

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JANUARY 21, 1998

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, January 21, 1998, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Mark F. Schroeder; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Melody C. Miller; Mr. William P. Buchanan, County Manager; Mr. Jarold D. Harrison, Assistant Manager, County Manager's Office; Mr. Rich Euson, County Counselor; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Ms. Irene Hart, Director, Bureau of Community Development; Mr. Tom Pollan, Director, Emergency Medical Service; Ms. Louanna Honeycutt Burress, Administrative Officer, Department of Housing & Economic; Ms. Debra Donaldson, Director, COMCARE; 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

Mr. Thomas R. Powell, Hinkle, Eberhart & Elkouri, L.L.C.
Mr. James Crump, President, NAACP
Dr. L.C. Drew, Wichita, Kansas
Mr. Eric F. Melgren, Foulston & Seifkink, L.L.P.

INVOCATION

The Invocation was given by Mr. David Cline of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: **Regular Meeting, December 31, 1997**

The Clerk reported that Commissioner Miller was absent at the Regular Meeting of December 31, 1997.

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

MOTION

Commissioner Hancock moved to adopt the Minutes of December 31, 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Abstain
Chairman Mark F. Schroeder	Aye

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

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

Chairman Schroeder said, "See no questions. Thank you Becky. Next item please."

APPOINTMENTS

A. RESOLUTION APPOINTING MEMBERS TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT COMMITTEE.

Ms. Irene Hart, Director, Bureau of Community Development, greeted the Commissioners and said, "I have for your consideration today an Amended Resolution. Those I haven't seen, I placed it at your desk. The earlier one had a clerical error in it that I didn't catch. I apologize for that."

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“What this Resolution does is appoint 27 members of the Solid Waste Committee. December 31, 1997, terms of all members expired. So what we’ve done this time is to ask you to appoint people for two year terms and one year terms so that never again will we have all 30 appointments expiring at the same time. We have five nominations from the City of Wichita as required by statute, three nominations from cities of the second class, one nomination from cities of the third class, we have a representative of the unincorporated area, two large haulers from private industry, a private recycler, and several other persons of interest and concern. All the people who wanted to be reappointed from the previous Solid Waste Committee have been included in the appointment list. I could read the names if you find that desirable.”

Chairman Schroeder said, “Go right ahead.”

Ms. Hart said, “For two year terms, the nominations or the appointments for consideration are: James Arbertha; Roland Smith; David Landoll; Jane Henry; Karol Schlicher; Randy Dorner; Nicki Soice; Gilbert Ballinger; Jim Spencer; Tim Lower; Eric Evenson; Bill Skaer; Milt Pollitt; Susan Saidian; and Kay Johnson. For one year terms would be: Anneke Allen; Gregg Armstrong; Jim Ayers; James Breitenbach; Joy Darrah; Karen Gale; Charles Hawthorn; Bryan Jaax; Wilgean Lindsay; Margaret Miller; Vicki Skaer; and Tamara Emerson.”

Chairman Schroeder said, “Thank you Irene. Discussion on this item Commissioners?”

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

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Ms. Hart said, "The next meeting of this committee will be January 26, at 3:30 p.m. at the Extension Service."

Chairman Schroeder said, "Thank you Irene. Just a comment to thank all of those people who have volunteered to once again serve on that committee which can be testy to say the least from time to time. They have a difficult task ahead of them yet and we wish them the best. I know our staff will support them 100% and I appreciate all the staff has done in the past with them. Thank you. Next item please."

CITIZEN INQUIRY

B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SELECTIVE PROCESS FOR BOARD OF COUNTY COMMISSIONERS' CHAIRPERSON.

Chairman Schroeder said, "Is James Crump or Reverend Drew here?"

Mr. James Crump, President, NAACP, Wichita, Kansas said, "Good morning. I'm not going to go into a bunch of rhetoric about why Dr. Drew and myself are here, that is quite obvious, it's on the agenda. This past weekend many in the African-American community and those that chose to outside the African-American community, celebrated the birthday of our beloved Dr. Martin Luther King, Jr. In those proceedings, I was privileged to hear a speaker by the name of Pastor Lincoln Montgomery give a speech on selling out. Selling out. Last Wednesday, the County Commissioners in their infinite wisdom elected, and I have no objection to this gentleman, Mr. Schroeder as the new Chair. I have a lot of respect for Mr. Schroeder as I have for most of you. However, in doing so it came about because conditions had been previously put on the Commissioner who was in line to be the next Chair, Commissioner Miller. From the information that I've been privileged to, Mr. Hancock had approached Ms. Miller and asked her if she was interested in the Chairmanship of the County Commission and she allegedly never got back with him. Commissioner Gwin, unless the Eagle was wrong, indicated that she wanted to know Commissioner Miller's position before she would vote for her or against her. Commissioner Winters, now unless again the Eagle was wrong, indicated that he would not have voted for Commissioner Miller regardless because of the alleged controversy last year on her residency. That is why I am here.

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"I find it appalling that Commissioner Miller even had to be asked if she would accept the position. If she didn't want the position, I'm sure she would have told someone in advance. I find that rather ironic that she was approached in that method. If that is customary, so be it. It is the first time that it has been made public so I have to question that tactic. I understand that Mr. Hancock has indicated publicly that he would have supported Commissioner Miller and Mr. Schroeder would have supported Miss Miller as well as she supported herself. Of course, we would have never known who would have supported whom because it never came to that vote.

"Commissioner Winter's indicated that because of where Commissioner Miller lives and the question surrounding her residency he would under no circumstance have supported her. I do believe that the District Attorney, Ms. Nola Foulston, and the Kansas Attorney General, Ms. Carla Stovall, both ruled that Commissioner Miller had violated no laws. So now comes the question of are we talking about what is legal or what is opinionated or what one construes to be ethical or unethical. I think that since she violated no law, the other opinions are mute. We are talking about her qualifications. If she is not qualified, that is for the voters to decide. Commissioner Gwin indicated that she wanted to know her position and she also stated that she didn't feel that Commissioner Miller was a team player. Well, we all have rights and we all have choices that we can make, including political choices, but for someone who changed political parties in the middle of the stream after the one party got them elected to say that someone else is not a team player sounds rather hypocritical.

"Commissioner Melody McCray Miller did not sell out and because she did not sell out we will not sell her out. She stood by her convictions and we're proud of her for that. We're here to let you know that we will support her in her pursuit to whichever district she decides to run for. We will not be sold down the river. We will not allow anyone to pat us on the head and say do it my way or it is no way. I now, with your permission, turn it over to Dr. Drew."

Reverend L. C. Drew said, "Commissioner Chairperson Mark Schroeder and to members of the Sedgwick County Commission, we greet you this morning because we have a very deep concern about, as the agenda states, this elective process for the Board of County Commissioners. Sister Melody Miller has served well and I think that she is a team player because there are many things that have been accomplished because of her leadership as a Sedgwick County Commissioner. We come today because we're concerned about the selection process and you have policy and procedure and according to what I understand about the County Commission, every Commissioner member should have an opportunity to lead as the Chairperson of the Commission. Sister Miller was denied that right a few years ago and she was denied that right just recently.

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“I co-sign what Brother James Crump has said. We all live within the law. The law stated that there wasn’t nothing wrong, no violation. It wasn’t proper nor appropriate that Tom Winters and Betsy Gwin debate the issue about what district she is going to run in. Melody Miller got a right to run in whatever district she want to run in and as of this day we would like to go on record of saying to this County Commissioner that we are going to encourage her now to run in the First District again Betsy Gwin and not only are we encouraging her, we’re going to support her 100%.

“As James Crump said a little bit ago, Montgomery preached a sermon Monday, the danger of selling out. And Betsy Gwin said that Miller is not a team player. As Crump said ‘that sell out in the middle of your term don’t make good sense.’ I do have constituents of the First District out in Bel-Aire that are members of the church where I pastor. They told me to inform their representative that wasn’t here when the deal was cut in the back room, but they will be at the voting booth when voting time comes.

“So we come today because we’re concerned about that and we have not overcome. We’ve not overcome. We’ve not overcome. We have not overcome. The battle is still raging. We’ve not overcome because racism are still rampant. We’ve not overcome because bigotry are still acceptable behavior. We’ve not overcome because some white folks believe that white is divine. We are not overcome. And if you have nothing which to die for you’re not fit to live. So we come today and we must remember we shall overcome because deep in my heart I do believe we shall overcome. We shall overcome because the arch of the moral universe is long but it bends toward justice. We shall overcome because truth is more powerful than a lie. We shall overcome because the darkness can hide the light but the darkness cannot overcome the light. We shall overcome because after the crucifixion there is a resurrection. I stopped by today to tell you that we are going to be resurrected. Melody Miller will be resurrected. We don’t like what happened out here last week and we come to speak and voice our concern not only James Crump and myself but for the community of northeast Wichita. I trust that we’re speaking for Sedgwick County as a whole. There is a lot of racism in the County, not just on this Commission. A lot of racism in the County and I want you to know today that this is only the fuse that ignited the bomb but we’re going forward now to deal with the entire Sedgwick County because of the racism that is taking place in this County.

“We sing this song all the time, we sing it all the time, I don’t think we understand what we are singing and we sang lift every voice and sing. That second verse, that stony of the road we trod, bitter the chaste and rod, the days when hope unborn had died, yet with the steady beat have not our weary feet come to the place for which our Father sighed. We have come of a way that where tears have been watered. We have come treading our path through the blood of the slaughter or from the gloomy past till now we stand at last for the white gleam of our bright stars is cast. We come to cast those gleams this morning. To let you know that we are standing with Sister Melody Miller.

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“I think she has done an excellent job. She is a tremendous team player. She wouldn’t have gotten all the things done that has been accomplished had not she been a team player.

“I want to thank Bill Hancock and Mark Schroeder for your support for Sister Melody Miller. We will not stand by and the reason we’re here today is in the past, but we will not stand by ever who we send down here to represent us as a County Commissioner, we will not stand by and allow injustice to be done to anybody. Any injustice anywhere is wrong and you have wronged Sister Miller by not allowing her the opportunity to lead. Thank you for your time.”

Chairman Schroeder said, “Thank you Reverend. Thank you Mr. Crump. Appreciate both you being here today. Commissioner Winters do you have a comment?”

Commissioner Winters said, “Yes, I have a comment. I share Chairman Schroeder in thanking both of you gentlemen for coming today. I think I agree with a lot of what you said and I think that I disagree with some of the things you said. I certainly, Mr. Crump think you were on target in the fact of you talked about the problem that Commissioner Miller and I have over the issue of residency. From my standpoint and I speak only for myself, I don’t speak for the Commission, I think this district issue is very important and to me I think it is a system of dividing the County into areas where we can make certain that constituents are represented by individuals serving those districts. I take the district and the residency and where one lives very seriously, but you are right to challenge me if that is the point where you disagree with me because that is what is okay. You or anyone else, the Eagle, you can say, ‘Tom, you’re wrong on this issue. You’ve elevated this to an issue higher than it should be and there perhaps Tom, you’re wrong in making this such an important issue that it would prevent you from supporting Commissioner Miller to be Chair.’ But after last weeks meeting, there was this direct inference that I made my decision based on race and gender and I did not make my decision based on race and gender. Commissioner Miller and I will continue to work through 1998 and in the past we have agreed and worked on several issues, we have disagreed on issues. I’m probably certain that we’ll disagree on issues in 1998. But when we do have those disagreements, I can assure you from the bottom of my heart and since last Wednesday, I’ve looked deep inside because it is not pleasant to be referred to as someone who makes decisions based only on race, decisions that we disagree on in the future will not be based on race or gender.

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“I’m really disappointed that this issue has been elevated to this personal level because I’m sure Commissioner Miller is upset and hurt. I’m sure her family is upset and hurt over this commotion. I know that I’m upset and hurt and I know my family is upset and hurt. I realize that there is racism in this community and I hope over time that we can all continue to work together to stamp out racism wherever we see it and I hope over time that the bitter feelings on this Commission will be healed. Thank you.”

Chairman Schroeder said, “Thank you. Other comments or questions? Commissioner Miller.”

Commissioner Miller said, “My light’s not working.”

Chairman Schroeder said, “No it’s not. No ones is.”

Commissioner Miller said, “I simply needed to thank Reverend L.C. Drew and Mr. James Crump for coming before the Commission today. You can see that the words that you’ve spoken are definitely words that are representative of a large number of people and not only are those people African-Americans, it is a conglomerate of all people in the County. You can also note that it was able to spark a comment from one Commissioner on this bench. In an interview that I had with Jim Cross yesterday, he was saying what will it take to make it better or right? It is going to take work and recognition from the inside that we have some challenges and some problems that we need to deal with. To my Commissioner, my colleague Tom Winters, I simply need to say thank you for making the comments that you did today. I think that began a process of recognition and of acceptance and that is what needs to happen. Thank you.”

Chairman Schroeder said, “Thank you. Any other questions or comments?”

Commissioner Hancock said, “Should I just right in there, I didn’t know the lights weren’t working.”

Chairman Schroeder said, “I’m sorry.”

Commissioner Hancock said, “I thought you were ignoring me.”

Commissioner Miller said, “No lights are working.”

Chairman Schroeder said, “My first meeting.”

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Commissioner Hancock said, "Well, I appreciate Mr. Crump and Dr. Drew for being here today. I appreciate your words. It is good to see you again. I'm been a Commissioner for nine years now and this is the tenth Chairperson that I have voted for and helped elect and it seems like each year the process is a little bit more interesting than the previous year, but this one here by far was the most interesting of all the elections so far. I had to respond to one thing and in all the ten elections I've been involved in, there seems to be some kind of a hint that all this takes place behind closed doors and I can assure you that it does, it really does. It is our personal decision among ourselves who we decide to elect as Chairperson. We talk about it from time and time and I began talking about it in early December among the Commissioners who ought to be Chairperson. The whole point of my activity was to try to select a Chairperson and make the change with the least controversy as possible. It seems like every year in January, the second meeting we make a big spectacle of trying to elect a new Chairperson. Believe Me, I can talk from experience. My first meeting I was elected Chairperson, if you recall, because there was a controversy at that time and that was unfortunate. I had no idea what was going on in the County my first year and I shouldn't have been. But because of the controversy I just knew that year that Mark Schroeder wouldn't vote for me, but he did. It is a difficult process, but it is one of them that I reserve the right for ourselves to make the decision. I don't expect those out there to, certainly they may criticize and condemn our decision but certainly it is our decision among ourselves. Legislature has that right, Congress has that right, the U.S. Senate has that right. All those political organizations have the right to select their Committee Chairman, their speakers of the House, their presidents of the Senate, and we have the right to collect our Chairman for each year in the Board of County Commissioners. A couple of years ago I tried to make a change. To take you back just a little bit, we used to elect our Chairperson based on who was in the majority on the Commission, a republican or a democrat. Maybe we'll go back to that, I don't know. I did a poll of the other 104 other counties and made a decision that probably we were by a large extent in the minority of how we chose our Chairperson. I felt like it ought to be rotated and give everybody a chance to serve. We've had two shots at it so far and neither one of them have been very good. Controversy has surrounded it.

"I can tell you this, I probably have about two or three more other Chairmen to help elect and I hope it goes a lot smoother. I hope we can devise a method by which we can make the change a lot easier for us all. My point is that it is difficult to do and each one of our votes are probably based upon different reasons, but I just don't allow anyone to challenge that. It is within our right to do so and how we choose to do it is really our business. I think the end result is what the folks that I serve in my district is to be concerned with. I will also emphasize and echo what Commissioner Winters has said.

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"This decision by all of us, none of it was based upon the fact that Melody Miller is an African-American or she is a woman has nothing to do with it. I worked with Melody Miller for the last year. I was unhappy with the residency question a year ago and I wasn't going to vote for her and that is my right. I may have been right and I may have been wrong, but it is my privilege and my right to do so. I have worked with her for the last year and I've seen Melody do some good things. There are some things probably that I don't always agree with but she has been an honest, hard working, dedicated Commissioner. I don't think any of us can deny that and I was willing to nominate her and to support her this year still quite unhappy about the residence question. I find it ironic that a Commissioner can say at this point I haven't decided what District I am going to run and yet. I certainly couldn't say that at this point and neither can the other Commissioners. So I still have a little heart burn over that but I also respect Melody's abilities as a Commissioner. I'm sure we'll have more conversations about some of this stuff between ourselves in the future.

"Thank you for being here today and Melody, while I was disappointed about last week, I think you have been very gracious for the most part about the whole thing and I look forward to working with you for the next year."

Commissioner Miller said, "Thank you Bill."

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

Chairman Schroeder said, "Thank you. Other questions or comments? I appreciate, again thanking Reverend Drew and James Crump for being here today. Appreciate your comments and you are welcome anytime to please come to our meeting. Before we go on to the next item, I would be remiss if I didn't recognize former County Commissioner Bud Henson and former Register of Deeds, Betty McCart, they are in the audience today. Appreciate you both being here. Thank you. Next item please."

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NEW BUSINESS

- C. RESOLUTION RECOMMENDING TO THE STATE BOARD OF TAX APPEALS THAT A TAX REFUND IN THE AMOUNT OF \$47,987 BE GRANTED FOR TAX YEAR 1992 IN THE MATTER OF THE APPLICATION OF THE BOEING COMPANY FOR RELIEF FROM A TAX GRIEVANCE CONCERNING THE OAKLAWN IMPROVEMENT DISTRICT.**

Mr. Eric F. Melgren, Foulston & Seifkin, L.L.P, greeted the Commissioners and said, "I'm an attorney representing the Boeing Company here on kind of a clerical mop up matter. I'll be very brief because that is all it is. As probably most of you know, years ago Boeing and the Oaklawn Improvement District were engaged in a tax dispute regarding the appropriate amount of taxes which Oaklawn could collect from Boeing. That dispute is over. In the context of the process of that dispute Oaklawn's attorney, Mr. Tom Powell and I spent a lot of time together. One of the things that we did was file a lengthy stipulation in that pending dispute. Among numerous other items the stipulation indicated that we had both discovered and agreed that there had been a couple of clerical errors in computing the amount of taxes for two of the years involved. These computations are really very complex and involved, but in working with, I believe at that time it was the County Clerks Office, we discovered a couple of errors and included in our stipulation what the correct amount of the taxes should have been, irrespective of how that lawsuit would turn out.

"We have now asked the Board of Tax Appeals to order that those two years be corrected. For one year, Boeing was under assessed and for another year Boeing was over assessed the amount as set forth in the Resolution you have before you. Pursuant to statutory law, we filed an application with the State Board of Tax Appeals and asked them if they order this amount to be corrected and refunded. The Board has issued a provisional order doing so, but the State law also provides that years more than three years back require the approval of the County Commission. So this matter is here on our application and the Board's recommendation of a provisional grant to order this amount. I have been informed by the County that sufficient funds exist in the appropriate fund to make this payment. Other than that, I have no further statement but I would be happy to respond to any questions."

Chairman Schroeder said, "Thank you Mr. Melgren. Any comments or questions? Mr. Counselor, do you have anything to add to this?"

Mr. Richard Euson, County Counselor, said, "No, I don't. The Resolution does reflect the information that Mr. Melgren has given."

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Chairman Schroeder said, "Okay. Thank you. If there is no discussion, I'd entertain a Motion."

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

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

D. RESOLUTION RECOMMENDING TO THE STATE BOARD OF TAX APPEALS THAT A TAX REFUND IN THE AMOUNT OF \$83,684.56 BE GRANTED FOR TAX YEAR 1993 IN THE MATTER OF THE APPLICATION OF OAKLAWN IMPROVEMENT DISTRICT TAXPAYERS FOR RELIEF FROM A TAX GRIEVANCE.

Mr. Thomas R. Powell, Hinkle, Eberhart & Elkouri, L.L.C., greeted the Commissioners and said, "I'm here on a matter that arises out of the same situation that Mr. Melgren was speaking about. I represent the Oaklawn Improvement District and I am here on behalf of the Oaklawn Improvement District to ask the County Commission to adopt a Resolution that is before you today wherein you recommend to the Board of County Commissioners that refunds be made. There are approximately 800 applications for 800 separate pieces of property before you. What that represents in this same litigation Boeing versus Oaklawn that Mr. Melgren was talking about, when it was first trialed before the district court, the district court enjoined Oaklawn and enjoined that the County was a party to that litigation and enjoined County officials from collecting the tax in 1993 from the Boeing Company. That case was appealed to the Kansas Supreme Court and the Kansas Supreme Court ordered that the tax be paid. In the meantime, the Oaklawn tax payers had made that tax payment.

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“So in other words, in 1993 through this litigation at a one year period of time there was a double tax made. The eventual outcome of the case was that Boeing was obligated to pay that tax so that double tax in 1993 paid by the Oaklawn Improvement District property owners represented a tax as the law suit was finally resolved that they shouldn’t have paid.

“I am here before you today to ask you to recommend to the Board of Tax Appeals that these refunds be made. I would also point out to you that the Resolution is in the amount of, I believe \$83,000. That was the amount that was in the applications that were first submitted. Since that time there have been several other applications that trickled in after the deadline was set. I would ask that you leave that \$83,000 open for something for us and the County Counsel to agree to so that we can include all the applications that have been submitted through today.

“The last thing I would like to mention is the great help that the County staff gave to Oaklawn Improvement District in preparing these applications. The County Appraiser, Jerry Frantz turned Mark Clark of his office more or less over to us and without Mark we would not have been able to do this. He spent a lot of time and he really assisted us in doing this above and beyond the call of any duty that I’d expect. I would just like for the Oaklawn Improvement District Board to know we recognize that. I’d also mention Trish Parker of the County Counselor’s Office, has been a big help too.”

Chairman Schroeder said, “Thank you Tom. Appreciate those kind comments. Discussion on this item? If not, what’s the will of the Board?”

Commissioner Hancock said, “I’d like to ask Richard Euson how he wants us to do this. Do you want us to just move to approve the Resolution as it is written or to reserve the right to leave it open?”

Mr. Powell said, “I would like if it is possible and Mr. Euson agrees, to approve the Resolution and not set the final amount and allow us to agree to that and then the final amount would be set.”

Mr. Euson said, “I agree with that.”

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MOTION

Commissioner Hancock moved to adopt the Resolution and leave the final dollar open.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Schroeder said, "Thank you."

MOTION

Commissioner Hancock moved to reconsider Item C.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Schroeder said, "Mr. Euson would you explain the process here, what we need to do?"

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Mr. Euson said, "Yes, Commissioners I apologize. The action that you took on the previous Item C was by way of four votes and the statute requires that the recommendation for tax relief be made by a unanimous vote of all members of the County Commission. The recommendation was made with Commissioner Miller being absent, so I would recommend your reconsideration of that and that you vote so that you have all five members voting."

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

MOTION

Commissioner Hancock moved to adopt the Resolution on Item C.

Commissioner Gwin seconded the Motion.

Chairman Schroeder said, "I have a Motion and a second. Discussion on the Motion? We do not have to . . . reconsidering is the same as rescinding I guess. We don't actually have to take a vote to rescind the previous vote?"

Mr. Euson said, "I don't think you do."

Chairman Schroeder said, "Okay, good. Other discussion? If not, Clerk call the vote."

VOTE

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

Chairman Schroeder said, "Thank you. I appreciate Tom and Eric both for being here today and Trish for your hard work on this, and Mark. Thank you. Next item please."

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E. AGREEMENTS (TWO) WITH HUTCHINSON COMMUNITY COLLEGE AND MARION COUNTY EMS ALLOWING SEDGWICK COUNTY EMERGENCY MEDICAL SERVICE TO PROVIDE FIELD INTERNSHIPS FOR STUDENTS OF THE TRAINING PROGRAMS.

Mr. Tom Pollan, Director, EMS, greeted the Commissioners and said, "There are two agreements one for Hutchinson Community College as stated and also from Marion County EMS. This is for 13 students each. Thirteen of them will be EMTs and 13 will be paramedic students. I would recommend that you allow these agreements to be and allow the Chairman to sign."

Chairman Schroeder said, "Thank you Tom. Discussion on this item?"

MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

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

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

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F. ANNUAL REPORT TO THE FOREIGN-TRADE ZONES BOARD ON THE SEDGWICK COUNTY FOREIGN-TRADE ZONES PROJECT FOR FEDERAL FISCAL YEAR 1997.

Ms. Louanna Honeycutt Burress, Administrative Officer, Department of Housing and Economic Development, greeted the Commissioners and said, "Federal Regulations require that all grantees of Foreign Trade Zone projects submit a report each year to the Foreign Trade Zones Board in Washington D.C. regarding activity for their zone projects for the previous federal fiscal year. That is the purpose of my being here today to update you on the Sedgwick County Foreign Trade Zone project. I am sure you recall that back in 1988, Sedgwick County submitted an application to establish, operate, and maintain a Foreign Trade Zone within the County to assist businesses to be more competitive in international trade.

"Each port of entry, each customs port of entry in the United States is entitled to one Foreign Trade Zone. A lot of people don't even know that in Wichita and Sedgwick County we have a customs port of entry. When you think of a port, you think of a sea port with lots of steamships and the ocean and those kinds of things. But we do actually have a port in Wichita, Kansas. It is at the airport and it is very small compared to the large ports on the coast it is minuscule. But it serves a very important purpose in a role for businesses in our region. The Foreign Trade Zone plays a part in this whole operation. For the benefit of the public, who may not know what a Foreign Trade Zone is, I just want to briefly describe and explain what a Foreign Trade Zone is. A Foreign Trade Zone is a piece of ground that is located right here in the United States, but for duty purposes it is considered outside customs territory. This would be as though it were in Europe or off the Pacific Ocean somewhere on an island, but it is actually in the United States but any product items that are in this area are considered outside customs territory and there are a lot of benefits that flow to a company that uses the Foreign Trade Zone. Most people that live in this area are aware of the grain elevators out south and east of the airport. That is where the Sedgwick County Foreign Trade Zone is located, in the Garvey Industrial Park.

"We had the whole industrial park designated as a Foreign Trade Zone but we only activated or use a small portion of it and we can expand and contract that according to the need. I'd like to give you some examples of things that occurred in our zone project over the last year, which you may or may not find interesting but which are significant to our project. The project is important to our area. While most people don't understand or aren't particularly involved in customs duty, most or all of us have to file a federal income tax document each year and we know that there are ways that you can reduce your income tax liability legally. This is what businesses who use a Foreign Trade Zone do, they reduce their liability for paying duty and it is legal.

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"Back in 1996 we had just under five million dollars of product and material that flowed through our general purpose Foreign Trade Zone at the Garvey Industrial Park. At the same time, over \$43,000 was paid in duty from product that was in the Zone that was entered into customs territory. Now during 1997, the amount of product and material that flowed through the general purpose zone increased to over six million dollars, but at the same time the amount of duty that was paid on that product was less than it was in 1996. It was just over \$31,000 paid in duty. So even though the amount of product that flowed through the zone increased, the amount of duty paid decreased and this is one of the purposes of Foreign Trade Zone, is to help our businesses be more competitive.

"You may be aware that in addition to the general purpose zone we also have two special purpose subzones. Back in 1994, what is now Abbott Laboratories in McPherson, Kansas, became our first subzone. It is a pharmaceutical firm. That firm employs about 500 people in the McPherson area. I believe it is the largest or second largest employer in that community. In 1997, the Texaco Refinery in El Dorado became our second special purpose subzone. It employs over 500 people in the El Dorado and I'm certain there are people who live in Sedgwick County that work at the refinery. So you set the Foreign Trade Zone up for economic development purposes and if we look at the employment of those two subzones alone, you can see what an impact we've had on the economy in this region. Over 1,000 jobs are tied to those two special purpose subzones and those are jobs not just for Sedgwick County residents but for residents in the entire region and our zone is a regional zone. To be successful, we have to draw users from throughout the area and that is what we attempt to do. The subzones have done what we like to see them do, bring money from the outside and spend it locally. Those two firms have spent in excess of \$75,000,000 for product and services in this region, and that has a significant economic development impact.

"Just one more example of how a Foreign Trade Zone can be used. One company imported a product, fortunately rather than just importing it into the community they had it admitted into the Foreign Trade Zone while they decided what to do with it. It was a product they intended to sell, distribute throughout the United States but there was a legal problem. They were prevented from selling this product and they thought they could work it out with a competitor and they were not able to, so they were left with an enormous amount of product that they had to do something with. One benefit of using a Foreign Trade Zone is that if you have something in the Foreign Trade Zone and you can't use it and you don't want to go to the expense of shipping it back where it came from, you can actually destroy that product and that is what the company did. They sent employees into the Foreign Trade Zone and they destroyed the product they couldn't sell and they didn't have to pay duty on it. So they saved a significant amount of money.

"I could go on and on, but I can see your eyes beginning to glaze over."

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Chairman Schroeder said, "No, it is very interesting."

Ms. Honeycutt Burress said, "I would like to project just a little bit into the future to tell you a few of the things that we are going to be doing in 1998."

Chairman Schroeder said, "Louanna, before you go on, I just want to thank you for waking up the fireman just now. Go ahead."

Ms. Honeycutt Burress said, "We are currently putting together a new brochure for the Foreign Trade Zone. Back when we first established the Foreign Trade Zone, we got a grant from Southwestern Bell and we had a very nice brochure printed. Well, that has been years and it no longer is current. So we're in the process now of having an updated brochure printed. We will continue to work with businesses in the area and with larger businesses that may be interested in establishing subzone status. We'll be doing what we can do to have this Foreign Trade Zone have a positive impact in our local community. If you have questions, I would be happy to address those at this time. The action I'm requesting that you take today is approve the report and authorize the Chairman to sign the cover letter."

Chairman Schroeder said, "Thank you Louanna for your presentation. There are no lights on."

Commissioner Hancock said, "Are they working?"

Chairman Schroeder said, "Yes, they're working. Any questions or comments for Louanna?"

Commissioner Hancock said, "Just briefly. Louanna, I know this Foreign Trade Zone has been kind of your baby from day one and the only Commissioner that is left is Commissioner Schroeder who helped work on this. I know he went to Washington at one point and talked with John Dupont about this thing and I know that it got through in record time, approved. I know it has been difficult getting going and you've stayed with it and hung in there and each year it gets just a little bit better and it continues to be a useful tool and will be in the future for businesses. I just wanted to say thanks. It's been a long haul with the Board of Trade Zones since 1988. Just wanted to say thanks. We appreciate what you're doing with that. I think it will continue to grow and continue to be even more of a success. I just wish I had a reason to use it, but I can't come up with one right now. I don't import much as a County Commissioner but maybe in the future I will. Thanks Louanna."

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Chairman Schroeder said, "Thank you Commissioner Hancock. Louanna, it should have been a celebration year for last year and this year for the Foreign Trade Zone so you might think about some way to emphasize this with our public and surrounding counties and the new brochure that it sounds like you need. Emphasize that we're on a ten year anniversary. It has served it's purpose. It is one of those kind of unknown facilities to a lot of people and part of your responsibility is to get the word out about it. I know that is tough, a lot of people don't understand the benefits but maybe with the new brochure we can explain some of that. But it is a great facility and I remember when it opened. This massive grain elevator, it is one of those single level grain elevators, I don't know how many acres it covered, but it was kind of surprising to see that facility of that size being used for what we were doing and I know it has been a very useful tool for quite a few companies and we just hope that your success continues. We appreciate your hard work. Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Louanna, I'm going to make sure that I am understanding this correctly, that the two larger companies that utilize the special purpose subzones out of a Foreign Trade Zone would be Abbott Laboratories out of McPherson and then Texaco. Are there any other blooming on the horizon that we know of that will come in and utilize."

Ms. Honeycutt Burress said, "Every now and then I get a call. I have been approached by another refinery in the state. The status of that is rather murky at this time. I think they have got to be convinced that it is going to work for them. It doesn't work for all businesses."

Commissioner Miller said, "Thank you."

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

MOTION

Commissioner Gwin moved to approve the Report and authorize the Chairman to sign a cover letter.

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

Chairman Schroeder said, "Thank you Louanna, appreciate it. Next item please."

G. BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE).

1. AGREEMENT WITH RANJIT B. RAM, M.D. TO PROVIDE PSYCHIATRIC SERVICES.

Ms. Deborah Donaldson, Director, COMCARE, greeted the Commissioners and said, "This first request is for your approval of an Agreement with Dr. Ram to provide psychiatric services. He'll be doing this part time and doing some direct services and also providing some on-call time. I'd be glad to answer any questions."

Chairman Schroeder said, "Thank you Debbie. Discussion on this item?"

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

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

2. CONTRACT WITH EAP PLUS TO PROVIDE EMPLOYEE ASSISTANCE SERVICES.

Ms. Donaldson said, "Commissioners, this is a renewal of our ongoing Employee Assistance Program for Sedgwick County. As you are aware, that used to be within COMCARE. It is now a contracted service and has been working very well for the employees of Sedgwick County. I'd be glad to answer any questions."

Chairman Schroeder said, "Thank you Debbie. Discussion on this item?"

Commissioner Miller said, "Just a brief comment or question actually Ms. Donaldson. That would be, when it says provides assistance, are there actually counselors with the EAP contract, is that what we're referring to?"

Ms. Donaldson said, "Yes, that's correct. The program provides up to three counseling sessions at no charge to employees. We'll work with them in terms of assessment referrals to appropriate services that are normally covered by their insurance. They will also work with supervisors in terms of any kind of supervisory issues or problems with personnel. They'll also do training."

Commissioner Miller said, "Very good. Thank you."

Chairman Schroeder said, "Thank you. Any questions? If not, what's the will of the Board?"

MOTION

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

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

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

3. CONTRACT WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS TO PROVIDE RESPITE BEDS FOR EMERGENCY SHORT-TERM PATIENTS HAVING SEVERE AND PERSISTENT MENTAL ILLNESS.

Ms. Donaldson said, "Commissioners, this again is a renewal of a contract that we have with the Mental Health Association through their group homes. They have beds that we purchase so that we will have those available for folks who are coming home from the State hospital or perhaps we just need a placement for them for a short time while we get them stabilized in another living situation. I'd be glad to answer any questions."

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

MOTION

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

Commissioner Gwin seconded the Motion.

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

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VOTE

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

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

4. AGREEMENT WITH UNITED METHODIST YOUTHVILLE, INC. PROVIDING DEVELOPMENTAL DISABILITY FOSTER CARE PRIVATIZATION CONTRACTOR STATUS.

Ms. Donaldson said, "Commissioners, what that means is that Youthville is actually the foster care provider and contractor in Sedgwick County. Some of the children that they serve would meet the eligibility and criteria of being developmentally disabled. This will allow them to provide those services and receive reimbursement for those services. I would recommend your approval."

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

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5. AGREEMENT WITH HUTCHINSON COMMUNITY COLLEGE TO PROVIDE STUDENTS WITH AN EDUCATION EXPERIENCE BASED ON PERSONAL OBSERVATION OF THE COMMUNITY MENTAL HEALTH FIELD.

Ms. Donaldson said, "Commissioners, this is the Hutchinson Community College School of Nursing, and they spend time with us and learn about community mental health. We found this is very beneficial for students and really helps them understand the mental health field. I'd be glad to answer any questions."

Chairman Schroeder said, "Thank you Debbie. Discussion? If not, what's the will of the Board?"

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

6. CONTRACT WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS TO PROVIDE ATTENDANT CARE TO ADULTS WITH SEVERE AND PERSISTENT MENTAL ILLNESS.

Ms. Donaldson said, "Commissioners, again this is a renewal of our ongoing adult attendant care program which we have found to be very helpful and very critical in terms of helping adults with a serious mental illness stay in our community and get the support they need. I'd be glad to answer any questions."

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

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

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

7. ADDITION OF ONE PATIENT BILLING REPRESENTATIVE, RANGE 16, TO COMCARE'S STAFFING TABLE.

Ms. Donaldson said, "Commissioners, we're asking for the addition of this staff person because we are finding that with hospital closure that our billing mode has increased and we also are just starting the Childrens Mental Health Waiver Orogram which involves a lot of paperwork and time to put it together and do that right. That was effective January 1, so we're adding additional staff person to also help with that."

Chairman Schroeder said, "Thank you. Discussion? Commissioner Gwin."

Commissioner Gwin said, "Debbie, the funding source for this position?"

Ms. Donaldson said, "The funding source will be Mental Health Reform and Hospital Closure money."

Commissioner Gwin said, "Not local."

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Ms. Donaldson said, "Correct."

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

Chairman Schroeder said, "Thank you. Further discussion?"

MOTION

Commissioner Miller moved to approve the addition to Comcare's Staffing Table.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

H. POLICY WAIVER TO HIRE DIRECTOR OF CORRECTIONS ABOVE STEP THREE OF SEDGWICK COUNTY'S 1998 COMPENSATION PLAN.

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "We are requesting today a waiver of the policy limitation on hiring the Corrections Director at Step 3. Step 3 is the current step at which we have been paying him on an interim basis. Based on his education, his background, and 15 years of experience in the corrections field here in Sedgwick County, we would recommend you waive Step 3 and authorize the hiring of the Corrections Director at Step 5."

Chairman Schroeder said, "Thank you Jerry. Discussion?"

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MOTION

Commissioner Gwin moved to approve the policy waiver.

Commissioner Winters seconded the Motion.

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

VOTE

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

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

I. CAPITAL PROJECTS DEPARTMENT MONTHLY REPORT.

Mr. Kenneth W. Arnold, Director, Capital Projects Department, greeted the Commissioners and said, "Your backup pages on 43 through 56 are the monthly report. Starting on page 53 is the summary of the projects completed during 1997. There were a total of 44 projects finalized this past year. Twenty-three of those came in under budget, 20 came in right on budget, with only one over budget. I would be happy to answer any questions regarding any of the projects. I would recommend you receive and file."

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

MOTION

Commissioner Hancock moved to receive and file.

Commissioner Gwin seconded the Motion.

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

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VOTE

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

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

J. CONTRACT WITH BOOKER ASSOCIATES, INC. OF KANSAS FOR ENGINEERING SERVICES (DESIGN) FOR FOUR BRIDGES; 1998 DESIGN, 1999 CONSTRUCTION. CIP NUMBERS B-315, B-322, B-324 AND B-328. DISTRICT #3.

Mr. David C. Spears, P.E., Director/County Engineer, Bureau of Public Services, greeted the Commissioners and said, "Item J is an Agreement with Booker Associates to design four bridges this year. All four bridges will be constructed next year along with ten other bridges to be designed by our staff. For the record, the bridges are in the Capital Improvement Program and are designated as B-315, located on 279th Street West between 117th and 125th Streets North; B-322, located on 279th Street West between 61st and 69th Streets North; B-324 located on 13th Street North between 375th and 391st Streets West; and B-328 located on 23rd Street South between 327th and 343rd Streets West. The total contract with Booker Associates is \$137,500 which includes surveying, hydrology, geology, and design. This agreement stipulates a deadline of November 1, 1998 for the completion of final plans. Recommend that you approve the Agreement and authorize the Chairman to sign."

MOTION

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

Commissioner Gwin seconded the Motion.

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

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VOTE

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

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

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JANUARY 15, 1998
REGULAR MEETING.**

Mr. Ken Williams, Assistant Director, Purchasing Department, said, "Good morning Commissioners.

**(1) PAVING, BRIDGE & LAKES - BUREAU/PUBLIC SERVICES
FUNDING: SPECIAL ASSESSMENTS**

"Item one on your report is paving, bridge and lakes for the Bureau of Public Services. The recommendation is to accept the low bid of Wildcat Construction, in the amount of \$853,219.90.

**(2) XEROX 4890 PRINTER MAINTENANCE - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

"Item two, Xerox 4890 printer maintenance for Information Services. Recommendation is to accept the low bid of Xerox Corporation, in the amount of \$105,240.

**(3) PAVING IMPROVEMENTS - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**

"Item three, paving improvements for the Bureau of Public Services. It was recommended to reject all bids.

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**(4) DIGITAL TELEPHONE SYSTEM - APPRAISER
FUNDING: APPRAISER**

“Digital telephone system for the Appraiser’s Office. Recommendation is to accept the low proposal of Great Plains Communications, with additional options, in the amount of \$24,275.90.

ITEMS NOT REQUIRING BOCC ACTION

**(5) RADAR SYSTEMS - SHERIFF
FUNDING: SHERIFF**

“Item five is radar systems for the Sheriff’s Department. Recommendation is to table this item indefinitely for review. I would recommend the approval of the Board of Bids and Contracts.”

Chairman Schroeder said, “Any discussion on this item? Commissioner Miller.”

Commissioner Miller said, “Thank you Mr. Chairman. I do have a question regarding the rejection of all bids on Item 3, paving improvements on Hydraulic Drives.”

Mr. Williams said, “If you’ll note, it is over the engineer’s estimate and it went back to the residents and they rejected it.”

Commissioner Miller said, “Okay. Do you have any addition to that because I believe simply because it is over the engineer’s . . .”

Mr. Spears said, “Ken Williams is right, all the bids were over the engineer’s estimate and we’re going to reject them. Although this was a special assessment project, the residents did not want to do a new petition for the increased assessments so we’ll reject the bids and if at some other date in the future they decide to try it again, we will start over.”

Commissioner Miller said, “Okay, so this is based on the . . .”

Mr. Spears said, “Special assessments.”

Commissioner Miller said, “And if they want to petition again and pay more possibly . . .”

Mr. Spears said, “Or when the market could possibly be better with a better price.”

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Commissioner Miller said, "Okay. Thank you."

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

MOTION

Commissioner Miller 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.

VOTE

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

Chairman Schroeder said, "Thanks Ken. Next item please."

CONSENT AGENDA

L. CONSENT AGENDA.

1. Right-of-Way Easement.

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

Road 783-S, Owners: Bret L. Frerichs and Dana M. Frerichs, located in the Southwest Quarter of Section 5, Township 28 South, Range 3 West, more specifically located east of 295th Street West and north of 31st Street South. Afton Township. District #3.

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2. Floodway Reserve Easement.

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

Owners: Bret L. Frerichs and Dana M. Frerichs, located in the Southwest Quarter of Section 5, Township 28 South, Range 3 West, more specifically located east of 295th Street West and north of 31st Street South. Afton Township. District #3.

3. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V98000	\$61.00	4	Sun Flower Gardens
V98004	\$105.00	3	Mt. Hope Com. Development
V98006	\$433.00	5	Osage Investments
V98005	\$287.00	5	Tony Bryant

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>
C95037	\$209.00	\$202.00
V861001	\$000.00	\$214.00
V73015	\$374.00	\$176.00
C97031	\$250.00	\$222.00
V95095	\$159.00	\$155.00
V95119	\$324.00	\$181.00

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5. Plats.

Approved by the Bureau of Public Services. The County Treasurer has certified that taxes for the year 1996 and prior years are paid for the following plats:

Woodland Hills 2nd Addition
Mods Addition

6. Application for License to Retail Cereal Malt Beverages.

<u>Applicant Name</u>	<u>d/b/a</u>
Rebecca A. Bilson	7-Eleven #910

7. Agreement with Hortencia Granado providing Developmental Disability Registered Provider status.

8. Out-of-cycle step increase for Security Director, Central Services.

9. Order dated January 14, 1998 to correct tax roll for change of assessment.

10. Consideration of the Check Register of January 16, 1997.

11. Budget Adjustment Requests.

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980026	Facilities Management	Transfer
980027	Capital Projects	Supplemental Appropriation
980028	Court Trustee	Transfer
980029	Aging	Supplemental Appropriation
980030	Aging	Supplemental Appropriation
980031	COMCARE-Crisis/ Supported Employment	Supplemental Appropriation
980032	COMCARE-TSH Adult	Supplemental Appropriation
980033	COMCARE-TSH Closure	Supplemental Appropriation
980034	COMCARE-Mental Health Reform	Supplemental Appropriation

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<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980035	COMCARE-ACCESS	Transfer
980036	COMCARE-Heartland	Supplemental Appropriation
980037	District Court	
	Adult Probation	Supplemental Appropriation
980038	Detention	
	Facility Expansion	Supplemental Appropriation
980039	Road and Bridge	
	Sales Tax	Supplemental Appropriation
980040	Rocky Creek	
	Parkway-Street	Supplemental Appropriation

Mr. William Buchanan, County Manager, greeted the Commissioners and said, “You have the Consent Agenda before you and I would point out that Item 10, the consideration of the check register of January 16, 1997 is wrong, it should say 1998. If that could be part of the understanding of the Motion, I would recommend that you approve it.”

Chairman Schroeder said, “Okay, thank you . Discussion on this item?”

MOTION

Commissioner Hancock moved to approve the Consent Agenda with the correction of Item 10 being changed from 1997 to 1998.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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Chairman Schroeder said, "Thank you. We do have an Executive Session today but with the Commissioner's approval, I'd like to recess the Regular Meeting and take up the Fire District if that's alright. We'll recess the Regular Meeting."

The Board of Sedgwick County Commissioners recessed to the Fire District Meeting at 10:14 a.m. and returned at 10:55 a.m.

Chairman Schroeder said, "I'll call back to order the Regular Meeting of the Board of County Commissioners. Other business?"

M. OTHER

MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider personnel matters of non-elected personnel and return no sooner than 11:10 a.m.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Schroeder said, "Thank you. We're in Executive Session."

The Board of Sedgwick County Commissioners recessed into Executive session at 10:56 a.m. and returned at 11:15 a.m.

Chairman Schroeder said, "I'll call back to order the Regular Meeting of January 21. Let the record show there was no binding action taken in Executive Session. Mr. Euson, do you have anything to add? Mr. Manager? Commissioners? Then we're adjourned. Thank you."

Regular Meeting, January 21, 1998

N. ADJOURNMENT

Regular Meeting, January 21, 1998

There being no other business to come before the Board, the Meeting was adjourned at 11:15 a.m.

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

MARK F. SCHROEDER, Chairman
Fifth District

PAUL W. HANCOCK, Chairman Pro Tem
Second District

BETSY GWIN, Commissioner
First District

THOMAS G. WINTERS, Commissioner
Third District

MELODY C. MILLER, Commissioner
Fourth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1998