to participate or donate to the community to help charitable organizations or what have you. But as far as voluntarily agreeing to move or to come up with any type of a meaningful compromise, there was literally none. Then I was heartened by a phone call that I received, I think some of you did last night, but our County Counselor, that perhaps there was a change of mind and that I looking that another attorney was going to be present and present a compromise that they would voluntarily leave or what have you. I heard again, this morning, subsequent to that late evening call last night, that there was a change of mind, that they weren't going to do it. I don't know what waiting a week or two will accomplish. If that is what the majority of this Board is willing to do or wants to do. For one thing, if we did defer, why do we have to defer for two weeks? Why can't we just defer it one week. I'm asking you, I guess, Mr. Euson, why defer for two weeks, what would be the logic of that?"

Mr. Euson said, "I heard the Chairman and Commissioner Hancock talking about one week and there is nothing wrong with that, from my standpoint, if we're not required to redraft the Resolution during that time. Because there is a Tuesday holiday in there and that's when things might back up. From my standpoint, it really makes no difference."

Chairman Winters said, "Commissioner Sciortino, Commissioner McGinn now, and Gwin both have a comment."

Commissioner Sciortino said, "All right, I'll defer my time to those two."

Chairman Winters said, "Commissioner McGinn."

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Commissioner McGinn said, "Thank you, Mr. Chairman. I concur with some of the comments that Commissioner Sciortino had which had to do with, I know about three or four weeks ago he wanted to see if we could work things out so we wouldn't be discussing it here today. This is about being a good neighbor. If businesses were being good neighbors, we wouldn't be here today even talking about this. And that's what kind of upsets me a little bit. When we have marquees that have sexual suggestive stuff up there for kids to ask questions, to me that is not being a good neighbor. It is inviting this kind of thing to have to come forward to government. I guess, I'm just a little bit upset of why we are having to spend the time to discuss all of this so thoroughly. It has been good discussion, I agree. We need this discussion if we're going to make changes. I would be willing, if the majority of my colleagues want to defer this a week, to think about some of the things we've heard today, to maybe digest some of the things that we're thinking about putting in place. But it does just a little bit upset me the fact that we had a Commissioner who is trying to work it out. All of a sudden we get a phone call last night, 'yes, we want to work it out' and then this morning we hear 'no, we don't want to work it out' So, I'm a little bit confused if anybody wants to work anything out and try to be a good neighbor. If the majority of my colleagues want to defer this a week, I would be willing to do that. It would be my hope that we can work something out and if we can't, maybe we need to go forward with this Resolution."

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

Commissioner Gwin said, "Thank you, Mr. Chairman. I concur that this has been a very complex and difficult matter, involving a lot of businesses who do a lot of different things. I've never had the opportunity, or the challenge I might put it, to address the matter of adult businesses since I've been on the Bench. I have that opportunity now, based upon the information that neighbors have brought to me. I agree, if the concerns of a neighborhood could have been satisfied, a lot of other businesses wouldn't be involved. However, we're not able to do that, I don't believe, and do that on a basis where we can defend our decision.

"It was so difficult for me to understand what these businesses do, what they are currently permitted to do, what our Resolution, how it would affect those businesses, that I asked our Legal Department to prepare a matrix. I couldn't get it in my head as to what was currently going on, what could be permitted after this

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Resolution were passed and what the impact on those businesses would be. So, they did that for me. When I was presented with that information, it became a lot more clear. I don't understand these businesses. I know that they are there. I know that people frequent them. I know that folks work there. But once I got the matrix, it was very clear to me that there are some who will be affected mightily. There are others, in my opinion, that will be affected minimally. But the most important part to me is that I believe the people in this County, despite where they live, need to have some protection around their churches, around their schools, near their homes, and I'm prepared to adopt this Resolution today. Thank you."

Chairman Winters said, "Thank you. Commissioner Sciortino, I believe I cut you off in making your comments."

Commissioner Sciortino said, "I think I've said everything that I wanted to say."

Chairman Winters said, "All right."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	No
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "The Motion is passed. We're going to take a recess here. Commissioners, do you want to come back in ten minutes and just work through the rest of the hours worth of meeting?"

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We're going to take a ten minute recess."

The Board of Sedgwick County Commissioners recessed at 12:01 p.m. and returned at 12:10 p.m.

Chairman Winters said, "Let the record show that we've called back to order the Regular Meeting of June 28, 2000. Madam Clerk, would you call the next item."

2. RESOLUTION PROVIDING FOR CONDEMNATION OF CERTAIN REAL PROPERTY LOCATED BETWEEN 13TH AND 21ST STREETS NORTH AT 143RD STREET EAST.

Mr. Euson said, "Commissioners, this matter involves the 143rd Street project, which you may recall was the subject of some meetings involving a protest that was unsuccessful. Therefore, it involves a road improvement district in which construction is going to commence as soon as all the property and right-of-way has been obtained. We have one parcel that we have been unable to obtain for this project. We are, therefore, asking the Commissioners to adopt this Resolution to condemn that tract. In this matter, this involves about 1/10 of an acre. The County offered \$4,520 and we are way far apart from what the owner wants and we would ask you to adopt the Resolution."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Absent at vote
Chairman Thomas G. Winters	Aye

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

3. RESOLUTION APPOINTING A LOCAL FREEDOM OF INFORMATION OFFICER AND PROVIDING DUTIES FOR SAID OFFICER PURSUANT TO THE KANSAS OPEN RECORDS ACT.

Mr. Michael D. Pepoon, Assistant County Counselor, greeted the Commissioners and said, "The Resolution before you this afternoon is the result of Substitute House Bill 2864 which, in the last legislative session, amended several provisions of the Kansas Open Records Act. One key provision in the change was that each governmental entity must appoint a Freedom of Information Officer. This person being responsible for being kind of a liaison between the public and the governmental entity on open records disputes and also is responsible for preparing a brochure and seeing that the requirements of the act are made noticeable to the public. This particular Resolution delegates the authority of the Board to the County Manager to appoint the Freedom of Information Officer. If you have any other questions, I'd be happy to answer them."

Chairman Winters said, "Thank you, Mike. So, what this Resolution does is, it doesn't actually appoint the officer, but it gives the Manager the authority to do that?"

Mr. Pepoon said, "That's correct, Chairman. This needs to be done by July 1 and we figured it would probably be easier, at this point and in the future, for the Manager to take over this responsibility, rather than bring it back before the board each time."

Chairman Winters said, "That sounds good and we'll let the Manager respond, if he is ready by July 1, to appoint someone."

Mr. Buchanan said, "Yes, this position is a hotly contested one. We've had lots of people who wanted this but the person with the shortest straw ended up being Kathy Sexton. I think that makes sense because of the records management function. How the system will work would be we have a records management system in place, where for all the departments, so the Information Officer can be the same person and Ms. Sexton then gets to resolve any disputes that might occur. There are two ways of looking at this. One is, the official Freedom of Information request that come in writing. We've had them in writing. Those

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usually, often time, go to the department involved. The process is that they are forwarded to the Attorney. He needs to take a look at that. The County Counselor needs to review those.

“That system wouldn't change. The system that was the most concern to legislature and the newspapers when they did a sting operation was a citizen going to a County office and saying ‘would you please give me such and such a record’, either an accident report or some sort of settlement records. In those small rural counties in Kansas, often times strangers are looked upon differently than they are here. That is where they ran into most of the problems. We don't have those kinds of issues, usually, that come to the surface and I don't expect they will. This process will allow us to train County employees to deal with open records requests and resolve disputes. You shouldn't see any difference in how we operate.”

Chairman Winters said, "Thank you. The question was just, are you ready to appoint somebody?"

Mr. Buchanan said, "Yes, sir."

MOTION

Commissioner McGinn moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

L. ENTERPRISE RESOURCE PLANNING (ERP) PROJECT.

1. PRESENTATION REGARDING THE ERP PROJECT.

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Mr. Buchanan said, "Commissioners, you had a briefing regarding the Enterprise Resource Planning process. This is the item that we want you to focus on now. There are a couple of items after this. We want you to approve this program and then implementation would be immediately the next steps.

"Change occurs, and we know change occurs, and we've identified it in this organization when there is dissatisfaction present, when there is vision, and when there are first steps. The resistance to change occurs when those things are in place. We think we have all three elements in front of us, currently, that will address change and will cause any resistance to change to dissipate significantly. The change, the dissatisfaction in the current business practice, clearly we have an outdated human resources and financial computer system. The current system is 20 years old. That is ancient, in terms of the way data processing occurs these days. There is need for a better management information system. You continue to ask requests in different forms, one to do some financial analysis and human resources analysis in different ways. We often have a difficult time getting that information to you because it is not easily retrievable.

"Thirdly, there needs to be a more efficient than our business system to enhance the services to systems. If we, in fact, are more efficient, we can deliver more timely information and adjust our programs and practices to meet the current trends that we're not quite capable of doing now.

"So this change, the vision is that we invest in technology infrastructure for County services. We've done that in the past and we continue to do that. We put aside some money for this project. We need to continue to look at ways in which we build a technology infrastructure. To enhance our core business systems to increase the accountability, it is your task and ours to make sure those who are accountable are held so. This is a way in which we think we'll be able to do this in a better way. We increased the speed of doing business. The speed has increased and continues to increase. This way we can keep up with that speed and improve our management information systems reports. These are the reports that will help you manage set policy and help our managers manage also.

"So what is ERP? It is software. Simply, a software that is integrated into doing business. We hear lots about reengineering, reengineering companies, reengineering governments, reinventing governments. This is a way in which we can look at our systems and processes, rethink it, reengineer, allocate resources, put knowledge workers where they belong. Put workers who need to deal with the public where they belong. Think of ways in which we can do that so that the equipment, the technology, the programs can help us

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do that, so that information is entered once and stored only at one location. That sounds like a simple task, but in fact we have your name and my name all through the system, in various places, when it should be only in one place.

"Locally, we know that the not only the big companies, but most of the successful companies in this community have gone through the process of implementing this whole system changes. Boeing and Raytheon clearly are two of the ones who are more advanced than some of the others. So, what does this offer to Sedgwick County? What does it provide to citizens? It provides them with faster access for information. It provides the County Management with better information, so that we can manage, in fact, for decision making better than we have been able to in the past. It improves accountability. Who is involved and what does it cost to finance? Human Resources and Division of Information and Operations have the resources to proceed to implement this process.

"The steering committee consists of Chris Chronis, Doug Russell and Kathy Sexton to manage this project. The cost is \$3.2 million, over the next two years. The cost covers the project staff, the implementation, the consultant, whom we'll hire to help process this, the software licensure, the hardware and training.

"What will be different? What's the difference? What difference would this make? We know that we will become more efficient. It will improve our processes of how we pay bills, how we pay employees, how we account for our expenditures, building costs, how we keep track of the data and information to make business decisions. The business matrix that are currently available, the kinds of report that you and I would need to make business decisions, to get at our fingertips on a routine and regular basis, that take employees now, time to do would be more easily available and at our fingertips so that we can adjust to trends and activities that are going on in the community that need your policy thinking and adjustment.

"We can look at data in different ways than we have in the past. Information will be on real time. Currently, often times our budget information, our expenditures, are in some cases ten days old. In today's business world, that is pretty ancient. So, the first steps, the needs were identified last year. We began putting some funding aside, in the technology reserve, for this process. We knew that we wanted to change the system but we didn't know quite how we wanted to do it. So, we started putting some money

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in the reserve. The preliminary plan was launched and reviewed this spring, with you and with staff. So, the rest of the first steps are the project manager, H.R. and finance function, the managers in each of those areas, we'll have a project manager for each of those three areas. Two of those have been selected already. The selecting consultants assist in the RFP development. We need to select a consultant to go through that process to figure out an RFP. We would then do a needs assessment of what it is we need, how the system will work. We'll develop an RFP for the software, which will take several months. We'll select the software, create business process blueprint implement software.

Commissioner McGinn left the meeting at 12:23 p.m.

"We'll implement the software and new businesses process and we'll continue ongoing communications during the planning and implementation process. The time table is in front of you. This is a select consultant in July, initiate the needs assessment next month, issue an RFP in the fall, select a software by Christmas, begin installation after the first of the year. For Halloween, we'll begin training. We'll go live, the next New Years, and the project will be complete by Memorial Day of 2002.

"What does this change mean to citizens? It will improve the accountability of County government. It is real time information that continues our theme of quality public service. That's all there is."

Chairman Winters said, "Thank you. I'm pretty confident that the Commissioners are going to approve this project. We can probably do it without a whole lot of comment. Commissioner Gwin has got a question, I think. I guess, I'd like to say that I think the Commissioners certainly realize the magnitude of this project. This is a big deal project. It is not one that is going to come cheap. There are a lot of places that this thing could get tangled up and go awry and have problems. I guess, the challenge is going to be out there with this big a project, we have got to make sure we hire the right people, have got the right people working on it, people that understand what this system and the process is. For us to just quickly and rapidly give our approval, I just want to make those comments to make sure that everybody knows that we do realize that this is not an insignificant endeavor that you all are about to take us on. Commissioner Gwin."

Commissioner Gwin said, "That was very well said. You talked about public information and the citizens access to it. One of the things I remember, when we charge on-line users, we charge them for the cost of creating the system that gets them the information. Are our partners, or those people who are in contractual relationships with us, currently for on-line information delivered to their businesses, will they have to help pay the cost of this?"

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Mr. Buchanan said, "These two functions are . . . our on-line customers usually have to do with the appraisal system and the property management system, appraisal and tax system. The two areas that this project deals with, specifically, are Human Resources and our own internal accounting process. So, we don't think there is anybody else, outside of the system, who is going to be very interested in this and would not effect our current customers. The three big programs that we're using the mainframe functions for, the court system, the tax system, and then this internal accounting and personnel system. It is only going to affect the human resources and accounting function. It is not going to effect the tax system."

Commissioner Gwin said, "I'm like Tom. That seems like an awful lot of money because we have other areas that I think we need to be better, too."

Mr. Buchanan said, "It is an awful lot of money. This is the oldest of the systems. The H.R. function and the accounting function are some 20 years old. The human resources function may be a little bit younger than that, but that is ancient, in terms of how the system works. The tax system was rewritten, not too very long ago, when Jerry McCoy was here and he helped push that through and rewrite that. Now, that doesn't mean that we don't need to do some tweaking and adjustment of that system when a new practice is done. But it is time to take care of our internal business. When we can't keep track of employees, when we have a difficult time getting sufficient information off the system to know what fund balances might be at any given point in time, it seems to me to be a critical issue for how we do business, internally. That is why we are emphasizing this internal process, at this point."

Commissioner Gwin said, "Okay, thanks."

Chairman Winters said, "Thank you. Commissioners, you've heard the report."

MOTION

Commissioner Hancock moved to approve the ERP Project.

Chairman Winters seconded the Motion.

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Chairman Winters said, "Any discussion on the Motion?"

Commissioner Hancock said, "Just one comment. We had the opportunity to visit with staff about this particular project and it is hard to overstate the impact that this could have, possibly, on how things are done around here. Seen a lot of changes, in the last few years, and I think that this is probably one of those big steps where this is going to be a significant change for how we do our work, internally. I was awfully pleased, when I heard about the project and it is a big deal. It will be interesting to see how it affects all the employees here and how it affects how things are ran. I also hope that, more than anything, that in the long run it has a positive impact upon the citizens and how we respond to them. Anyway, best of luck. Thank you."

Chairman Winters said, "Commissioners, we have a motion and a second. Is there any other discussion? Seeing none, call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Mr. Buchanan said, "Thank you very much."

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

2. ADDITION OF ONE TEMPORARY ERP PROJECT MANAGER POSITION TO THE DIVISION OF INFORMATION AND OPERATIONS (DIO) STAFFING TABLE.

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Mr. Doug Russell, Director, Division of Human Resources, greeted the Commissioners and said, "This is a short item. Essentially, this allows us to hire a Project Manager for the ERP System, who will be accountable and run this project. Essentially, he will be the czar of the project for a two year period. We need to put a position on the staffing table to do that and we're requesting that."

Chairman Winters said, "Thank you. Commissioners, we need a motion to make an addition to the staffing table."

MOTION

Commissioner Hancock moved to approve the addition to the DIO Staffing Table.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

3. AGREEMENT WITH JOE D. KOEHN TO PROVIDE SERVICES AS ERP PROJECT MANAGER.

Ms. Kathleen B. Sexton, Director, DIO, greeted the Commissioners and said, "The Agreement you have before you, on pages 71 through 73 of your back-up information, is for an approximate two year term employment agreement with a salary and compensation, as specified in the contract. If you have any questions, I'm available for those."

Chairman Winters said, "Thank you. Commissioners, questions or comments? If not, what's the will of the Board?"

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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 Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

M. AGREEMENT WITH TIMOTHY P. ROHRIG, PH.D. TO PROVIDE SERVICES AS DIRECTOR OF FORENSIC LABORATORIES/CHIEF TOXICOLOGIST.

Ms. Mary Dudley, M.D., Coroner/Medical Examiner, Regional Forensic Science Center, greeted the Commissioners and said, "This Agreement is with Dr. Timothy Rohrig for the position of Director of Forensic Laboratories/Chief Toxicologist. This position has been vacant for over two years. Dr. Rohrig is a native of Kansas and comes to us from Syracuse, New York. He has a Ph.D. in forensic toxicology and has over 20 years of experience. I would like to recommend approval of the Agreement and for the Chairman to sign."

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you, Dr. Dudley. Sorry it took us half a day to get here."

Dr. Dudley said, "That's okay, thank you."

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

N. DIVISION OF HUMAN SERVICES.

1. AMENDMENT TO AGREEMENT WITH WICHITA STATE UNIVERSITY TO PROVIDE PROFESSIONAL SERVICES SUPPORTING THE SEDGWICK COUNTY JUVENILE CORRECTIONS ADVISORY BOARD.

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, "Since February 1998, we have contracted with Wichita State University School of Community Affairs for professional services to assist us in implementing juvenile justice reform. This service supports the operation of the Juvenile Corrections Advisory Board and provides technical assistance in developing, implementing and evaluating our local State funded Juvenile Justice programs. This agreement maintains current service levels from July through December and then reduces services in the second half of the contract year, as the Department of Corrections assumes them, as they become more administrative. The agreement is funded with our State Juvenile Justice grant funds and provides \$40,264 to pay for it, through June 2001. Be happy to answer any questions."

Chairman Winters said, "Thank you."

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MOTION

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

Commissioner Sciortino seconded the Motion.

Chairman Winters said, "Mark, this morning the Commission voted to move forward with the Olds Project and we need to make sure that somebody briefs the Juvenile Correctional Advisory Board on that whole program and what the Olds Program is going to do and how it is going to work. They need to know all of that information."

Mr. Masterson said, "I'll arrange that."

Chairman Winters said, "Okay. We have a motion and a second, is there any other discussion? Seeing none, call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

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2. FISCAL YEAR 2001 (FY2001) AREA PLAN ON AGING, TO BE SUBMITTED TO THE KANSAS DEPARTMENT ON AGING.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "What I bring before you today is the Fiscal Year 2001 Area Plan, which is the fourth year of the four year plan from 1998 to 2001. This area plan describes how the Central Plains Area Agency on Aging intends to operate in Harvey, Butler and Sedgwick Counties during the federal fiscal year of 2001, which begins October 1, 2000. Included in the area plan are administrative objectives and council recommendations for allocation of Older Americans Act and associated funds. The area plan has been reviewed by the County Commissioners in Butler and Harvey County and they have given authorization to the Chairman of the Sedgwick County Commission to sign this plan. The plan is to be submitted to the Kansas Department on Aging by July 1, 2000.

"This area plan describes how funding will be utilized. These would be the Older Americans Act funds and these are the Three B supportive services, the Three C nutrition programs, the Three F disease prevention and health promotion, state funded case management, customer care and environmental modification monies with a total of \$1,363,799. I would recommend approval and authorization to sign."

Chairman Winters said, "Thank you. Commissioners, you've heard the report."

MOTION

Commissioner Gwin moved to approve the FY2001 Area Plan 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 Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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Chairman Winters said, "Next item."

- 3. FIRST AMENDED AGREEMENT WITH KANSAS DEPARTMENT ON AGING (KDOA) AND NOTIFICATION OF GRANT AWARD FROM KDOA, PROVIDING REVISED FISCAL YEAR 2000 INCOME ELIGIBLE AND SENIOR CARE ACT BUDGETS, TO BE SUBMITTED TO KANSAS DEPARTMENT ON AGING.**

Ms. Graham said, "This revision changes the State Kansas Department on Aging allocated portion of the total appropriated income eligible budget money to \$457,002, a decrease of \$97,284 and changes the Senior Care Act state allocated program funds to \$241,285, a decrease of \$98,780. This year, we finally had adequate funding to deal with the waiting list that we had since July of 1998. We no longer have a waiting list, at this time, for services. We have realized that once there is a waiting list, we see that the calls that come in requesting services do decrease significantly. Now, we are working on getting the word out that services are available and we have seen an increase in the number of calls requesting services. We are receiving a slight increase in funds for these services for fiscal year 2001 and are hopeful that we can meet the needs in the community through continue communication with senior citizens and referral agencies. We would recommend approval of the revised fiscal year 2000 Income Eligible and Senior Care Acts budgets."

MOTION

Commissioner Hancock moved to approve the Agreement and Notification of Grant Award 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 Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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Chairman Winters said, "Next item."

4. GRANT APPLICATION TO, AND ASSOCIATED AGREEMENTS WITH, KDOA PROVIDING FUNDING FOR CENTRAL PLAINS AREA AGENCY ON AGING TO PROVIDE INCOME ELIGIBLE AND SENIOR CARE ACT PROGRAMS.

Ms. Graham said, "What I bring before you is Income Eligible and Senior Care Act application and contracts to the Kansas Department on Aging for these programs for fiscal year 2001. The Income Eligible and Senior Care Act Program services are funded through the State legislature and then these funds are funneled through the Kansas Department on Aging to the local area agencies on aging. This year both Senior Care Act and Income Eligible Services require consumer cost sharing. The Income Eligible consumers are assessed a co-pay of zero to 15% of the services cost and Senior Care Act clients are assessed a co-pay of 20 to 100%. Central Plains Area Agency on Aging offers these services in Butler, Harvey, and Sedgwick Counties, via a network of 23 home health care agencies. For fiscal year 2001, for the Income Eligible Program, we saw an increase of 5%, so the total budgeted amount will be \$594,848. Of this amount, the state will reimburse \$566,522. Client fees will generate the additional funding. For the Senior Care Act, the total budget is \$502,457 of State funding, which is a slight decrease of 1.5%. There is also a required two to one match. Butler and Harvey will contribute their allocation of the match and the Sedgwick County mill levy match has already been included in the mill levy budget. No additional County funds are requested. We would recommend approval to submit the application to the Kansas Department on Aging."

Chairman Winters said, "Thank you. Commissioners."

MOTION

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

Commissioner Sciortino seconded the Motion.

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

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VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

5. CONTRACT WITH CITY OF WICHITA, KANSAS FOR COMCARE - ADDICTION TREATMENT SERVICES TO PROVIDE LIQUOR TAX FUND ADMINISTRATION.

Ms. Marilyn Cook, Assistant Director, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "This past spring, COMCARE's addiction treatment services was awarded a contract from the City of Wichita for the City Special Liquor Tax funds. The contracted administration services here are designed to ensure that the 13 publicly funded agencies do what they say they're going to be doing and spending the money in an appropriate way. Addiction treatment services staff who are monitoring this contract will be doing a number of things. They'll be working with the agencies involved to make sure that the outcome measurements are obtainable and clearly written and also monitor the progress toward outcomes. They'll be doing this by not only looking at their outcomes but making frequent site visits to these 13 programs. In addition to that, duties would include monitoring and refining the measurements, when needed, and financial management. They're also tasked with the development of a coalition governance structure. The total amount of the contract is \$89,000, to be paid annually to COMCARE's addiction treatment services. We are requesting that you approve the Contract and authorize the Chairman to sign."

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

6. DELETION OF ONE SUBSTANCE ABUSE COUNSELOR II POSITION, RANGE 19, FROM; AND ADDITION OF ONE SENIOR SOCIAL WORKER POSITION, RANGE 22, TO; THE COMCARE STAFFING TABLE.

Ms. Cook said, "This item involves a treatment provider at our Center City Program. Over half of the individuals that are in Center City's Homeless Program are duly diagnosed. They have an addiction problem in addition to a major mental illness. In fact, 57% of them to be the case, have these two co-occurring conditions. Typically, the individuals who come into the homeless program are actively using substances when they come into the program. We recently had a substance abuse counselor, Range 19, that was providing services. After the federal funding ended, it was clear to us, by our own observations and under the recommendations of the research team, that a masters level clinician who could deal with the mental illness component of that, as well as the addiction, would be preferred. So, we are requesting to delete the Substance Abuse Counselor II position, which is a Range 19 and replace it instead with a Senior Social Worker, Range 22 position. The budget impact is \$1,522 annually, which would be coming from the State Homeless grant funds. We're requesting that you would approve these changes to the staffing table of COMCARE."

Chairman Winters said, "Thank you. Commissioners."

MOTION

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Commissioner Sciortino moved to approve the deletion from, and addition to, the COMCARE Staffing Table.

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

O. GRANT APPLICATION TO BUREAU OF JUSTICE ASSISTANCE FOR A COMMUNITY PROSECUTION GRANT.

Ms. Nola Foulston, District Attorney, greeted the Commissioners and said, "I thought the Tele-Tubbies was on but you were still on, I guess. One of the inevitable facts of life is that we're all aging. I know that does not necessarily apply to me, personally, but to members of the Commission. It is with that regard that we have looked and evaluated the number of cases involving aged persons in our own community and find that over 1,000 per year are victims of violent crime, extortion, fraud. As a consequence, we have accepted an invitation from the Office of Justice Programs, Department of Justice to apply for a position paper on community prosecution for elder abused program, through the Office of the District Attorney. This does not take any required signing by the Commission. It is merely to notify you and to let you know that we are making this concept paper available. The grant would be an 18 month program that would be 100% funded by the Department of Justice, with an additional enhancement period for 18 months, should we be successful with the grant. We've prepared our position paper and I would ask that you approve the submitting of the position paper for this very necessary service for our community."

MOTION

Commissioner Sciortino moved to approve the submission of the Application.

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Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Ms. Foulston said, "Thank you. I'll advise you if we get the grant. It would be very helpful for our community."

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

P. ADDITION OF ONE TEMPORARY CUSTOMER SUPPORT ANALYST POSITION, RANGE 22, TO THE DIO STAFFING TABLE.

Ms. Sexton said, "The item is a Customer Support Analyst, range 22 position, for a two year period from a grant to help implement this new juvenile system I told you about two months ago. If you have any questions, let me know."

MOTION

Commissioner Gwin moved to approve the addition to the DIO Staffing Table.

Commissioner Hancock seconded the Motion.

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

VOTE

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Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

Q. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

MOTION

Commissioner Gwin moved to defer the item indefinitely.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

R. PUBLIC WORKS.

- 1. ESTIMATE FROM THE WICHITA WATER AND SEWER DEPARTMENT FOR RELOCATION OF AN EXISTING WATER LINE IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 833-I, J, N½ K; WEBB ROAD: NORTH WICHITA CITY LIMITS TO K-254. CIP #R-238. DISTRICT #1.**

Mr. David C. Spears, P.E., Director/County Engineer, greeted the Commissioners and said, "Item R-1

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is the approval of an estimate from the Wichita Water and Sewer Department for the relocation of an existing water line at a cost of \$30,644.60. This relocation is in connection with a project on Webb Road, from the north Wichita city limits to K-254, designated as R-238 in the Capital Improvement Program. There line is in a private easement. I recommend that you approve the estimate."

Commissioner Gwin said, "Do we pay that?"

Mr. Spears said, "We pay them to do that. Their line is in a private easement."

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

MOTION

Commissioner Gwin moved to approve the estimate.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

- 2. AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR INSTALLATION OF A CONCRETE CROSSING IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 833-I, J, N½ K; WEBB ROAD: NORTH WICHITA CITY LIMITS TO K-254. CIP #R-238. DISTRICT #1.**

Mr. Spears said, "Item R-2 involves the same project as mentioned in the previous item, on Webb Road from the north Wichita city limits to K-254. This item is an agreement with the Union Pacific Railroad

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Company for the removal of the existing timber crossing and installation of a precast concrete crossing at a cost of \$77,364. Recommend that you approve the Agreement and authorize the Chairman to sign."

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 Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

S. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JUNE 22, 2000 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "There are six items for consideration.

**(1) WEED CHEMICALS - PUBLIC WORKS
FUNDING: PUBLIC WORKS**

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"Item one, various weed chemicals for Public Works. It was recommended to split this bid to two vendors, UAP/Pueblo for one item, \$8,577.60 and items one and two to Vegetation Management, \$7,872. The grand total, as you see is \$16,449.60.

**(2) FURNITURE - FACILITY PROJECT SERVICES & DIVISION OF FINANCE
FUNDING: FACILITY PROJECT SERVICES**

"Item two is furniture for Facility Project Services and the Division of Finance. It was recommended to accept the low bid of Scott Rice, \$11,726.30. A complete tabulation follows.

**(3) SOFTWARE LICENSES - DIVISION OF INFORMATION & OPERATIONS
FUNDING: DIVISION OF INFORMATION & OPERATIONS**

"Item three, various software licenses for the Division of Information and Operations. It was recommended to accept the low total bid of Software House International, \$23,055.

**(4) BOCA MICRO GHOST TICKET PRINTERS - KANSAS COLISEUM
FUNDING: KANSAS COLISEUM**

"Item four are printers, the Boca Micro Ghost Ticket printers for the Kansas Coliseum. These are sole source items from Tickets.Com. That is a new name. This is a company that provides proprietary equipment, \$11,382.

**(5) CONSULTANT SERVICES WEAPONS OF MASS DESTRUCTION/HAZARD
VULNERABILITY - EMERGENCY MANAGEMENT
FUNDING: EMERGENCY MANAGEMENT GRANT**

"Item five, consultant services, weapons of mass destruction/hazard vulnerability for Emergency Management. It was recommended to accept the low proposal of Fire Rescue Consultants, \$66,950.

**(6) UNIFORMS - SHERIFF
FUNDING: SHERIFF**

"Item six, uniforms for the Sheriff. It was recommended to accept the low bid of Law Enforcement Equipment Company. This is an estimated annual amount of \$65,000. There are several pages following

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of tabulations. There are tabulations for individual items and we've also outfitted a deputy, to ascertain the low bid, and also looked at it from the purchase perspective of one item per. Be happy to take questions and recommend approval of the Minutes from the Board of Bids and Contracts."

Chairman Winters said, "So which was cheaper, outfitting a full deputy or buying him one piece at a time?"

Mr. Muci said, "Outfitting a full deputy is the best way to do this. We looked at this to make sure we had identified the low bidder."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Just one real quick question. I noticed we had requested a price for a Glock handgun and I'm just surprised that nobody would even bid on selling us the Glock. It is item number 29 back there. I couldn't figure out why, if we asked them to sell us a gun, that they said they're not even going to give us a price on it."

Mr. Muci said, "We normally buy those direct from the manufacturer. However, each of these vendors here can provide that equipment and they just chose not to, at this particular time."

Commissioner Sciortino said, "So, they just chose not to sell it to us?"

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

Chairman Winters said, "Commissioners, you've heard the report from the Board of Bids and Contracts. What's the will of the Board?"

MOTION

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

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 Bill Hancock	Aye
Commissioner Carolyn McGinn	Absent
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

CONSENT AGENDA

T. CONSENT AGENDA.

1. Right-of-Way Agreement.

One Temporary Construction Easement for Sedgwick County Project - Brookhaven Sanitary Sewer – Phase I; Minneha Township. District #1.

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V98043	\$350.00	\$350.00
V98041	\$495.00	\$495.00
V95088	\$246.00	\$53.00
V99079	\$400.00	\$390.00
V861001	\$91.00	\$71.00

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Chairman Winters said, "The meeting of June 28th is adjourned."

U. OTHER

V. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:52 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

CAROLYN McGINN, Chair Pro Tem
Fourth District

BETSY GWIN, Commissioner
First District

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BILL HANCOCK, Commissioner
Second District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 2000