

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MAY 21, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, May 21, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Melody C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Ms. Mary Ann Nichols, Director, Personnel Department; Mr. Harry Hayes, Director, Human Resources Department; Ms. Louanna Honeycutt-Burress, Administrative Officer, Department of Housing & Economic Development; Mr. Lyman Reese, Major, Sheriff's Department; Mr. Michael S. Knecht, Director, Old Cowtown Museum; Mr. John Nath, Director, Kansas Coliseum; Mr. Mike Holiday, Department of Corrections; Mr. Tom Pollan, Director, Emergency Medical Service; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

GUESTS

Ms. Vicki Johnson, Fiscal Assistant, Auto Licensing Department
Mr. Joe Norton, Bond Counsel, Gilmore & Bell
Ms. Geneave Shaw, Fiscal Assistant, Treasurer's Office

INVOCATION

The Board of County Commissioners observed a moment of silence.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES: Regular Meeting, April 30, 1997

The Clerk reported that all Commissioners were present at the Regular Meeting of April 30, 1997.

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

MOTION

Commissioner Hancock moved to approve the Minutes of April 30, 1997, as presented.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

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

PROCLAMATION

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A. DECLARING MAY 18-24, 1997 AS "EMERGENCY MEDICAL SERVICES WEEK."

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

PROCLAMATION

WHEREAS, Sedgwick County Emergency Medical Service is a vital public service; members of emergency medical services teams provide lifesaving care 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services teams consist of Paramedics, Emergency Medical Technicians first responders, volunteers, dispatchers, and emergency nurses and physicians; and

WHEREAS, Sedgwick County citizens benefit daily from the knowledge and lifesaving skills of these highly trained professionals; and

WHEREAS, injury prevention, awareness of the system and the appropriate use of the system helps to reduce injuries and health costs; and

WHEREAS, it is appropriate to recognize the value and accomplishments of EMS providers by designating Emergency Medical Services Week;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of May 18 - 24, 1997 as

"EMERGENCY MEDICAL SERVICES WEEK"

and encourage the community to observe this week in special appreciation of these professionals who serve in our time of need.

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Chairman Winters said, “Commissioners, that’s the Proclamation, what’s the will of the Board?”

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, “Thank you. Here to accept the Proclamation is Tom Pollan.”

Mr. Tom Pollan, Director, Sedgwick County EMS, greeted the Commissioners and said, “I accept this on behalf of those who you have named who provide this service on a daily basis. Over 35,000 citizens will call for this support and care this year and it is an important process and piece of our quality of life in Sedgwick County and in Wichita. Thank you very much.”

Chairman Winters said, “Thank you Tom. Next item.”

APPOINTMENTS

B. APPOINTMENTS.

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1. RESOLUTION APPOINTING CHUCK CHIPMAN (COMMISSIONER HANCOCK'S APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD.

Mr. Richard Euson, County Counselor, greeted the Commissioners and said, "We have prepared this Resolution of Appointment to fill a vacancy on this Board. The term is to expire on May 1, 1999, and we recommend this for your approval."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

2. RESOLUTION APPOINTING PROFESSOR BERNICE HUTCHERSON (COMMISSIONER GWIN'S APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD.

Mr. Euson said, "Commissioners, this is a reappointment for a term to expire on May 31, 2001. The Resolution is in proper form and we recommend it for your approval."

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

Chairman Winters said, "Now these are two appointments to the Alcohol and Drug Abuse Advisory Board. Are either of these two people here, Chuck Chipman or Bernice Hutcherson? Mr. Chipman, would you please come forward and be sworn in by a representative of the Clerk's Office?"

Mr. Paul Rosell, Chief Deputy, County Clerk's Office, said "Repeat after me."

"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 Alcohol and Drug Abuse Advisory Board, I do swear, so help me God."

Mr. Chuck Chipman repeated the oath.

Chairman Winters said, "Mr. Chipman, thank you very much for your willingness to serve on that board. Advisory boards are very important to this Commission and we appreciate your help and support. Thank you. Next item."

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3. RESOLUTION APPOINTING JANET VALENTE PAPE (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.

Mr. Euson said, "Commissioners, the Resolution that we've prepared for this appointment is to fill a vacancy. It will expire on April 30, 1999. It is an appointment by the Board of County Commissioners, one of the County Commissioner appointments to this Board and we recommend it for your approval."

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Is Ms. Pape in the room this morning? I don't believe she is. She is not here, we'll take care of that in the Clerk's Office, so thank you very much. Next item."

AWARD PRESENTATION

C. RECOGNITION OF VICKI JOHNSON, FISCAL ASSISTANT, AUTO LICENSE FOR SUGGESTION REGARDING TURNING IN EMPTY LASER PRINTER AND INKJET CARTRIDGES FOR REIMBURSEMENT.

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Commissioner Miller said, "It seems as though we're going to be serenaded this morning by a special guest. It is my pleasure always, as a member of the Board of County Commissioners to recognize and acknowledge those individuals that are creative, talented, and innovative in our organization and then have the nerve to actually submit some of their suggestions. Then those individuals are dully awarded we feel. Today, we're going to recognize an employee by the name of Vicki Johnson. She is a Fiscal Assistant in the Auto License County Treasurer's Office. She has been with Sedgwick County since 1989 and her suggestion was one that I probably wouldn't have thought of. Vicki, do you want to come up and tell us about it. I'd like to let you tell us what your suggestion was."

Ms. Vicki Johnson said, "We get a FAX letter that comes through the FAX every morning. It was saying recycle used cartridges and so I found out that what we were doing with the used cartridges was throwing them away. So I just submitted the plan to be able to see if we would be able to send them in and get money off of them in the print shop and we're doing it now."

Commissioner Miller said, "Very Good. On behalf of the Board and the Employee's Suggestion Awards Committee, present you on this token. You've been compensated already I hope. That is probably most important. Secondly, I'm going to have to acknowledge a cute member of your family. I know your husband is here also, but an individual who was near and dear to my heart a few years ago because I taught her, and that's your daughter. How are you? Looks like you're doing well. Here supporting mom? Very good. Well, we thank you and enjoy."

Ms. Johnson said, "Thank you."

Chairman Winters said, "Thank you Ms. Johnson and thank you Commissioner Miller for working on this project of recognizing employees. It is a very good project. Next item."

RETIREMENT PRESENTATION

D. PRESENTATION OF RETIREMENT CLOCK TO GENEAVE SHAW, FISCAL ASSISTANT, TREASURER'S OFFICE.

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Ms. Mary Anne Nichols, Personnel Director, greeted the Commissioners and said, "It is my privilege this morning on behalf of the Board to present a retirement certificate to Geneave Shaw. Geneave is a Fiscal Assistant in the Treasurer's Office and will retire June 1, 1997 after 21 ½ years of service. Geneave was hired on November 11, 1975 as an Account Clerk II, and became a Fiscal Assistant on January 1, 1978. Geneave is better known as Jennie to the people in this organization. Jennie tells us that she plans to spend time with her two daughters, her six grandchildren and three great grandchildren. She also plans to spend time traveling, sewing, and gardening. Jennie has always worked in the Treasurer's Office as a Cashier and describes her employment with Sedgwick County as very enjoyable. I know that I personally will miss Jennie's pleasing smile and her personality and her positive attitude and we want to wish her well in her retirement."

Chairman Winters said, "Jennie, turn around here so they can take a picture of you here. I want to present this clock to you as a token of appreciation from the Board of County Commissioners and from all the citizens of Sedgwick County in appreciation for the work that you have done for us. Congratulations on your retirement and we wish you the best. Would you like to say anything? Okay, well thank you very much. Next item please."

Commissioner Hancock said, "Before you take the next item, Jennie. Before you leave, I'm going to miss that blouse you wear with the great big gold elephant on it."

Ms. Shaw said, "I'll come back and wear it."

Commissioner Hancock said, "All right."

DEFERRED ITEM

E. REVISIONS TO THE SEDGWICK COUNTY AND FIRE DISTRICT PERSONNEL POLICIES AND PROCEDURES MANUAL.

Ms. Nichols said, "I'm here this morning to present to you a request to approve revisions to the Sedgwick County and Fire District Personnel Policies and Procedures Manual. Human Resource, as you know, is an ever changing kaleidoscope and looking at our policies and procedures on a continuing basis, there are times when we need to come back to the Commission and make some revisions. The manual has been reprinted and will be redistributed after approval. I am going to summarize the revisions for you."

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“We’ve removed the word ‘resolution’ in all the policies and procedures, pertaining to the personnel form that is no longer being used. We’ve changed the word ‘merit’ to ‘evaluation’ in all the policies and procedures. We’ve changed the phrase ‘merit step increase’ to ‘salary increase’ in all policies and procedures. Changed all policies and procedures as necessary to accommodate the Emergency Communications Department that was brought to this organization in 1994. Change effected policies from six months probation to twelve months probation as of January 1, 1997. We’ve added reference to policy 4.310 Drug Testing/Substance Abuse to the following policies: 4.300 Employment; 4.301 Re-instatement; 4.302 Re-employment; 4.603 Lay-off; 4.702 Injuries on the Job.

“Policy 4.300 Employment under Definition III, we’ve added a statement to 2, regarding permanent part-time employees, ‘ as of January 1, 1997, permanent part-time positions will be discontinued, however, any employee filling a permanent part-time position will be grand fathered. If that employee resigns or is terminated, the position will be deleted or the department head may request the Board of County Commissioners fund the position as full time. Permanent part-time positions will continue to be allowed for Grant Position for the length of the grant. Under IV, Procedure, we’ve changed the word ‘signed’ to ‘authorized.’

“Policy 4.500, Termination, under Policy II, B-1, we’ve added a new policy. This is the only major change to the manual, entitled Fraternization. It says, ‘friendship should not be allowed to become the basis for preferential treatment. Dating and overfamiliarity between supervisors and subordinates is not only discouraged but prohibited in some cases. This type of conduct often resolves in creating morale problems in the organization and a break down in effective communication.’

“Under III, Procedure, A-1, we’ve added an ‘a’ Statement. ‘If the hiring authority determines there are grounds for termination, notification is to be submitted to the County Manager through use of a form supplied by the Personnel Department. The County Manager or a designated representative shall review the proposed termination.’ The form is entitled ‘County Manager’s Review of Termination/Disciplinary Suspension,’ and was effected through a memorandum issued in 1994. This is effective only for those bureau directors and department heads that directly report to the County Manager. We wanted to formalize that so that it is available for people to know. Under A-2 we’ve added a statement, ‘see Policy 4.300 Employment 2, Policy D, regarding employees who get married and are in the same department.’

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“Policy 4.501 is Discipline and under Policy II, we’ve added statement A-3. ‘All suspensions without pay shall be reviewed by the County Manager or a designated representative before the suspension is executed, through the use of the form.

“Policy 4.502 is Grievance. Under Procedure III, we’ve added statement E. ‘Prior to submitting the investigative summary to the Legal Department, the Grievance Officer shall verbally notify the concerned department head of his or her conclusion. The department head may appeal the Grievance Officer’s conclusion to the appropriate hiring authority.’ We felt this was a courtesy and that the department head should be made aware of what the findings are prior to submission.

“Policy 4.601 is Involuntary Termination. Under Procedure III, A-1, we’ve added an ‘a’ Statement. ‘If the hiring authority determines there are grounds for termination, notification is to be submitted to the County Manager through the use of a form supplied by the Personnel Department.’

“Policy 4.701 is Injuries, Policy II, was ‘employees who are off work because of injury for eight months shall be terminated, after their sick and vacation leaves or injury leave for Fire District employees covered under KP&F (Kansas Police & Fire) have been exhausted, and after an eight month leave of absence, if one has been granted. That policy will now read, ‘employees who are off work because of injury for five continuous months in any twelve month period, exclusive of FMLA (Family Medical Leave Act) leave, may be terminated at the discretion of the hiring authority.’ We’ve combined the FMLA period of time with the leave of absence time to equal eight months and given the departments the authority to determine termination or not.

“Policy 4.703 is Maternity Leave and the policy was, ‘Bureau directors, department heads or elected officials may require a written statement by a licensed medical doctor certifying that an employee’s condition prevents them from performing work duties and to verify the need for an absence. 1. A bureau director, department head, or elected official may request a written statement if an employee has requested sick leave in excess of three work days in a year. 2. A bureau director, department head, or elected official may request a written statement if absence is due to illness in excess of two consecutive work days.’

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“We have now revised that to read, ‘Elected officials, bureau directors or department heads may at any time require a written statement by a licensed physician certifying that any employee’s condition prevents or prevented him or her from performing work duties and verifying the need for the absence.’ We’ve also added a Statement E, ‘Employees must keep their elected official, bureau director or department head informed of their absences on a daily basis, or as otherwise determined by the hiring authority. Employees with a prolonged illness or disability will need to inform the elected official, bureau director or department head of when he or she will be able to return to work.’ It sets up a good communication about where an employee is physically. Gives that department head some leeway in determining where that employee is in arena.

“Policy 4.704, Paternity Leave, under Procedure III, A, stated, ‘An employee must report the reason for absence no later than one hour after the beginning of the work day to his bureau director, department head, elected official, or immediate supervisor. E.M.S. and Mental Health Department employees just advise the on duty supervisor of the reason for absence one hour before they are scheduled to work.’ It now reads, ‘Any elected official, bureau director, or department head shall be entitled to establish departmental sick leave policies consistent with county policy. Policies such as when employees must report the reasons for their absences are at the discretion of the different department in accordance with their differing needs.’ Due to flexible schedules we felt like we needed to be somewhat flexible with that policy.

“Policy 4.707 is Civil Leave, was, ‘The intent of this policy is to notify employees of this procedure when called for jury duty. Emergency duty, Kansas Commission on Civil Rights, Equal Employment Opportunities Commission, and as a witness for a Sedgwick County Grievance Hearing.’ It will not read, ‘The intent of this policy is to notify employees of the procedures when given written notice to appear for jury duty, Kansas Human Rights Commission, Equal Employment Opportunities Commission, as a witness for a Sedgwick County Grievance Hearing, and when called for emergency duty.’

“Policy 4.709 is Leave of Absence Without Pay. The policy was, ‘The bureau director, department head, or elected official may grant an employee a leave of absence for a period of eight consecutive months in any one year. 1. Leaves of absence may not be extended past the eight month period in one year.’

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“It will now read, ‘The bureau director, department head, or elected official may grant an employee a leave of absence for a period of six consecutive months in any one year.

1. Leaves of absence may not be extended past the six months period in one year.’ These are for non-medical kinds of reasons.

“Policy 4.800 is Fringe Benefits Offered by Sedgwick County. Currently the County pays longevity pay for five, ten, fifteen, twenty, and twenty-five years of service. Longevity pay started at the end of the fifth year. The policy now will read that, ‘Longevity pay is extra compensation given to employees when they have continuously served the county for five, ten, fifteen, twenty and twenty-five years. Longevity is a monthly benefit prorated for payroll purposes according to the appropriate pay plan. January 1, 1997, longevity will start at ten years when there has been continuous employment with the County.’

“Procedure III was, ‘Personnel shall be responsible for assisting eligible employees with information for enrollment in the payroll deduction plans.’ It will now read that responsibility has been transferred to the Accounting Department.

“Policy 4.902A is Tuition Aid Program for College Classes. In 1996, we paid 85% of six semester hours at WSU rate for tuition reimbursement. Financial budget constraints have lessened the amount of money available and we are now requesting to change that to 50% of six semester hours at WSU rates.

“Policy 4.902B is Tuition Aid Program for Public Vocational-Technical Training. There again, we were paying 85% of the hourly rate for Vo-Tech and we’re now asking to reduce that to 50%.

“Policy 4.903, Performance Evaluation, stated under C, ‘There shall be no step increases except at the time of an employee’s merit date and performance evaluation.’ It will now read, “A step increase will only be granted at the time of an employee’s performance evaluation date. Out of cycle or additional step increases must be authorized and approved by the County Manager and/or the Board of County Commissioners.’

“Policy 4.2001 is Wage and Salary Administration. Under II Policy, P, Rate of Pay as Result of Reclassification or Reallocation, stated, ‘In the event a position is reclassified or reallocated to a higher range, the employee in that position shall normally be paid the salary in the new range.

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“If there is no salary in the new range that is the same, the employee will be paid at the lowest rate of the new range which is above the employee’s former salary.’ It will now read, “In the event a position is reclassified or reallocated to a higher or lower range, the employee in that position shall be paid the same salary in the new range.’ Our computer system now allows us to keep employees between steps in the comp plan.

“That is kind of a summary. If you have any questions, I’d be glad to answer those. I request your approval.”

Chairman Winters said, “Okay, thank you Mary Ann. Commissioner Gwin.”

Commissioner Gwin said, “Thank you Mr. Chairman. Mary Ann, back on Policy 4.703, Leave Benefits. The subject is Maternity Leave, are those items that you talked about just in regard to maternity leave or are they other illnesses?”

Ms. Nichols said, “It would include other illnesses. It has already been incorporated in the sick leave policy that you have approved. In most other areas it was addressed already.”

Commissioner Gwin said, “Okay, thank you. Thank you Mr. Chairman.”

Chairman Winters said, “Commissioner Miller.”

Commissioner Miller said, “Mary Ann, I have a couple of questions and I think I’ll start at the back first actually with the Policy 4.902A, Career Development, Tuition Aid for College Classes. It now reads that the employee may receive tuition aid up to the cost of 50% of six semester hours per semester. Is this a philosophical change in how Sedgwick County values education and our employees who are pursuing education or is this a budgetary mandate?”

Ms. Nichols said, “I believe that Sedgwick County has a real commitment to its employees. We are one of a few employers who offer tuition reimbursement. We have a tremendous number of employees utilizing the tuition reimbursement program and I think budget certainly has a bearing on this. This is a way for us to allow the same number of people to participate, however not reimbursing them as much, but yet there is that commitment that you value people getting education.”

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Commissioner Miller said, "So we are still able to allow the same number of individuals to access this opportunity but not utilize as much money because we're tight right now."

Ms. Nichols said, "Correct."

Commissioner Miller said, "Okay. I'd like to move to 4.502, Employee Conduct and Relations Standards, the subject is Grievance. Can you just. . . it says prior to submitting the investigative summary to the Legal Department, the Grievance Officer shall verbally notify the concerned department head of his or her conclusion. The department head may appeal the Grievance Officer's conclusion to the appropriate hiring authority. That is just an added item?"

Ms. Nichols said, "We've had some situations where the Grievance Officer has conducted the investigation, made the final recommendation, made it to the Manager or the Board and the department head was not aware and had some concerns about that and that they did not have input. This is kind of before any kind of official action is taken, simply bringing them into the loop. It is an open communication as I see it."

Commissioner Miller said, "Okay. Prior to submitting the investigative summary. So this is before the procedure begins or after . . ."

Ms. Nichols said, "Well, it is before Legal reviews it and makes changes whether they are verbal changes or the way it is written, those kinds of things."

Commissioner Miller said, "So the investigation has been done, this is simply the investigative summary and we're saying the bureau or department head will be notified."

Ms. Nichols said, "Yes, verbally only."

Commissioner Miller said, "Okay, then I need to back it up to Policy 4.500, Employee Conduct and Relations Standards, Termination."

Ms. Nichols said, "Yes."

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Commissioner Miller said, “There is a national case now pending regarding fraternization and it is a touchy situation, so my question is, in the way that it is worded here, it appears as though we need to possibly do some more work on this because friendship should not be allowed to become the basis for preferential treatment, dating and overfamiliarity between supervisors and subordinates is not only discouraged but prohibited in some cases? That is pretty ambiguous.”

Ms. Nichols said, “This particular policy was sent to us, submitted to us by Debbie Donaldson who has had some issues in COMCARE (Bureau of Comprehensive Community Care). Debbie is really the one who wrote this policy. As I understand it, that in some instances, under State law in regards to case management, there are some laws that strictly prohibit it depending upon the circumstances. Sedgwick County’s policies do not at this point definitely prohibit it. We reviewed it and felt like it was probably a necessity. We are looking at, I believe Mr. Buchanan, consensual relationship policy for the whole County. There is a committee that is working on that, so we’re going to be coming back to you with a broadening of this issue.”

Commissioner Miller said, “But if we confirm and vote in the affirmity for it, are we accepting it as it, Mr. Counselor?”

Mr. Euson responded, “Yes, that is correct.”

Commissioner Miller said, “I feel that this particular added statement needs some refining. What is going on in terms of consensual relationships?”

Mr. William Buchanan, County Manager, said, “Commissioner Miller, the difficulty with what we are attempting to do is prevent supervisors from dating and becoming over friendly with people who they supervise.”

Commissioner Miller said, “I understand.”

Mr. Buchanan said, “There is, on the other hand, people who are supervisors who could enter consensual relationships with others who they don’t supervise. We’re trying to make sure that it is understood and that’s where that policy is headed. This just talks about, it seems to me, between supervisors and subordinates and we want to make it real clear that this is not an activity that would be looked upon favorably.”

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Commissioner Miller said, "I agree, but to me, we've got a discretionary clause or statement that says 'in some cases.'"

Mr. Buchanan said, "That was suggested to be removed, but whatever happened, it didn't get removed and there is no cases can I see that that makes any sense."

Commissioner Miller said, "So as a Board and being able to accept this in its entirety, is it appropriate to delete that?"

Commissioner Hancock said, "Prohibited in some cases. I think what maybe Debbie is getting at here is that in some professional relationships, she has a number of professionals who work for her, and it may just be absolutely prohibited to do that, unethical or not allowed, but there are some cases where certainly I think this is absolutely prohibited. I think probably it might be best, and you can consider this, but maybe we could leave that up to the discretion of the department head to make that determination."

Commissioner Miller said, "That's what I was saying and I appreciate your interpretation, but that's what I was stating earlier that this is a discretionary clause. I'd like for us to refine it. I don't think we can do it right now and this is open for discussion. Obviously, if the majority of the Commissioners feel this is appropriate. . ."

Chairman Winters said, "I'm not exactly sure what Mary Ann is talking about refining it and doing some more work on it. I'm comfortable leaving it like this personally because I think this is better than what we've got now and if there is something that this group is continuing to look at on this situation I'd be comfortable in adjusting it when you bring something back. I hate to just cut this piece out of the policy because then we again don't have any direction on this subject. I think this at least gives us some direction and if it is not the ultimate answer perhaps they can continue to work on something and I'd be willing to say bring us something in sixty or ninety days and let's talk about this again and maybe we can get some more refinement. I'm comfortable with adding this today myself. Commissioner Schroeder has a question, let's talk about that and then we'll come back to this."

Commissioner Miller said, "I have . . . is it regarding this?"

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Commissioner Schroeder said, “Yes. I have another one too, but I’ll hold off on that. What if you were to change that to something different that would suggest that if it has an adverse effect upon the department instead of in some cases. I think ‘in some cases’ leaves it open, well, that person is my friend and I’m not going to recognize there is a problem, but if it has an adverse effect on the department, maybe we need to be a little bit more detailed about that. I don’t know, maybe change the wording. I think every case has its own merit, maybe we need to be more direct about what we’re talking about. Do you understand what I’m saying?”

Ms. Nichols said, “Yes, I understand what you’re saying.”

Commissioner Schroeder said, “So maybe we could work on that?”

Chairman Winters said, “I agree with you, I think that is very good. I just get hesitant with us drafting language up here not having perhaps the person who wrote this didn’t think about everything and I think to have us craft a language that we haven’t had a lot of other input from folks.”

Ms. Nichols said, “I agree. Harry says and as I address, that under State Law, in the arena of Case Management, there is a law that absolutely prohibits Case Managers being involved with clients and with their subordinates who is working that case management.”

Mr. Harry Hayes, Director, Human Resource Department, said, “That is the reason is written like that. There are State Statutes which prohibits those relationships between COMCARE or Aging workers, that they should not become involved with folks that they are to be working within whatever those interests may be.”

Commissioner Schroeder said, “Can I make a suggestion that if we approve this today that we approve it subject to the Legal Department making that change that everybody is comfortable with. Some refinement to that clause, is that all right?”

Commissioner Miller said, “Yes.”

Commissioner Schroeder said, “That will get us through it, because I hate to just eliminate it.”

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Commissioner Miller said, "Okay. Then under still 4.500, number III, it has to do with and let me see if I can reiterate, you said the Manager would be notified only in the cases of those individuals who report directly to him?"

Ms. Nichols said, "Yes."

Commissioner Miller said, "So that excludes electeds that head departments."

Ms. Nichols said, "That's correct. They should be reporting that to you as the appointed authority."

Commissioner Miller said, "Okay. Thank you very much."

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Mary Ann, this policy affects all departments right?"

Ms. Nichols said, "Yes."

Commissioner Schroeder said, "This applies to everybody."

Ms. Nichols said, "It affects all employees, classified employees within the organization."

Commissioner Schroeder said, "My other question is on the compensation for tuition aid. If the department requires that an employee get X amount of hours of education for certain reasons or certain levels of promotion, do we still only pay up to 50% of six hours?"

Ms. Nichols said, "That's correct."

Commissioner Schroeder said, "Don't you think that should change? That is not because they want to improve themselves, that's because they need it in order to keep their jobs."

Ms. Nichols said, "I would tend to agree with you. There again, it is based on the budget and in a program that is County-wide, if people value their jobs, if it is a requirement of their job, they're going to meet those qualifications."

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Commissioner Schroeder said, "What I'm saying is, say that they've been at that job for five or ten years and the requirements change that you have to have X amount of hours to maintain that job or to get a promotion? I'm thinking maybe we need to think a little bit about those requirements, I don't know."

Ms. Nichols said, "That is certainly something for us to think about."

Mr. Buchanan said, "Commissioner, when it is part of a job requirement, and I'll speak for the attorneys, they have to take X amount of hours a year. The County policy up to this point, and that happens with other professions. Lots of people have to have a certain amount of continuing education. Up to this point, the County policy has been to assist folks in doing that. If you want to improve yourself, if you want to no longer be in one position, but be something else and get a Masters Degree or college degree, the tuition reimbursement program is designed for that, it is a shared expense. We hope we assist these folks in maintaining their licenses or maintaining their continuing education, but we don't have a program to do that for those who just want promoted and that is what this program is about."

Commissioner Schroeder said, "Okay, what if you're just maintaining your position and suddenly you have to have some college courses."

Chairman Winters said, "What would be an example of that? What department?"

Commissioner Schroeder said, "I'm trying to think, there are a couple of them. One of them is the Fire Department I believe that we're asking some of our people to get some educational requirements. Is that right Gary, are we doing some of that? And that's all I'm saying is those people, maybe we ought to be assisting if they're required just to maintain their level of employment, not necessarily a level of promotion. That can be for future discussion, but I'm just thinking, I want our employees to improve themselves too, but if they are required to do it, just to maintain their level of employment."

Mr. Buchanan said, "If there is a case where you don't do it you're going to be fired, you're going to lose your job, we assist them."

Commissioner Schroeder said, "Well, up to six hours, 50%, right?"

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Mr. Buchanan said, “No, we assist people. If it is about promotions, then that is a little bit different.”

Commissioner Schroeder said, “Well, let’s talk more about that later, that’s fine.”

Ms. Nichols said, “There may be departments who utilize training funds to supplement employees getting hours.”

Commissioner Schroeder said, “That’s okay.”

Chairman Winters said, “All right, are there any more questions or comments? I guess what I hear, unless there is some objection, that a Motion to approve this would be appropriate with some added clarification to Policy 4.500, B-I. That Legal and Personnel will bring us back some clarification of that language. Commissioners, what’s the will of the Board?”

MOTION

Chairman Winters moved to approve the revised 1997 reprint of the Sedgwick County and Fire District Personnel Policies and Procedures Manual with clarifications of Policy 4.500, B-I, by the Legal Department and Personnel.

Commissioner Gwin seconded the Motion.

Chairman Winters said, “Mary Ann, you understand the Motion.”

Ms. Nichols said, “Yes, I do. I will get with Legal and we’ll bring you back something.”

Chairman Winters said, “Okay, thank you. Commissioners, any other discussion? Call the vote.”

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VOTE

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

Ms. Nichols said, "Thank you very much."

Chairman Winters said, "Thank you Mary Ann. Thank you Harry."

NEW BUSINESS

F. RESOLUTION AUTHORIZING THE ISSUANCE OF SEDGWICK COUNTY, KANSAS AND SHAWNEE COUNTY, KANSAS SINGLE FAMILY MORTGAGE REVENUE BONDS 1997 SERIES AND AUTHORIZING EXECUTION OF THE TRUST INDENTURE.

Ms. Louanna Honeycutt Burress, Administrative Officer, Department of Housing and Economic Development, greeted the Commissioners and said, "As you know, since 1980, we've been an issuer of Mortgage Revenue Bonds. These programs have assisted literally thousands of Sedgwick County and residents throughout our program area achieve their dream of obtaining their first home. What we've experienced over time is that many of these mortgages are prepaid through the sell of the home or as interest rates go down through the refinance of the home. Many times we can in essence recapture and refund these prepaid loans, save them up, in essence, and put them into a new mortgage revenue bond program. In this way, we're able to help additional people move into their first homes. I believe some time ago you entered into an agreement with George K. Baum, an investment banking firm, to allow them to monitor these prepaids and then bring these to you so that we can in essence recycle some of these loans.

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“What we asking you to do today is to allow us to do this with \$3,135,000 in prepaids from old mortgage revenue bond issues. What the Resolution will do today, if you approve it, which goes a little bit beyond what you’ve done before, you may recall that in the past each time we have one of these recycling issues we come to you as I am coming to you today with a Resolution and you approve the issuance of the bonds and you do this each time. We don’t know until sometimes the day of the County Commission exactly how large this current prepaid issue is going to be. The Resolution today would authorize the Chairman, attested by the County Clerk, to in the future, sign-off on the Board of County Commission’s behalf so that the action you need to take today will be an action which will be projected into the future. Unless or until we collect up to \$50,000,000 in these prepaid. In essence, what we do is we take the amount of the prepaids, issue bonds, and then we, in a transaction give these to the trustee bank. The trustee bank then exchanges these funds for a like amount and we take and we invest and we hold until we have enough of these funds to do a new program and we do hope and intend to do a new mortgage revenue bond program late in 1997. If we start with this action today collecting the prepaids, then in the fall we will be able to do what we’ve always termed a recycling issue so that we can once again, in essence, reuse these funds and allow first time home buyers in Sedgwick County and throughout our program area to achieve the dream of home ownership.

“I have with me this morning Bond Counsel and a representative from the banking firm that will be underwriting this for us. If you have any technical questions, I would defer to them. If you have any questions that I can address I’d be happy to do so. The action that I am requesting that you take today is approve the Resolution and authorize the Chairman, attested by the County Clerk, to sign appropriate documents.”

Chairman Winters said, “Okay, thank you. Commissioner Schroeder.”

Commissioner Schroeder said, “Just a clarification Louanna. When you say sign appropriate documents, you are just talking about this one reissuance, right? Or are you talking forever?”

Ms. Honeycutt-Burress said, “Let me defer to Joe Norton.”

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Mr. Joe Norton, Gilmore & Bell, Sedgwick County's Bond Counsel, greeted the Commissioners and said, "What is proposed today is to set a cap at \$50,000,000 in the amount of recycling, refunding bonds, that can be issued during calendar year 1997. As Louanna explained, we don't know usually until about ten days before the end of the month how much prepayments are made that are to be used to retire bonds on the first date of the following month. We then have to scramble and get to you with an approximate number to be refined and close in about seven days which is kind of a fire drill.

"The theory here, we have run this by the Attorney General's Office and County Counselor, is to establish certain parameters that would, if this Resolution is passed, allow a series of recycling bonds to be issued not more than once a month and not more than the aggregate of \$50,000,000 total for calendar year 1997. So if we have to keep coming back to you every month to say we think it's going to be about this but we don't know for sure, take some action, so we can close by the end of the week.

"This would establish this program for 1997, not to exceed \$50,000,000 and authorize the Chairman and Clerk to sign the appropriate documents each month without coming back to the Board of County Commissioners, giving you an estimate of what we think is going to happen in three or four days, but having certain certificates and safeguards built into it that we need a certificate from the trustee of how many prepayments are there, a certificate from the underwriter of what the actual interest rate is going to be, and an opinion of bond counsel that all this bond transaction has been legally accomplished. We can do one of these in about a three day time every month and capture more. If we have to set the parameters now, what happens between now and the end of the month we lose. If we can wait and do it right before the end of the month we capture more dollars and these short term bond issues, the refunds are done at a variable rate short term issue until we can collect the money to make the expense of the program work out, in the neighborhood of \$30,000,000. to \$50,000,000. We have also, to get some new allocation from the State that will allow us to enhance that program. These bonds that are being paid off now are ones that have been issued in the past, they're remaining life is something less than thirty years. If we get some new allocations, we can make some more thirty year mortgages and make the program better. This just facilitates capturing more dollars than having us come back to you every month and saying well, we think it is about something, but we're not sure, and allowing some discretion of the Chairman to say okay, I've got the appropriate certificates this month, it is \$3,212.50, as opposed to cutting it off some time shorter. So it would make the program a little more efficient."

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Commissioner Schroeder said, "Okay, thank you."

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "Joe, I have a question and Louanna. You said it is a \$50,000,000 cap for the year 1997? That is certainly not all prepaids."

Mr. Norton said, "Yes, that would be prepaids. We think that is conservatively high. We doubt that they'll have that much, but for example, we think it is a little over \$3,000,000. We also know from experience that a lot of the principal maturities in the past have been in the months of September, October, and November, as opposed to earlier in the year. So we think that there is a possibility that those numbers may increase during the fall months so we want to make sure that we don't underestimate. Again, if we capture \$4,000,000. a month for the next six months, we may be at \$25,000,000. or \$30,000,000. realistically. We don't want to come short, that's why we went conservative and \$50,000,000. was put in there. We hope there is enough prepaids to make it a \$50,000,000 program, but realistically, probably not."

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

Chairman Winters said, "Thank you. Commissioners, you've heard Louanna and Mr. Norton's presentation, what's the will of the Board?"

MOTION

Commissioner Schroeder moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

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

G. RESOLUTIONS (TWO) REGARDING REAL PROPERTY.

- 1. RESOLUTION PROVIDING FOR THE CONDEMNATION OF CERTAIN REAL PROPERTY NEEDED FOR IMPROVEMENTS TO 21ST STREET NORTH FROM THE WICHITA CITY LIMITS TO K-96 HIGHWAY (PROJECT NO. 614-33 AND 34).**

SLIDE PRESENTATION

Mr. Euson said, "On the overhead this morning is a picture of the area near Greenwich Road and 21st Street North. The area marked in red, at the southwest portion of that intersection, is an area that we have attempted to purchase some right-of-way and have not been able to make the purchase. This purchase is in connection with a project initiated by the Bureau of Public Services which is to widen 21st Street between the Wichita city limits which is marked in the red dot supplied by the Director of Bureau of Public Services and the K-96 Bypass which is slightly off the map to the right. The Bureau of Public Services has acquired all other real property to the east and west of this. We have offered approximately \$20,000. to make this purchase and have been unable to make an agreement with the land owner. This is for a strip of permanent right-of-way comprising of about ½ acre on the south side of 21st Street and we need to proceed with condemnation in order to proceed with the project.

"This next slide shows the area to be condemned and that is approximately a 15 foot strip running along the south side of 21st Street. So the purpose of this this morning is to ask you to allow us to proceed with the condemnation proceeding. We will continue to try to work with the land owner to reach an amicable settlement."

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Chairman Winters said, "Thank you Rich. Commissioner Gwin has a question."

Commissioner Gwin said, "Rich, just real quickly, to review the process. If we approve this today then what happens, what's the next step?"

Mr. Euson said, "Then we will order title work. After we receive that, in about a week or ten days, we will prepare a petition for condemnation, file that with the court. The court will go through a proceeding to appoint appraisers, which takes two to three weeks. The appraisers, there are three appraisers, will then go out and view the property. They will hold a hearing with the land owner and us present. We will submit evidence, the land owner will submit evidence, and within about a three week period, the court appointed appraisers will make a decision as to the value and file that with the court. At that point in time, we have the option of paying in or abandoning the condemnation."

Commissioner Gwin said, "Then does the court take the appraiser's estimate of value after they've gone through all this procedure? When the appraisers make the recommendation, does the court always take that recommendation?"

Mr. Euson said, "Commissioner, the purpose of the proceeding is to have the appraisers actually set the value and the judge really does nothing but appoint the appraisers and initially finds that the County has the authority to condemn. The court really doesn't have the ability to overrule the appraisers."

Commissioner Gwin said, "Okay and then in the meantime, the County and the property owners can still negotiate before you get to that?"

Mr. Euson said, "Yes, and we will do so during that process."

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

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

Commissioner Miller said, "Mr. Euson, if I understood you correctly, we've already offered \$20,000 for approximately how many feet?"

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Mr. Euson said, "For approximately ½ acre, which is about a 15 foot strip located on the south side of 21st Street."

Commissioner Miller said, "And we are still in the process of negotiating this?"

Mr. Euson said, "Yes, we are."

Commissioner Miller said, "And the court will appoint an appraiser."

Mr. Euson said, "Three appraisers."

Commissioner Miller said, "Three appraisers. But we feel that the valuation is somewhere around the \$20,000?"

Mr. Euson said, "We feel that the valuation is similar to the valuations we paid along the other portions of the alignment and is fair and equitable."

Commissioner Miller said, "Okay. Thank you."

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

Commissioner Schroeder said, "Rich, what is this individual claiming, that our offer was not enough or simply does not want to relinquish the right-of-way? What's the problem?"

Mr. Euson said, "Good question. The land owner, as I understand it, is claiming that due to commercial sales in the area that the land owner's property should be treated as commercial and if I understand what the land owner is asking, I believe that the land owner is asking for \$40,000."

Commissioner Schroeder said, "What is it zoned now?"

Mr. Euson said, "I did not look into that and that is also a good question. I'm quite sure that it is some RR, Rural Residential, with a six acre light commercial on the corner."

Commissioner Schroeder said, "Okay, thank you."

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Chairman Winters said, "Thank you. Are there other questions of Rich? If not, what's the will of the Board?"

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

Chairman Winters said, "Next item."

2. RESOLUTION AUTHORIZING PUBLIC SALE OF REAL PROPERTY LOCATED AT DODGE AND 45TH STREET SOUTH.

SLIDE PRESENTATION

Mr. Euson said, "Commissioners, on the overhead is a platted area of the County that is located just north of 47th Street South and just west of Seneca. The County owns a small platted lot in this area at 45th and Dodge and is slightly darkened and a little bit difficult to see. It is a lot that the County purchased from the City of Wichita in the early 1970's. It is vacant but I understand it is surrounded by houses and the purpose of the County's acquisition was to put a warning siren on the property for the Emergency Communications. My understanding is that the warning siren has been removed and the County no longer needs the property for any County purpose and so the property should be sold.

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“In order to do this, County’s have authority to sell real property by statute, you must authorize a Resolution by a fourth fifths majority vote. We have prepared such a Resolution to offer this property at a public sale. I would be happy to try and answer any questions you might have about this lot.”

Chairman Winters said, “Thank you. Commissioners, I see no questions, what’s the will of the Board?”

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

Mr. Euson said, “Thank you.”

Chairman Winters said, “Thank you Rich. Next item.”

H. AGREEMENT WITH WICHITA AREA MOPARS CAR CLUB, INC. FOR USE OF SEDGWICK COUNTY PARK JUNE 1, 1997 TO HOLD A CAR SHOW.

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Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "The Mopar Car Club has had a show at Sedgwick County Park for a number of years. It is one of the more popular shows we have at the park. This is a standard form agreement for use on June 1 for that car show to occur in 1997 and we have received a certificate of insurance from the club. We have coordinated that date with the Park Superintendent and we would recommend your approval of this Agreement."

MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

I. DELEGATE AGENCY FUNDING AGREEMENTS (TWO) ESTABLISHING PERFORMANCE CRITERIA IN EXCHANGE FOR SEDGWICK COUNTY FUNDING.

1. MID AMERICA ALL INDIAN CENTER, INC.

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Mr. Harrison said, "We have two standard form Delegate Agency Funding Agreements. In 1997, we began the process of requiring those delegate agencies, primarily those line items in finance general, to enter into agreements to establish performance criteria for the funding that the County provides so that we can monitor exactly what is it they are doing with their programs and clients with the funding arrangements we have agreed to. We have two agreements today. One is for the Mid America All Indian Center and the second is for the Sedgwick County Fair Association. I would recommend your approval of these Agreements."

Chairman Winters said, "Thank you. Commissioners, we have both of these, we can either split them up or take them one at a time. They are listed one at a time, we'll take them one at a time. What's the will of the Board concerning Item I-1?"

MOTION

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

M*^seconded the Motion.

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

VOTE

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

2. SEDGWICK COUNTY FAIR ASSOCIATION, INC.

Chairman Winters said, "Commissioners, we'll take Item I-2, what's the will of the Board?"

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MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

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

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

J. EMERGENCY MEDICAL SERVICE (EMS).

**1. AGREEMENT WITH BARTON COUNTY COLLEGE WHEREBY
SEDGWICK COUNTY EMS WILL PROVIDE FIELD INTERNSHIPS
TO STUDENTS OF ITS TRAINING PROGRAM.**

Mr. Tom Pollan, Director, Sedgwick County EMS, said, "The first one is with Barton County. I have two. It is for twenty paramedic students and it is a standard form agreement. Also, we have a certificate of insurance on file. I would recommend your approval and allow the Chairman to sign."

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MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

**2. AGREEMENT WITH RANDALL G. STEARNS WHEREBY
SEDGWICK COUNTY EMS WILL PROVIDE FIELD INTERNSHIPS
TO STUDENTS OF HIS TRAINING PROGRAM.**

Mr. Pollan said, "This is an Agreement with Randall Stearns. This is an individual Instructor Coordinator, for the State of Kansas. This Agreement is a standard agreement, however, he has asked for a waiver of insurance and these are basic life support students who will be observing and I would recommend your approval and allow the County Chairman to sign."

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MOTION

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

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Is there any other discussion? Commissioner Schroeder."

Commissioner Schroeder said, "Rich, this issue here, they've asked for a waiver on insurance, is that okay with you folks on this Agreement with Randall Stearns?"

Mr. Euson said, "I believe you have done that before in certain cases Commissioner. That is just a risk decision on the part of the Board of County Commissioners. Sometimes that is appropriate to do that in a smaller program where the insurance cannot be obtained or can only be obtained at an excessive cost and that is a risk analysis for you. To my knowledge, we've never had any claims in any of these."

Commissioner Schroeder said, "Okay, thank you."

Chairman Winters said, "Tom, you're comfortable with this situation as it is presented."

Mr. Pollan said, "Yes."

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

VOTE

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

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

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K. AGREEMENT WITH HARRY KOURI, JR., D.D.S. TO PROVIDE PROFESSIONAL DENTAL SERVICES FOR INMATES OF THE SEDGWICK COUNTY ADULT LOCAL DETENTION FACILITY.

Mr. Lyman Reese, Major, Sheriff's Department, greeted the Commissioners and said, "This is the annual renewal of a contract for dental services at the facility with Dr. Kouri. A very quick overview. We did a review of what the dentist currently does. We found that we consistently have a backlog of people wanting to see the dentist and we asked the question, why. Basically, it was limited by the amount of dental instruments that Sedgwick County owns. We've talked to the dentist, we've agreed to purchase additional instruments. He has agreed to see additional patients. In fact, with the instruments, he thinks he can double the number of people he sees each week. In so doing, that will reduce the long term cost to the County because as the people are waiting to see, they still go to medical call, they still require some medications. We think we can reduce that. The total annual contract is for \$22,500. We would ask that you approve that and I'd be happy to answer any questions that you might have."

Chairman Winters said, "Okay, thank you. Commissioner Schroeder."

Commissioner Schroeder said, "Lyman, you told me in my office last week what the increase was in that amount, was it \$3,000?"

Major Reese said, "It is an additional \$4,200., from \$18,300., which is the current contract to \$22,500."

Commissioner Schroeder said, "Okay, thank you."

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

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MOTION

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

Commissioner Schroeder seconded the Motion.

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

VOTE

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

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

L. MATCHING FUNDS ADVANCE FOR OLD COWTOWN MUSEUM VISITOR CENTER/STRATEGIC PLAN PROJECT.

Mr. Michael S. Knecht, Director, Old Cowtown Museum, greeted the Commissioners and said, "I am here this morning to request some matching funds toward the strategic plan implementation out at Old Cowtown. We are in the early stages of our capital campaign and to date we have raised slightly more than \$227,750. from foundations, individuals, staff, board of trustees, and several other groups. The Commission has authorized \$825,000. previously toward this project and we're requesting today that the Commission approve the request for \$227,750. These funds will allow us to continue with the development of the 1880 Farmstead, the 1870's Homestead and Orchard, creating of a master utility plan and the implementation of the other projects that are called for in the strategic plan. I'd be happy to answer any questions that you may have at this time."

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MOTION

Commissioner Schroeder moved to approve the matching funds advance.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you very much Michael. Keep up the good work. Next item."

M. POSITION RECLASSIFICATIONS (FIVE) AND RANGE REALLOCATION.

1. RECLASSIFICATIONS.

- **ADMINISTRATIVE SPECIALIST, RANGE 19, APPRAISER'S OFFICE, TO PERSONAL PROPERTY APPRAISER III, RANGE 21**
- **REAL PROPERTY APPRAISER II, RANGE 19, APPRAISER'S OFFICE, TO REAL PROPERTY APPRAISER III, RANGE 21**
- **OFFICE SPECIALIST, RANGE 15, HUMAN RESOURCES, TO ADMINISTRATIVE ASSISTANT, RANGE 18**

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- **OFFICE SPECIALIST, RANGE 15, SHERIFF'S OFFICE, TO ADMINISTRATIVE ASSISTANT, RANGE 18**
- **CASE MANAGER, RANGE 16, COMCARE, TO DIVERSION/DISCHARGE SPECIALIST, RANGE 18**

2. REALLOCATION.

- **SECURITY OFFICER, RANGE 13, SECURITY OFFICE, TO SECURITY OFFICER, RANGE 14**

Ms. Nichols said, "I'm here to request your approval of first quarter reclassifications and one range reallocation. The audits have been conducted and the recommendations have been reviewed by the Reclassification Committee. We are requesting reclassifications for Administrative Specialist position, Range 19, in the Appraiser's Office, to Personal Property Appraiser III, Range 21; Real Property Appraiser II, Range 19, Appraiser's Office, to Real Property Appraiser III, Range 21; Office Specialist position, Range 15, in the Human Resources Bureau, to Administrative Assistant, Range 18; Office Specialist, Range 15, in the Sheriff's Office, to Administrative Assistant, Range 18; Case Manager, Range 15, in COMCARE, to Diversion/Discharge Specialist, Range 18. All of these funds for these reclasses are available in the department budgets. We have a reallocation, the Security Officer position, we're reallocating from a Range 13 to a Range 14. Would request your approval. There are nineteen positions affected with the range reallocation in the Security Department."

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

Commissioner Gwin said, "Mary Ann, you indicated that the monies are available. Are each of the departments aware of the impact of the '98 change and the benefit changes there?"

Ms. Nichols said, "Yes, they are, and their funds are there."

Commissioner Gwin said, "And their budget requests?"

Ms. Nichols said, "Yes, they have been targeted."

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Commissioner Gwin said, “Okay, thank you. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you Commissioner. Commissioners, you’ve heard Mary Ann’s report on this Item M, what’s the will of the Board?”

MOTION

Commissioner Hancock moved to approve the reclassifications and reallocation.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Ms. Nichols said, “Thank you very much.”

Chairman Winters said, “Thank you Mary Ann. Next item.”

N. KANSAS COLISEUM.

- 1. MODIFICATION TO CONTRACT WITH WILLIAMS CONSTRUCTION CO., INC. FOR PAVILION II REMODELING. CIP #PR-108.**

Regular Meeting, May 21, 1997

Mr. John Nath, Coliseum Director, Kansas Coliseum, greeted the Commissioners and said, “We are requesting that we modify the contract with Williams Construction Company to the tune of approximately \$5,700. This is to include some additional equipment that was not in the original contract. That is hardware for six doors, the roughing in of a gas line, which will allow us to easily allow more equipment in our kitchen area, and also to comply with federal regulations in the appliances and restrooms for water saving capabilities. These are all things that we had to have. There was none included in the original. We request that you approve this change.”

Chairman Winters said, “Thank you John. Commissioners, you’ve heard this item, what’s the will of the Board?”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, “Next item.”

2. KANSAS COLISEUM MONTHLY REPORT.

Regular Meeting, May 21, 1997

Mr. Nath said, "For the month of April, we had fourteen events, 33 performances, and an attendance of almost 81,000 people. Our net revenues for the month were nearly \$139,000. The events for the month were the Sunflower Cluster Dog Show, the Australian Shepherd Dog Show, those were attended by almost 32,000 people. By the addition of Pavilion II, we are certainly able to expand that event and we look for it to really grow again next year. The second big event was the Shrine Circus, 23,000 people in attendance. We are meeting with the Shriners again this Friday trying to get a head start on next year's event. We are going to try to do some changes for ticketing so we can provide a better service and help them to grow a little bit more."

"One of the things we have accomplished this month is we are attempting to establish a separate identity with Select-A-Seat, so we have obtained a separate phone number for them. We have talked to Valley Center, who had the phone number. The new number will be 755-SEAT. There will be additional agreements and we will be coming to you in future meetings that will tie in some marketing efforts to help publicize this. I'd be glad to answer any questions if you have any."

Chairman Winters said, "All right, thank you John. Commissioners, are there questions of John? Commissioner Gwin."

Commissioner Gwin said, "Not a question, just a comment. I attended the Cattlemen's Ball in Pavilion II and I think that is the first event that I've been in since that has been finished. That worked very well for that event John."

Mr. Nath said, "We're well pleased with the way that turned out."

Commissioner Gwin said, "I'm glad we've done that."

Mr. Nath said, "We were able to do some things with restrooms that we're confined by space and old construction that we could not do in existing buildings. We were able to do some things that we wanted to do and it worked out well."

Commissioner Gwin said, "It certainly did, it was great. Thank you Mr. Chairman."

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

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MOTION

Commissioner Hancock moved to receive and file.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you very much John. I would like to acknowledge that we have been joined this morning by a ninth grade class from Andale with their teacher, Mike Mason. Welcome, glad to have you in our meeting room this morning. Madam Clerk, call the next item."

O. ESTIMATE FROM SEDGWICK COUNTY RURAL ELECTRIC COOPERATIVE FOR RELOCATION OF A LINE IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 797-O-3132; BRIDGE ON 183RD STREET WEST BETWEEN 4TH AND 13TH STREETS NORTH. CIP #B-288. DISTRICT #3.

Mr. David C. Spears, P.E., Director/County Engineer, Bureau of Public Services, greeted the Commissioners and said, "Item O is an approval of a proposal by Sedgwick County Electric Cooperative to relocate their electric line at a cost of \$4,140 in connection with the bridge project on 183rd Street West between 4th Street North and 13th Street North. This project is designated as B-288 in the Capital Improvement Program. The line is not located in the public right-of-way. I recommend that you approve the relocation and cost estimate."

Regular Meeting, May 21, 1997

MOTION

Commissioner Miller moved to approve the estimate.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

**P. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MAY 15, 1997
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have minutes from the May 15 meeting of the Board of Bids and Contracts. There is just one item for consideration this morning.

**(1) CLIENT TRACKING SOFTWARE - DEPARTMENT OF CORRECTIONS
FUNDING: DEPARTMENT OF CORRECTIONS**

"That is client tracking software for the Department of Corrections. It was recommended to accept the only source bid of Info Capture, Incorporated, in the amount of \$34,000., per our Charter Resolution.

ITEMS NOT REQUIRING BOCC ACTION

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

Regular Meeting, May 21, 1997

**(3) HOME INVESTMENT PROGRAM - BUREAU/COMMUNITY
DEVELOPMENT/BUREAU/FINANCE
FUNDING: HOUSING**

“There are two items that do not require action at this particular time, tandem axle dump trucks for the Central Motor Pool and Bureau of Public Services and I should note for the record that we are attempting to purchase three dump trucks, not two as listed. Home investment program for the Bureau of Community Development and the Bureau of Finance, those proposals are all being reviewed. Be happy to take questions and would recommend approval of the recommendations of the Board of Bids and Contracts.”

Chairman Winters said, “Thank you. Are there questions or comments? Commissioners, what’s the will of the Board?”

MOTION

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

Commissioner Gwin seconded the Motion.

Commissioner Hancock said, “I’d like to hear about this software if you see anybody from the Department of Corrections.”

Mr. Muci said, “We do have a representative here from the Department of Corrections, Mike Holiday.”

Mr. Mike Holiday, Department of Corrections, said, “Any questions?”

Commissioner Hancock said, “I’m just curious about this client tracking software, \$34,000. is a lot to spend and I was just curious about what it does that is unique.”

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Mr. Holiday said, "It allows us to incorporate not only the tracking of the clients within the adult facilities, which is a work release program, it will allow us to do away with all the manual paper work that we currently use every time the 75 inmates leave the facility each day and return to the facility. It will allow us to have better tracking of where they are at in the community. It also allows us to incorporate some data collection processes with report writing. A component of the program is a reports now program that allows us to track treatment programming, financial considerations of what the inmates are doing and incorporates that all into one program for the department. Also, with the licensing of this, it will allow us to use this program at other County facilities as we expand."

Commissioner Hancock said, "Not just limited to one terminal."

Mr. Holiday said, "No, it is not limited to one terminal, we will be placing this onto a LAN network and actually using it on 15 terminals at one time."

Commissioner Hancock said, "Thank you. Thank you for being here today."

Chairman Winters said, "Looks like that is it. Thank you very much. Glad you were here today. Commissioners, we have a Motion and a second to take the recommended action. Is there any other discussion? Seeing none, Madam Clerk call the vote."

VOTE

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

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

CONSENT AGENDA

Q. CONSENT AGENDA.

Regular Meeting, May 21, 1997

1. Right-of-Way Easements.

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

- a. Road Number 775-N, Owners: Tim L. Fairchild, Tina Marx and Dorothy K. Marx, located in the Northwest Quarter of Section 10, Township 27 South, Range 4 East, more specifically located on the east side of 359th Street West and south of 21st Street North. Grand River Township. District #3.
- b. Road Number 614-4, Owners: Tim L. Fairchild, Tina Marx and Dorothy K. Marx, located in the Northwest Quarter of Section 10, Township 27 South, Range 4 East, more specifically located on the south side of 21st Street North and east of 359th Street West. Grand River Township. District #3.
- c. Road Number 614-12, Owners: Christopher P. Schneider and Lisa K. Schneider, located in the Southwest Quarter of Section 1, Township 27 South, Range 3 West, more specifically located on the north side of 21st Street North and east of 231st Street West. Garden Plain Township. District #3.
- d. Road Number 618-8, Owners: Adam J. Hays, located in the Northeast Quarter of Section 20, Township 27 South, Range 3 West, more specifically located on the south side of 4th Street North (Central) and west of 279th Street West. Garden Plain Township. District #3.
- e. Road Number 646-12, Owners: Steven D. Ford and Erika M. Ford, located in the Southwest Quarter of Section 25, Township 29 South, Range 3 West, more specifically located on the north side of 111th Street South and east of 231st Street North. Viola Township. District #3.

Regular Meeting, May 21, 1997

2. Floodway Reserve Easements.

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

- a. Owners: Christopher P. Schneider and Lisa K. Schneider, located in the Southwest Quarter of Section 1, Township 27 South, Range 3 West, more specifically located on the north side of 21st Street North and east of 231st Street West. Garden Plain Township. District #3.
- b. Owners: Christopher P. Schneider and Lisa K. Schneider, located in the Southwest Quarter of Section 1, Township 27 South, Range 3 West, more specifically located on the north side of 21st Street North and east of 231st Street West. Garden Plain Township. District #3.

3. Right-of-Way Instruments.

- a. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 797-0-3132; Bridge on 183rd Street West between 4th and 13th Streets North. CIP #B-288. District #3.
- b. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 785-L-1933; Bridge on 279th Street West between 29th and 37th Streets North. CIP #B-283. District #3.
- c. Two Temporary Construction Easements for Sedgwick County Project No. 616-833; Intersection Improvements at 13th Street North and Webb Road. CIP #I-72. District #1.

Regular Meeting, May 21, 1997

- d. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 797-K-1025; Bridge on 183rd Street West between 37th and 45th Streets North. CIP #B-287. District #3.

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V96056	\$215.00	\$198.00
V96057	\$375.00	\$392.00
V96052	\$385.00	\$379.00
V95085	\$304.00	\$291.00
C93036	\$310.00	\$307.00
V96043	\$340.00	\$306.00
C62017	\$236.00	\$240.00
V95031	\$226.00	\$316.00
C97015	\$183.00	\$173.00
V96030	\$451.00	\$165.00

- 5. Order dated May 14, 1997 to correct tax roll for change of assessment.**
- 6. Agreement with Wichita Festivals, Inc. for use of Sedgwick County's portable bleachers.**
- 7. Consideration of the Check Register of May 16, 1997.**
- 8. Budget Adjustment Requests.**

Regular Meeting, May 21, 1997

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970272	Central Motor Pool	Transfer
970273	Aging-Senior Care Act	Transfer
970274	COMCARE-CDDO	Transfer
970275	COMCARE-Heartland	Transfer
970276	Corrections	Transfer
970277	Capital Projects	Transfer
970278	Capital Projects	Supplemental Appropriation
970279	Capital Projects	Transfer
970280	Capital Projects	Transfer
970281	1997 Bridge Projects	Supplemental Appropriation
970282	1997 Bridge Projects	Supplemental Appropriation
970283	KDHE Solid Waste Grant FY 97	Transfer

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

MOTION

Commissioner Hancock moved to approve the Consent Agenda.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Regular Meeting, May 21, 1997

Chairman Winters said, "Is there other business to come before this meeting? We do need to have an Executive Session later so at this time I will recess the Board of County Commissioners as the Regular Board."

The Board of Sedgwick County Commissioners recessed to the Fire District meeting at 10:27 a.m. and returned at 10:49 a.m.

Chairman Winters said, "I'll call to back to order the Regular Meeting of the Board of County Commissioners proceedings, May 21, 1997. We do need an Executive Session."

R. OTHER

Commissioner Miller said, "Yes, we do Mr. Chairman."

MOTION

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for 50 minutes to consider consultation with Legal Counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation, legal advice, preliminary discussions relating to the acquisition of real property for public purposes and that the Board return from Executive Session no sooner than 11:40 a.m.

Chairman Winters seconded the Motion.

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

VOTE

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

Chairman Winters said, "We are in recess."

Regular Meeting, May 21, 1997

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:50 a.m. and returned at 11:37 a.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of the Board of County Commissioners May 21, let the record show that there was no binding action taken in Executive Session. Does anyone else have any other business? Rich? Mr. Manager? This meeting is adjourned."

S. ADJOURNMENT

Regular Meeting, May 21, 1997

There being no other business to come before the Board, the Meeting was adjourned at 11:37 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chairman Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997