

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MAY 5, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, May 5, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; Mr. Randy Duncan, Director, Emergency Management; Ms. Louanna Honeycutt Burress, Economic Development Specialist, Department of Housing; Ms. Jane Moralez, Compensation Specialist, Division of Human Resource; Mr. Darrell Boder, Inspector, Code Enforcement; Mr. Chris Chronis, Chief Financial Officer; Ms. Diane Gage, Director, Emergency Communications Department; Ms. Annette Graham, Director, Department on Aging; Ms. Marilyn Cook, Assistant Director, COMCARE; Ms. Linda Leggett, Deputy County Clerk and Ms. Heather Knoblock, Deputy County Clerk.

GUESTS

Mr. Keith Newcomer, Clerk of Kechi Township;
Mr. David Patton, Office of Alcohol and Drug Abuse Advisory Board;
Mr. Curt Miles, District Manager, O'Reilly Auto Parts;

INVOCATION

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

FLAG SALUTE

ROLL CALL

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

CONSIDERATIONS OF MINUTES: **Regular Meeting, April 14, 1999**

The Clerk reported that all Commissioners were present at the Regular Meeting of April 14, 1999.

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Chairman Hancock said, "Commissioners, you received copies of those Minutes and had an opportunity to review them. What's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Minutes of the Regular Meeting of April 14, 1999.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

OFF AGENDA ITEMS

MOTION

Chairman Hancock moved to take up two Off Agenda Items.

Commissioner Winters seconded the Motion.

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

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VOTE

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

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "The first Off Agenda Item is one of great celebration. As you know, the DeVore family, Dick and Bill DeVore, have created a foundation and part of the foundation's gifts to this community are a public service award. This award is given to three individuals who show they are examples to the rest of us of doing great work not only for what they get paid to do, to go out of their way to be good public servants in all aspects of the meaning of that word, but also great members of the community. Commissioner Sciortino has served on the committee that selects these people since its inception. So he is the resident expert of what it means to be excellent in this community.

"One of the award winners this year is from Sedgwick County. We're proud to have lots of award winners from Sedgwick County. But this year's award winner is just one more example of what it means to be excellent public servants. Darrell Boger has worked in our Code Enforcement Department and is assigned, for the last three years, to Boeing. As you well know, to do their inspections, to approve their plans, to do whatever is necessary to make sure those buildings are safe when they build them, they are built to code and not to get in their way so they can go ahead and make a profit.

"You know that your relationship with Boeing is strong enough that if it wasn't successful, you would be hearing about that program. You know that in this instance, the only remarks that we get about Darrell Boger at Boeing is to keep sending us folks like that because he does quality work. He is always on time, and delivers the product. He is helpful and cooperative and tough, to make sure the codes are enforced. The other part is that he gives his time, to the community, to the Association for Retired Citizens, he has donated thousands of hours, literally 1,900 hours at one point. He has helped build the building. He has done what is taken to not only deliver the toilet paper but make sure the rafters are put together correctly, that we get inspectors and people who volunteer to put the building together. If he couldn't do it, he found people who could. So for those two pieces of work that he does, one for us for pay and the other for love of that organization, Darrell Boger was awarded this year as one of the recipients of the DeVore Foundation Award. I'd like to introduce Darrell Boger."

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Mr. Darrell Boger said, "I'd just like to thank the committee for nominating me and selecting me as a Volunteer of the Year for Sedgwick County. Obviously, thanks to the DeVore Foundation for funding this excellent program. They also do good work in the County as providing opportunities for people to raise funds for non-profit organizations. Volunteering is alive and well in Sedgwick County. I have been working the terrible tragedy down south on the Property Damage Assessment Program. I'm very proud to say that you see hundreds and hundreds of volunteers there helping clean up the area. That's really exciting to see that. Thank you very much."

Commissioner Sciortino said, "Mr. Chairman, if I may. I just want to make a comment to the Board and I would like to do it publicly. The Manager indicated that Darrell donates thousands of hours of time for the ARK of Sedgwick County. Also, after the award was given, it can be said that he donates thousands of dollars. The award was \$2,500 in cash and I'm sure all of us can figure out many worthwhile things that we could spend \$2,500 of new found money on. But without hesitation, Darrell donated the entire amount to the ARK of Sedgwick County and I think he should be publicly commended for that."

Chairman Hancock said, "Thank you, Darrell for coming today and for visiting with us. Thank you, Mr. Buchanan."

OFF AGENDA ITEM

Mr. Buchanan said, "The next Off Agenda Item is an update from Randy Duncan regarding the storm and the aftermath and where we are currently. Randy."

Mr. Randy Duncan, Director, Emergency Management, greeted the Commissioners and said, "I was particularly pleased to see a person recognized for his volunteer involvement. We're at a time where volunteers have made a big difference in helping folks who have been in need of assistance as a result of our devastating storm that hit our area the day before yesterday.

"The latest development is yesterday afternoon, the President did go ahead and initiate a Presidential Declaration of Disaster on behalf of Sedgwick County. The first thing that people need to be aware of is that there is a special 1-800 number. I'll see if I can hold this up for you so folks can see this. The number is 1-800-462-9029. If you are a resident of Sedgwick County, your property has been destroyed or damaged as a result of the storm, you should call that telephone number. That begins the process of enrolling you to receive Federal Disaster Assistance. If you use a tele-communications device for the deaf to do your communication over the telephone, you should use the other number displayed below there. This will get the process started to get some assistance coming from the Federal Government to you.

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"I should also point out that there will be a number of assistance programs that have opened up as a result of this declaration. For those who are individuals in particular, there is one called the Individual and Family Grant Program, which provides grants to needy families that may have had their entire belongings destroyed. There is going to be Disaster Housing Assistance. There will be disaster loans available, at special low interest rates, through the Small Business Administration. There will also be tax assistance through the I.R.S., Disaster Unemployment Insurance, and crisis counseling activities funded as a result of the Presidential Declaration.

"On our side of the house, that is the local governments, for Haysville, the City of Wichita and Sedgwick County, we will have some disaster assistance coming to help us with two issues, Category A, debris removal, and Category B, emergency protective measures. Also, I thought you'd be interested to know the latest figures on the numbers of structures involved in the storm. Between Sedgwick County, the City of Haysville and the City of Wichita, we had approximately 8,480 structures that were involved. We categorized those structures into three different categories, destroyed, major damage and minor damage. Our destroyed count stands at a little more than 1,100 structures at the current time. That includes mobile homes, apartments, single family dwellings, businesses, and so on. We're in the process of getting the break out numbers by jurisdiction and type of structure. I cannot tell you how much work and assistance has been provided for me to stand up here and have those figures from the Appraiser's Office, the Code Enforcement folks, the Graphic Information System folks and a whole host of others that I have forgotten to mention while I'm up here. I think you, as County Commissioners can be justifiably proud of your County employees chipping in together to provide this information to directly provide assistance and help to our citizens who are in bad need of help right now. I'd be happy to attempt to answer any questions if you have any additional questions at this time."

Chairman Hancock said, "Commissioners, questions?"

Commissioner Sciortino said, "Just one. Do we have any estimation on how long it is going to take for the clean up process?"

Mr. Duncan said, "I don't know that I have a good grip on that right now Commissioner. That's one of the things that we're trying to find out right now. As soon as I do have an answer, I'll get back with you sir."

Commissioner Sciortino said, "Thank you."

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Mr. Buchanan said, "Commissioner Sciortino, experience from the last storm and for some people in this organization who literally had their houses blown down in the storm in Andover. The processes, some neighborhoods get back together within a couple weeks. Some take several months. Because of the mass of material, it will not be a quick process."

Commissioner Sciortino said, "Thank you."

Chairman Hancock said, "Commissioner Winters."

Commissioner Winters said, "Randy, for other citizens in the community, the County, surrounding cities that want to help, what's a mechanism if somebody wants to help? How could they do that?"

Mr. Duncan said, "I would suggest there are a number of ways that citizens can help. One of the first and most important needs we have in a situation like this is cash for the private voluntary organizations. So folks like American Red Cross, Salvation Army, this is a very appropriate time to take a look at helping to fund their emergency relief activities. In addition, I would suggest that the American Red Cross is in need of blood supplies. A very appropriate action would be to go down and donate blood. If you're interested in volunteering more direct assistance, once again I'd suggest you contact the American Red Cross, Mid America Chapter, here in Wichita. They are working with issues related to that."

Chairman Hancock said, "Thank you. Any further questions?"

Commissioner Gwin said, "Just a comment while Randy was giving compliments and thanks to other departments, I want to thank you and your department. You've done a wonderful job of representing the County, of telling the story of sleepless times and those kinds of things. Welcome to the fame and we appreciate what you've done for the citizens of this County."

Mr. Duncan said, "Thank you very much. Appreciate your time this morning Commissioners."

Mr. Buchanan said, "Mr. Chairman, we also need to inform you that we have arranged for those who haven't been on an overview of the damaged area, we've scheduled a helicopter for noon today. We'll give you the details. We have invited our colleagues from across the street, the Mayor, Manager, and some others who may be joining us who have not had an opportunity to see the extent of the damage. So we will get back to you about the time, place, and those arrangements this morning."

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Chairman Hancock said, "That's a good idea. One question I had and maybe it can be explained to folks. I'm not sure that anybody who's been in this has a television and can watch this program. But maybe those who do have friends. Is there anyone today who can give us an explanation of the clean up process? I know if I was a homeowner standing in front of my wrecked building, I would like to know what I can expect to expect. Is there anyone who can talk about that today?"

Mr. Buchanan said, "Let me tell you what experiences we have had is that we would encourage, as the newspaper indicated this morning, encourage to A, first call their insurance companies, their depending upon the coverage, will have a process by which to get rid of those materials. What has occurred in the past is that the debris that is currently on the Right-Of-Ways, we will try to clean that up so that roads will continue to be passible and people will not get flat tires. We will continue to do that. As we proceed, there will be some more information about what to do with the stuff on your lot if your insurance company is not covering that. FEMA will be here and setting up office. There are funds for individuals for emergency housing and emergencies. I don't know whether there are funds for the cleaning up of those lots for rebuilding. But we will find that out."

Chairman Hancock said, "Randy, that number again, we might want to give that out."

Mr. Duncan said, "Once again, that number is 1-800-462-9029. If you are a property owner or resident anywhere within Sedgwick County, that has experienced a loss related to the storm, this is the telephone number that is the gateway that will open up the process to apply for all of the various different programs through the federal government. This is for those folks who are impacted, this is a one stop shopping number, so to speak. This one telephone call will get you enrolled for all the various types of federal assistance for which you may qualify."

Chairman Hancock said, "Okay, thank you, Randy. Appreciate it. Any further questions or comments? Clerk, next item please."

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APPOINTMENTS

B. APPOINTING RESOLUTIONS.

1. RESIGNATION OF D. W. MCENTIRE FROM APPOINTMENT AS CLERK OF KECHI TOWNSHIP.

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "Commissioners, Mr. McEntire has submitted his resignation because he is no longer a resident of the Township and that is part of the qualification for holding office. So we request you accept the resignation."

MOTION

Commissioner Gwin moved to accept the resignation.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you."

2. RESOLUTION APPOINTING KEITH NEWCOMER (COMMISSIONERS GWIN'S AND MCGINN'S APPOINTMENT) AS CLERK OF KECHI TOWNSHIP.

Mr. Euson said, "Commissioners, this is to fill the unexpired term of the vacancy just created. This term will expire in January of 2002."

Chairman Hancock said, "Thank you. Commissioners, the Chair would entertain a Motion.

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MOTION

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

Chairman Hancock said, "Thank you. Is Keith here? Come forward and we'll have the Deputy Clerk swear you in sir."

Ms. Linda Leggett, County Clerk's Office, said, "After I administer the oath, please say 'I do swear'. Raise your right hand.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of Clerk of Kechi Township, so help me God."

Mr. Keith Newcomer said, "I do."

Commissioner Gwin said, "Thank you, Keith. On behalf of Commissioner McGinn and I and the people of Kechi Township, we know you're taking on a big responsibility and we appreciate your willingness to do so. Thank you."

Chairman Hancock said, "Thank you for being here today. Appreciate that. Next item please."

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3. RESOLUTION APPOINTING DAVID C. PATTON (COMMISSIONER MCGINN'S APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD.

Mr. Euson said, "Commissioners, this is a four-year appointment to expire in May of 2003."

Chairman Hancock said, "Thank you. Commissioners?"

MOTION

Commissioner McGinn moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. Is David here also? Come forward sir and we'll have you sworn in today."

Ms. Linda Leggett, County Clerk's Office, said, "After I administer the oath, please say 'I do swear'. Raise your right hand."

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

Mr. David Patton said, "I do."

Commissioner McGinn said, "Thank you, David."

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Chairman Hancock said, "Thank you for being here today. We generally have our appointees do a 20 minute speech but we're going to let you off today. Next item please."

DONATIONS

B. DONATION OF \$500 EACH BY BUILDERS, INC., F.H. KAYSING COMPANY OF WICHITA, FRITZ COMPANIES, INC. AND SALINA AIRPORT AUTHORITY, TO BE USED TO SPONSOR AN EDUCATIONAL SEMINAR ON THE SEDGWICK COUNTY FOREIGN-TRADE ZONE.

Ms. Louanna Honeycutt Burress, Economic Development Specialist, Department of Housing and Economic Development, greeted the Commissioners and said, "As you know, we're the grantees of Foreign Trade Zone #161. In an effort to educate folks, business people, about the Foreign-Trade Zone and to show how the Trade Zone can affect the bottom line and assist businesses in the competitive international marketplace, we're having a work shop on the morning of May 11, at the Hyatt. The companies that were mentioned before, Builders, Inc., F.H. Kaysing, Fritz Companies, and Salina Airport Authority, have all made donations to help defray the costs of the workshop. The feature speaker will be Roy Knepp, who is a consultant from Ohio, who will come and talk about Foreign-Trade Zones, give examples, and identify other resources that are available to help businesses in the international marketplace. We are pleased to have the participation and encourage you to accept the donation and authorize a letter of appreciation."

Chairman Hancock said, "Thank you, Irene. Commissioner Sciortino."

Commissioner Sciortino said, "Irene, I just have one question. Do the donations cover the entire cost of the seminar."

Ms. Burress said, "There is a charge of \$25 per applicant, but that covers the cost of bringing in the consultant and most of the expenses."

Commissioner Sciortino said, "So the County doesn't have to fund this?"

Ms. Burress said, "No."

Commissioner Sciortino said, "Okay, good. Thank you."

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

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MOTION

Commissioner Sciortino moved to accept the donations and authorize the Chairman to sign letters of appreciation.

Commissioner Winters seconded the Motion.

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

VOTE

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

Ms. Burress said, "Mr. Chairman, we are still taking applications and registration for the conference. You can call us at 383-8041 if businesses are interested in attending."

Chairman Hancock said, "Thank you. Irene, the conference is next Tuesday if I understand."

Ms. Burress said, "Yes sir."

Chairman Hancock said, "Very good. Thank you. Next item please."

AWARD PRESENTATION

C. PRESENTATION OF THE "WAY TO GO" AWARD TO O'REILLY AUTO PARTS.

Ms. Betsy Gwin, Chair Pro Tem, said, "As we go about the business of changing the way this County disposes of its solid waste, it occurred to me that we ought to do something to try to encourage businesses, individuals and organizations to start think about doing it differently and going beyond the regular responsibilities of life, whatever their job responsibilities are, their businesses responsibilities, and taking an extra step to do things differently."

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"So, my good buddy Fred and I sat down for a while and had a little brainstorming session. I rejected all of his ideas, so I kept mine. I decided that we ought to name this award or this presentation 'Way To Go' award because as this demonstrates, we're going to ask families, have folks ask folks in this County to show the way to go. For instance, this family is demonstrating that they do reuse and recycle and put in their recycling bin. That's the way to go with those things.

"Also, we want to complement folks for doing things differently, give them a pat on the back and say way to go. Way to think of something different that we haven't. So, today, I want to introduce some people to you from O'Reilly Auto Parts who have been doing this for a while. In the letter I wrote to Curt Miles, the District Manager, I told him I was pleased to announce that they're going to receive our first 'Way To Go' award. That we're using the award to recognize businesses and individuals who show the community the way to go when it comes to reducing, reusing and recycling. O'Reilly was selected because it encourages the public to bring recyclable material to its various outlets. I believe this recycling effort not only demonstrates a fine corporate citizenship but the understanding that attitudes must change if we're going to have a better tomorrow.

"So, today, on the first 'Way To Go' award, Curt, do you guys want to come up and accept these. I have one for all of the O'Reilly Auto Parts here in Sedgwick County so you can post them. Then we've got another one too for the Corporate Office in Missouri. Congratulations and thank you."

Mr. Curt Miles said, "I'd like to thank the Commission for this award. Hopefully businesses show their responsibility to do everything they can to improve the community. It's something we don't have to do but I think we should. I hope by designing this award that other businesses step up and do this. I hope it will encourage other businesses to do things they don't have to do. I hope everybody takes a more active role in that in doing things like this. We do recycle petroleum products basically, being as an auto parts supplier that's our main business. Anybody who comes in and buys things to do tune ups and what have you on your car, whatever waste they have is usually old motor oil, transmission fluid, things like that. So that's why we take that back. It's not something we have to do. I think more and more people are doing it now and maybe we've helped with that. Hopefully we have.

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"I was going to talk more about the petroleum part of it and what we take, but with the recent storms that came through, I want to announce to everybody and tell everybody watching that we are taking clothing for the Salvation Army at all of our sites. We're also taking checks and money orders for the Red Cross. They're going to have an announcement and advertise this throughout Oklahoma and Kansas and Missouri for the money to be funded back into Sedgwick County and also the Oklahoma counties that were affected. So anybody out there, if you're in Hutchinson or any place like that that maybe is too far away, I don't know if they'll be watching or not, but they can take it to the local O'Reilly sites and it will get back to the south Wichita areas that need it. That's all I got. I'd like to thank the Commission for their time."

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

Commissioner Winters said, "Thank you very much. I want to say thank you to O'Reilly Company and to Commissioner Gwin. The two things I think O'Reilly is really representative of a lot of companies that are doing more and more and thinking about doing things that they haven't done in the past. We appreciate that. The citizens appreciate that in the long run. So you're our representative today of a new way of thinking of business. I want to thank Commissioner Gwin for bringing this up and doing it. I've sat on this Commission and too often we don't do these kinds of things because we get bogged down in the technicalities of how we're going to do the award and who wants to say what and who signs what and what does it look like and what is it. I think I would encourage the rest of the Commissioners and myself that anytime we see something that strikes us. Commissioner Gwin saw this, was impressed with it, wanted to say thank you to a business. I'd encourage all of us to do that. I would support any of us every week if we can find somebody out there that is doing something good that we publicly say thank you to them. Again, thank you O'Reilly Auto Parts and Commissioner Gwin for reminding us and not letting us get caught up in we can't do this because of that. Thank you very much."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. I also want to echo what Commissioner Winters said. I think it is a tremendous idea just to come up with the award concept. I'm just a little bit upset that I didn't think of something as good. But as far as O'Reilly goes, I think it is great to see a company taking a proactive interest in trying to be a good corporate citizen and that goes very well for your company and I personally know where I'm going to go in the future for all the auto part needs that I have personally. I just want to compliment you on not sitting back and waiting to see if anything happens so that you could be me too but to be the leader of the pack. I appreciate that very much."

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

Commissioner McGinn said, "I just wanted to echo the same things they had to say. Thank you for stepping up to the plate and being responsible for the environment. We need more businesses like you out there. I don't know Betsy what Fred's idea was, but I just want to say, 'way to go' Betsy."

Commissioner Gwin said, "Thank you, all."

Chairman Hancock said, "Thank you. Thank you for being here today. Congratulations. Next item please."

RETIREMENT PRESENTATION

D. PRESENTATION OF RETIREMENT CLOCK TO HOWARD FREEMAN, REAL PROPERTY APPRAISER II, APPRAISER'S OFFICE.

Ms. Jane Moralez, Compensation Specialist, Division of Human Resources, greeted the Commissioners and said, "I'm here today to present to you a May 1 retirement of Howard Freeman from the Appraiser's Office. Mr. Freeman was hired on November 25, 1985, as an Appraiser. He was promoted to Senior Appraiser on October 13, 1986, and became a Real Property Appraiser II on January 1, 1992. Mr. Freeman couldn't be here today. Human Resources staff will make arrangements with Mr. Freeman to pick up his retirement certificate and clock."

Chairman Hancock said, "Thank you. If he happens to be watching this morning, congratulations and thank you for all your hard work for Sedgwick County. Appreciate it. Next item please."

NEW BUSINESS

E. DIVISION OF FINANCE.

1. RESOLUTION ADOPTING REVISIONS TO THE SEDGWICK COUNTY POLICIES AND PROCEDURES MANUAL TRAVEL POLICY.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, "This item revises the County's current travel policy, which was adopted in 1990, and it has not been kept up to date very effectively. We are suggesting changing it at this time for six primary reasons. They are the following.

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"First, this revised policy brings us into compliance with current I.R.S. regulation governing the tax treatment of employee travel reimbursements. Those regulations require that employees who may be reimbursed either on a per diem basis or an actual expense basis must choose one of those methods and use it for the entire calendar year. Employees who use both methods run the risk of having their reimbursements classified as taxable benefits and employers who permit an employee to use both methods runs the risk of penalties for non-compliance. The policy brings us into compliance with that current regulation.

"Secondly, it changes our per diem reimbursement rate for meals and incidental expenses from the current flat \$26 per day, no matter where the employee travels to a schedule of rates that are approved by the federal government for use by federal employees. This schedule provides a base return which currently is \$30 and lists specific higher rates that apply in designated in high cost locals. Our \$26 rate has been in effect since 1990 even though the current travel policy calls for per diem to be linked to that federal base rate. But that part of the policy has not been kept in effect. We've retained the \$26 rate that was adopted in 1990.

"Third, this policy clarifies the responsibility of supervisors as travel authorizing officials to give prior approval to travel to determine what expenses are appropriate for a given trip and to ensure compliance with this policy.

"Fourth, it restricts reimbursement for day trips to the receipts method, the actual expense method of reimbursement. Employees who choose the per diem method for the year, will therefore not be eligible for reimbursement of day trips during that year.

"Fifth, it clarifies the treatment of a variety of miscellaneous expenses which might be incurred during a trip. Those expenses are not addressed specifically in the current policy and there has been some confusion amongst employees and administration about what is reimbursable and what is not.

"Finally, this policy authorizes me as the Chief Financial Officer to make exceptions from the policy if warranted by extraordinary or extenuating circumstances. The current policy requires any exceptions to be brought to the Commission in the form of a Resolution. That has proven to be impractical and as a practical matter has not been done.

"Assuming that you adopt this policy today, the policy that you have before you has a revision date on it of May 15, and it will take effect for travel that occurs May 15 or later. I would recommend your approval of this revised policy."

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Chairman Hancock said, "Thank you, Chris. Commissioners, questions on this item? Commissioner Winters."

Commissioner Winters said, "Chris, are all of these changes I guess brought about, the per diem versus the actual day trip revisions, are we doing this because of I.R.S. regulations? Is the I.R.S. driving this change in travel policy?"

Mr. Chronis said, "The I.R.S. is driving a change in the travel policy. Since we had to make a change anyway, we chose to take a look at it more comprehensively and address all the issues that have surfaced over the 9 or 10 years since it was written and adopted."

Commissioner Winters said, "Okay. I think that my colleagues are pretty much in agreement with this although I just hate to see any kind of policy that is going to make it more difficult for our employees to receive adequate compensation for their own personal expenses. If the I.R.S. makes it harder that's one thing, I can blame the I.R.S. But I don't want to blame the Board of County Commissioners to make it difficult for an employee to be properly reimbursed for a travel expense."

Mr. Chronis said, "It's been our intent in preparing this revision to actually make it easier for employees to get reimbursed, but we do have to put in place this structure that is embedded in the Federal Regulations and that future requirement that an employee choose one method or the other and apply that choice for the entire year, that is a Federal Requirement. There is no way for us around it. That is going to be a cumbersome feature for us to have to live with."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, any other comments? If there are no comments or questions, the Chair would entertain a Motion."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner McGinn seconded the Motion.

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

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VOTE

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

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

2. AGREEMENT WITH A.G. EDWARDS & SONS, INC. TO PROVIDE FINANCIAL ADVISORY SERVICES.

Commissioner McGinn said, "Can we defer this for one more week? I know we had an appointment yesterday to discuss this a little more in detail and those plans changed because of the storm. I wonder if we can defer this one week?"

Chairman Hancock said, "Would that put you in a bind of any kind?"

Mr. Chronis said, "Yes sir, it would. We are scheduled to sell our bonds this summer in about 6½ weeks from now. We need to get to work on them. I don't think we can afford another delay on this. The firm that we're proposing to hire will provide value in developing the transaction. That occurs at the front end of the work process. My recommendation would be to approve this Agreement that we have before you today. If, for whatever reason, you choose not to do that, I think my recommendation then would be for us to pass on this item and have staff continue to provide this service as we have in the past. Sedgwick County is one of a very small minority of local governments which have sold debt traditionally without the use of a financial advisor. I think we're at a disadvantage in doing that, but we have done it and we can again if we have to."

Chairman Hancock said, "Very good."

Commissioner McGinn said, "Let me ask this. This is a year to year agreement, correct?"

Mr. Chronis said, "This is a one year agreement."

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Commissioner Winters said, "Chris, would it be possible here. I'm speaking as one who is prepared to vote in support of moving ahead and hiring a financial advisory. Would it be possible to hire a firm to assist on this Summer Bond Project only and work through the process. I'm sure that during the development of the strategy for that they will be here and that would then give Commissioners an opportunity of a first hand look at what kind of services are going to be provided and actually walk them through the process. After we see the process and the result of this summer's bond then we can decide whether we think that the additional assistance is needed or not. That's just an idea coming from someone who is prepared to vote today. I'll certainly follow the lead of the majority of the Commission too."

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

Commissioner Sciortino said, "Mr. Chairman, I will not be supportive of this if it actually does come before us. My concern with this, I've had conversations with Mr. Chronis and Mr. Buchanan. It's hard for me to vote against it because I don't want to sound like it is a vote of no confidence for Mr. Chronis, but my concern is the fact that we will never be able to determine whether or not the fees that we're paying to A.G. Edwards or the financial advisor is ever beneficial to the County or to the taxpayers. There is no mechanism that has been explained to me to determine whether or not it is worthwhile to spend the money for an advisor. I have a concern when we contract for services and not be able to determine at any point in time whether or not that was a good Contractual Agreement or not. As I've been told that there is no way of determining that, that we just have to have trust and believe that it will be beneficial to the taxpayer and I can't support something that has to just trust me and everything's going to be okay and not really be able to determine whether the amount of money that we've expended is beneficial. I will not support this should it come to us as a Motion."

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

Commissioner Winters said, "I just have a quick response Commissioner, and I appreciate and understand that. My only response would be that I never really know that if I get the benefit from hiring a CPA or if I just should have hired the guy down there that says 'Bookkeeper'. I've never been able to prove whether one has cost me over the long run or not. I think when we deal with professional services, it is very difficult to ascertain costs. I'm not sure we can do that."

Commissioner Sciortino said, "You have some past history when you hire just an accountant and then you've hired a CPA and you can determine whether by hiring the CPA based on trends and past history you've saved more money or the job has been done more efficiently. In this particular case, I asked that particular question too and I was told that there was no way to determine it."

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

Commissioner McGinn said, "Since we're up against a deadline, I was wondering if Chris could comment on Commissioner Sciortino's comments this morning."

Mr. Chronis said, "I think I agree with Commissioner Winters. As with any professional service that we procure, what we're really hiring is brain power and specialized technical expertise that can't be provided with our current staff, our employees. Providing or plotting the value added from that brain power is pretty difficult. What we would expect to see as evidence of the value added by a financial advisory on our transactions would be increased competition in the sale of our bonds and through competition a better rate on those bonds and a lower interest cost to the taxpayers. Evidences of that increased competition would be an increased number of bidders on the bonds, increased participation from bidders who have not previously chosen to give us offers to buy our bonds, and structural enhancements to our bond issue, technical structural issues that would make our bonds more marketable to the market place and thus would generate greater competitive pressures from the existing bidders and lower interest rates from those. That's a long and technical response. The upshot of it is that it is difficult to quantify the value added. We expect the value to come in increased competition for our bonds and lower interest costs to our taxpayers."

Commissioner McGinn said, "You've used this type of system in previous employments?"

Mr. Chronis said, "Yes. As I mentioned, Sedgwick County is one of a fairly small minority of local governments that does not use a financial advisor. The governments that do use one have found it to be beneficial over the years. That's why nearly all of the governments do use a financial advisory."

Commissioner McGinn said, "Thank you."

Chairman Hancock said, "Commissioners, further comments?"

MOTION

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

Commissioner McGinn seconded the Motion.

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Mr. Chronis said, "There is one other point that I feel I should make. There is some question about the impact that this financial advisor might have on our existing relationships with other advisors and lawyers that work with us on bond transactions. For the record, I wanted to make sure that you understood there will be no impact of this financial advisor on those existing relationships. We will continue to use our existing bond counsel, we will continue to use the existing advisors we have used on housing transactions."

Chairman Hancock said, "Thank you, Chris. Appreciate that. Commissioner McGinn."

Commissioner McGinn said, "I think I'm going to approve this but I would like to reiterate Commissioner Winters comments about maybe if we decide to go ahead with this today, we walk through this process this year thoroughly with the Commissioners so we can decide whether we want this as an ongoing program. Thank you."

Chairman Hancock said, "Thank you, Commissioner. Further discussion? Clerk, call the vote please."

VOTE

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

Mr. Chronis said, "Thank you, Commissioners."

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

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F. SEDGWICK COUNTY PARKS AND FACILITIES.

**1. AGREEMENT WITH KETCH FOR USE OF SEDGWICK COUNTY PARK
MAY 16, 1999 TO HOLD A KETCH FAMILY FISHING DAY.**

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "This is the third River Festival event that we host at County facilities. We did the KETCH Family Fishing Day last year and unfortunately I think it rained all day that day. We're looking for a lot of sunshine and great weather this week. This is a standard form Agreement. Dates and time have been coordinated with the park superintendent and I would recommend your approval."

Chairman Hancock said, "Thank you, Jerry. Jerry, as usual, has brought us another controversial issue and this time we're going to ask the question. What kind of fish are we fishing for?"

Mr. Harrison said, "Just about anything they can catch. Preferably bass."

Chairman Hancock said, "Evidently we can't stir anything up on this. What's the will of the Board?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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2. **AGREEMENT WITH WICHITA FESTIVALS, INC. FOR USE OF PARKING SPACES AROUND THE COURTHOUSE AND SECURED PARKING AT THE COURTHOUSE MAY 7 DURING THE SUNDOWN PARADE; LAKE AFTON PARK APRIL 21 TO HOLD A WICKED WIND 100 BICYCLE TOUR; SEDGWICK COUNTY PARK MAY 16 TO HOLD A KETCH FAMILY FISHING DAY; SEDGWICK COUNTY ZOO MAY 16 TO HOLD A PICNIC AT THE ZOO; AND BARRICADES MAY 7 - 16, 1999 FOR VARIOUS WICHITA RIVER FESTIVAL EVENTS.**

Mr. Harrison said, "The second Agreement is the Omnibus Agreement we do with Wichita River Festival each year. This is the agreement that allows them to use snow fence if it is available, barricades, the use of the compound for parking the golf carts this weekend at the Wichita River Festival parade. It also reiterates all those events we've already approved, the Wicked Wind 100 at Lake Afton Park, the KETCH Family Fishing Day, the Sedgwick County Picnic at the Zoo Day. Would recommend approval of this agreement and recommend the Chairman be authorized to sign."

MOTION

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

Chairman Hancock said, "Thank you, Jerry. Next item please."

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

Mr. Buchanan said, "Commissioners, the Sheriff's Department called this morning and asked to have this deferred for one week. They wanted to visit with you about this Contract."

Chairman Hancock said, "Thank you."

MOTION

Commissioner Gwin moved to defer for one week.

Commissioner Winters seconded the Motion.

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

VOTE

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

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

H. AGREEMENT WITH BIRCH TELECOM OF KANSAS, INC. FOR TELEPHONE ACCESS TO SEDGWICK COUNTY'S 911 TELEPHONE SYSTEM.

Ms. Diane Gage, Director, Emergency Communications Department, greeted the Commissioners and said, "We have another agreement before us similar to the one or exactly the same as the one we signed a few weeks ago with Advance Communications. Birch Telecom will be selling hardware telephone service similar to what we get through Southwestern Bell to businesses in this area and one of the things with hardware services they're going to need access to 911. In the Agreement, there are some testing procedures and things that we have incorporated to be sure they provide the same quality of service we've come to expect in the past. Be happy to answer any questions."

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

Commissioner Winters said, "Thank you. Diane, I supported the Agreement last time and I'm going to support this today, but I've got a couple of questions. One would be with the new local phone service being offered, whose responsibility is it to guarantee that when a customer picks up and dials 911, that he or she is going to get 911? Is that our responsibility or is that the companies responsibility?"

Ms. Gage said, "It is the companies responsibility to ensure that it is going to happen. However, we want to ensure that the citizens in this community are served by them since we are providing the ultimate in service. So there are testing procedures that we are doing with them and then we are holding them accountable through some monthly reports and annual reports to make sure that we have enough lines in place to meet their needs and that they're keeping up with the standards in the industry."

Commissioner Winters said, "So I guess I'm trying to think of the day of sometime when somebody tries to dial 911 and can't and then tries to say that it's our responsibility. I guess if they follow all of the procedures it should never happen. Again, I'm not trying to think of . . . we've grown accustomed to Southwestern Bell and I'm not just saying that because they're big and huge that they're the only way or the best way, but it is just that with one of these smaller companies, if they would have some kind of an outage or a problem, do they have the back-up, the technique to really swing in place to make sure they never miss a heart beat as I believe Southwestern Bell does?"

Ms. Gage said, "Southwestern Bell has missed a heart beat once in a while. We can knock out an exchange, that has happened in the past. But they do have mechanisms in place and they are actually working very closely with Southwestern Bell because some of the equipment is shared. Since the service that they are selling, part of it is being able to access us in case of an emergency, it is basically a good consumer is going to expect this out of them and they've said they would deliver it and do have the mechanisms in place to do so."

Commissioner Winters said, "So from your looking at their system and this Contract, you think that we've done our due diligence in making sure that they've got a service that will connect with 911 and will in effect kind of give our assurances that if they do what the contract says their system should be compliant."

Ms. Gage said, "Yes. We're holding their feet to the fire, saying that this is what we expect out of you. Our concern is to provide a vital service to the citizens in our community and we want to make sure they're following up with their end of it."

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Commissioner Winters said, "Okay. Thank you, Mr. Chairman. Thank you, Diane."

Chairman Hancock said, "Thank you. It is probably pretty important that when you dial 911 you don't get Walmart or something. Thank you. Commissioners, further questions or comments? If not, what's the will of the Board?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

I. DIVISION OF HUMAN SERVICES.

1. AGREEMENT WITH BILLY SON LE FOR LEASE OF SPACE LOCATED AT 1157 NORTH OLIVER, WICHITA, KANSAS TO HOUSE CASE MANAGEMENT PERSONNEL.

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, "I do need to make a correction on the Agenda that is listed. The address for that is listed incorrectly. The address is 2959 South Hillside. I think that was the landlord's mailing address. That is suite 200. This contract is a renewal for office space for Case Management personnel in the southeast part of the city. It will accommodate the elderly throughout the city and those that are targeted within the Plainview and surrounding area.

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"This item is an existing Contract renewal. It will be paid for through funds generated by Medicaid, Targeted Case Management. The contract has been reviewed and it will be beneficial in helping people be able to access services through the city, especially in that part of the city in that area."

Chairman Hancock said, "Thank you, Annette. Commissioners, questions on this item? If not, what's the will of the Board?"

MOTION

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

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

2. CONTRACTS (FIVE) TO PROVIDE PHYSICAL DISABILITIES SERVICES.

! CATHOLIC CHARITIES, INC. - ADULT DAY CARE: \$54,628

! DEAF AND HARD OF HEARING SERVICES, INC. - HEARING COMMUNICATIONS: \$16,000

! INDEPENDENT LIVING RESOURCE CENTER, INC. - INFORMATION AND REFERRAL: \$28,391

! RAINBOWS UNITED, INC. - VISION SERVICES: \$57,691

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! SENIOR SERVICES, INC. - MEALS ON WHEELS: \$67,289

Ms. Annette Graham said, "There are five Mill Levy Contracts that are a continuation of existing programs for people with physical disabilities. This is services for them and they have been awarded 1999 funding. The Program Contracts have been reviewed and recommended by the Sedgwick County Physical Disabilities Advisory Board. These items are within the 1999 budget as approved by the Board of County Commissioners and the total amount of these contracts is \$223,999. These programs have proven to be very successful in helping individuals with physical disabilities and their families. They offer them services to help them with quality of life, to increase their independence and increase their dignity of living."

Commissioner Gwin said, "Annette, just for the public, do you want to read the service provider's name out."

Ms. Graham said, "Sure. There is Catholic Charities; Adult Day Care; Deaf and Hard of Hearing; Hearing Communication Services; Independent Living Resource Center; Rainbows United, Incorporated; and Senior Services Incorporated."

Commissioner Gwin said, "Thank you."

Chairman Hancock said, "Thank you. Commissioners, questions on this item? If not, the Chair would entertain a Motion."

MOTION

Commissioner Winters moved to approve the Contracts and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

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VOTE

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

Chairman Hancock said, "Thank you. Thank you once again, Annette. Next item please."

- 3. GRANT APPLICATION TO KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES, ALCOHOL AND DRUG ABUSE SERVICES FOR FUNDING OF CONTRACTS FOR COMPREHENSIVE COMMUNITY CARE TO PROVIDE ASSESSMENT, INDIVIDUAL COUNSELING, GROUP COUNSELING AND CASE MANAGEMENT SERVICES.**

Ms. Marilyn Cook, Assistant Director, COMCARE, Mental Health Center, greeted the Commissioners and said, "I'm here for Debbie Donaldson this morning. The Kansas Department of SRS, Alcohol and Drug Abuse Services, or ADAS, has requested applications from all licensed alcohol and drug treatment programs to provide treatment services to ADAS clients and consumers on a fee for service basis. As COMCARE provides two outpatient drug and alcohol treatment programs through Addiction Treatment Services of ATS and Women's Alcoholism Treatment Services, WATS, we would like to enter into contracts with ADAS to continue to provide assessment, individual and group drug and alcohol counseling, and Case Management Services. Now while this is a new application, ADAS, ATS and WATS have been contracting providers with ADAS for sometime. The last three years, we have contracted with a management organization who was chosen by ADAS or the Kansas Foundation for Managed Care. ADAS this year elected to discontinue that relationship and contract directly with providers. So this application is the process to get us to that Contractual Agreement. I'd be happy to answer any questions."

Chairman Hancock said, "Thank you, Marilyn. Commissioners, questions on this item? If not, what's the will of the Board?"

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MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

J. RESOLUTIONS (THREE) DESIGNATING AND CLASSIFYING CERTAIN STREETS TO TOWNSHIP SYSTEMS.

! MINNEHA TOWNSHIP - DISTRICT #1

Mr. David C. Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "It is standard procedure that after a road has been constructed within a Platted Residential Subdivision in accordance with County standards, that road is then assigned to the Township Road System. In this particular case, Crest Ridge Circle, Crest Ridge and Crest Ridge Court located in Crest Ridge 2nd Addition, would become the responsibility of Minneha Township. I recommend you adopt the Resolution."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

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VOTE

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

Chairman Hancock said, "Next item please."

! NINNESCAH TOWNSHIP - DISTRICT #3

Mr. Spears said, "Again, the same as the first item. It is standard procedure that after a road has been constructed within a Platted Residential Subdivision in accordance with County standards, that road is then assigned to the Township Road System. In this particular case, Amber Ridge and Harvest Valley Drive, located in Harvey Valley Estates, would become the responsibility of Ninnescah Township. I recommend you adopt the Resolution."

MOTION

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

Chairman Hancock said, "Thank you."

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! OHIO TOWNSHIP - DISTRICT #2

Mr. Spears said, "The third Resolution, similar to the first two. In this particular case, Fieldcrest, Fieldcrest Court, Creekview, Blue Water, Bluewater Court, and Spring Bluff Circle, located in Spring Creek Addition, would become the responsibility of Ohio Township. I recommend that you adopt the Resolution."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' APRIL 29, 1999
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the April 29 meeting of the Board of Bids and Contracts. There are two items for consideration this morning."

**(1) DISCPORT SERVER - DISTRICT ATTORNEY
FUNDING: EQUIPMENT RESERVE**

"Item one is a discport server for the District Attorney. It was recommended to accept the low bid of Allstar Systems, Inc. That amount is \$21,283."

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**(2) CLEAN & SEAL PARKING LOTS - JUDGE RIDDEL BOYS RANCH
FUNDING: CAPITAL PROJECTS**

"Item two, cleaning and sealing of parking lots for the Judge Riddel Boys Ranch. It was recommended to accept the low bid of Kleen Stripe. That amount is \$26,942. I would be happy to take questions and recommend approval of the Minutes provided by the Board of Bids and Contracts."

Chairman Hancock said, "Thank you, Darren. Commissioners, questions on these items? If not, what's the will of the Board?"

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you, Darren. Poor Darren, I happened to call in in the middle of the night following the tornado activity in south Wichita. It is my understanding that Darren was there approving purchases right and left to make things happen in the Emergency Center. Darren, we appreciate your hard work."

Mr. Muci said, "Thank you, Commissioner, I had lots of good help from Randy Duncan and his staff and my staff again yesterday."

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

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CONSENT AGENDA

L. CONSENT AGENDA.

1. Right-of-Way Agreement.

Easement for Right-of-Way for Sedgwick County Project No. 626-14-4475; Bridge on 31st Street South between 183rd and 199th Streets West. CIP #B-300. District #3.

2. Kansas Hazard Mitigation Program Documents: Resolution Designating Randall C. Duncan as Program Representative; Statement of Assurances and Certifications; and Resolution Authorizing Local Match Funding.

3. Agreement with City Blue Print, Inc. to provide on-line access to Sedgwick County's electronic data.

4. Order dated April 28, 1999 to correct tax roll for change of assessment.

5. Payroll Check Registers (two) of April 30, 1999.

6. General Bills Check Register of April 30, 1999.

7. Budget Adjustment Requests.

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

Chairman Hancock said, "Commissioner McGinn."

Commissioner McGinn said, "Mr. Chairman, I'd like Item L-2 voted on separately."

MOTION

Commissioner Winters moved to approve the Consent Agenda with the exception of Item L-2.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Hancock said, "A Motion on Item L-2 please?"

MOTION

Commissioner Winters moved to approve L-2 on the Consent Agenda.

Commissioner Gwin seconded the Motion.

Commissioner McGinn said, "I have a question on this and probably a comment as well. I want to make sure that I'm clear on this. Are we, with this application, are we also approving that we're going to pay the 15%?"

Mr. Randall Duncan said, "Yes, that is written into the Agreement. Actually to set the background, the Federal Government will pick up 75% of the cost of the acquisition. The remaining 25% would be split between the State of Kansas and Sedgwick County. Typically, in the past, that relationship has been the State of Kansas will pay 10% and the local jurisdiction picks up 15%. That's the way that it is written into this particular Agreement."

Commissioner McGinn said, "And the reason for this is to offset future expenses in the event of an emergency?"

Mr. Duncan said, "From our point of view, that would be the rationale, we would want to participate in it to keep these properties from becoming future disaster sites and having to commit emergency resources to them on a repetitive basis as floods occur."

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Commissioner McGinn said, "Those costs? I'm curious how they offset the fact that now we have to mow the lots and then we have other things to take care of on these individual lots. That's my concern. Another concern, I have one particular item that was on this was in an area that has potential flooding for others as well and I'm concerned that we might be setting a precedence with this. I'm probably not going to support this."

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

Commissioner Winters said, "Can I ask how you chose these lots?"

Mr. Duncan said, "Yes sir. The criteria for participation in the program was that the structure had to have damage above 50% value of the structure. It had to of been denied a permit to rebuild. That was the criteria for this. For the other areas for eligibility or one of the other efforts that the federal government wanted to make was in reference to what Commissioner McGinn mentioned, the issue of not checker boarding, that is not going in and doing one here and one there, but unfortunately, the way the program is scheduled, there is a total availability of federal funds of approximately \$4,000,000. We're aware at this point in time of requests of approximately \$100,000,000. So at some point in time, the requests are going to have to be balanced against the available resources and we just want to make sure that we are positioned in that decision process so that we don't deny our citizens the ability to participate in that program if they wish. That's the only criteria. It is voluntary participation on the part of the property owners."

Commissioner Winters said, "Thank you. I clearly understand Commissioner McGinn's comments, but when we've got a chance to get 85% funding from the Federal and State Government to solve some citizen's problems, I've got to be supportive. I'm going to support the Motion."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. If I just heard the question from Commissioner McGinn and then your comment. We're spending these monies to protect ourselves in the future of not having to go back and having to address it later but I think I heard from you Randy that these structures were under criteria that they're denied building permits to rebuild. So if they can never build another structure on that property, we would never have to readdress it anyway."

Mr. Duncan said, "They can't rebuild the existing structure, but unless it gets to the point that Code Enforcement says the structure is not inhabitable, in theory they could continue to inhabit it even at that level of destruction."

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Commissioner Sciortino said, "I see. Okay, thank you. No further questions."

Chairman Hancock said, "Commissioner McGinn."

Commissioner McGinn said, "Is there a way that we can approve this and I think the City of Wichita, they ask the homeowners to pay the 15% so that they can at least be in the game on this? I don't know if that . . ."

Chairman Hancock said, "It is my understanding that it comes later."

Mr. Duncan said, "Well, the Resolutions that you have before you provide the identified source of Sedgwick County funds as being Sedgwick County. It is possible to structure the program in a way that you asked about Commissioner McGinn that would require a redoing of the Resolution to identify that our 15% of the funding would come from another location, in this case the citizens if that is the desire of the Board."

Commissioner McGinn said, "That would be my desire."

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

Commissioner Gwin said, "Just for more information. We did a buy-out program several years ago and bought parcels in other neighborhoods that were prone to flooding. Whatever became of those parcels? Do we still own those? Does the County own them? Do we become the title owners of those parcels?"

Mr. Euson said, "We do take title to those and the title is restricted as to the fact that nothing can be built on it ever."

Commissioner Gwin said, "Have we sold any of those to adjacent property owners or transferred the titles?"

Mr. Euson said, "We have transferred titles on a couple of occasions I believe to the City of Derby. As I recall the restrictions, I don't even think we're able to transfer that to a private individual. We're required to hold them."

Commissioner Gwin said, "So then David, do your people have to go out and mow?"

Mr. Spears said, "To my knowledge we haven't been called to mow any of those lots."

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Commissioner McGinn said, "Who takes care of them?"

Mr. Spears said, "I don't know."

Mr. Duncan said, "A neighbor sometimes will mow those."

Commissioner Gwin said, "I haven't heard but I don't think any of them were in my district so I haven't heard of any problems particularly with them. Just curious. Thank you, Mr. Chairman."

Chairman Hancock said, "Commissioner Winters."

Commissioner Winters said, "I was just going to say that I am going to support doing this the way that we handled the earlier buy-outs in order to not lose out if there are not three votes to do that, I'd be glad to take the other route and make sure that at least these home owners can get in the program if there are funds available. I'm still going to be supportive of doing it the way we've done it in the past."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. I echo what Commissioner Winters said. I don't want to deny these people the ability to get some funding, but I must say I'm inclined to like with Commissioner McGinn said about letting the homeowner participate a little bit in the responsibility. I know if you buy insurance for your home there is always a deductible or something and you're expected to pay a little bit but it is supposed to stop you from the catastrophic costs. I would be inclined to support Commissioner McGinn's concept of letting the home owner participate a little bit in resolving the problem."

Chairman Hancock said, "Thank you. The last buy out occurred almost exclusively in my District. There were some houses, residential properties in the city of Derby that were purchased in the 5th District. In my area it was primarily in one subdivision, an area right next to the Arkansas River. As a matter of fact, it is in the secondary flow area. I was disappointed to see that at that time we had 100% for this program that we didn't have 100% participation. It needed to be done at that time. It was too bad that didn't happen. One of these properties that we're talking about is once again in that area. In that regard, that property for me is frustrating. It should have been done 100% last time. This time we're talking about an 85% and looking at the construction dates of the properties and I can't tell you historically if these properties have flooded since their construction since 1930's I think. Two of them at least and maybe one is in the 40's."

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Mr. Duncan said, "Yes sir, 40's and 50's and the newest one is maybe in the 60's if my memory serves me correctly."

Chairman Hancock said, "That was the one in River Vista. I'm not sure if historically they have always flooded, and my thoughts were that if they had not, that something has changed in the west side effecting these particular residential properties, therefore I don't look at it as particularly the fault of the property owners. Conditions have changed, circumstances have changed, flows have changed, I don't know. I decided to be in favor of it although I was not very happy with the one at River Vista area. I happen to know the owner and he'll probably hear from me, but you know me. Anyway, I'm going to be supportive. Let me ask one more time, are we committing to the 15% at this time in this application?"

Mr. Duncan said, "As the Resolution is expressed, it uses the language up to \$41,000 and I don't recall the dollars after that. That would be the . . . if that full amount were used, that would be the full 15% that would be the County's responsibility."

Chairman Hancock said, "Okay. It is also my understanding that in deciding purchase amounts, we primarily allow on County Appraisal."

Mr. Duncan said, "That's correct. There is a process in place in case there is a dispute in value."

Chairman Hancock said, "Okay, thank you, Randy. Commissioner McGinn."

Commissioner McGinn said, "I don't want to stop this program from moving forward and I guess my question is, if we do change the Resolution, can this be deferred one week or not or do we have to do it today."

Commissioner Winters said, "I think we can decide it today, can't we?"

Chairman Hancock said, "I think there is enough."

Mr. Duncan said, "If the Commission decides to change the Resolution, I think that is doable today if that's the will of the Commission."

Commissioner Gwin said, "If the first Motion would fail or whatever then I guess we could bring up a different one."

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Commissioner Winters said, "I suggest we vote on the Motion on the floor and if it fails, I'll offer another Motion that says we don't participate in the 15%. We've got a Motion on the floor to do it as it has been drafted and as the Resolution states."

Chairman Hancock said, "Any further comments?"

Commissioner McGinn said, "Just to make sure I have this right. If it fails, you will offer. . ."

Commissioner Winters said, "If this Motion fails, I'll offer another Motion that we proceed with the program without the County's 15% involvement."

Commissioner Sciortino said, "I'm a little confused. We were having a discussion and didn't you say that unless we committed to the 15% we wouldn't get the FEMA money? If we make a Motion and just to stay out of the 15% participation, will that still qualify for the grant?"

Mr. Duncan said, "We would have to specifically identify the source of the 15%."

Commissioner Sciortino said, "Okay, thank you."

Mr. Duncan said, "If it were the desire to have the home owner to be the source . . ."

Commissioner Sciortino said, "That's what I thought, thank you."

Chairman Hancock said, "Further discussion or comments on this item? Does anyone know what the Motion is right now?"

Commissioner Gwin said, "The Motion is to approve it as it was written originally."

Chairman Hancock said, "Okay, very good. Clerk, call the vote please."

VOTE

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

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Chairman Hancock said, "Thank you. Is there any further business to come before this Board? I might say on the last vote Commissioners, for your information, I want to give the citizens one more chance. There are only four properties that we're talking about here. I know this meeting is over, but for the record, any further discussions of FEMA buy-outs are going to have to revolve around something that we've not traditionally done and that is cost effect. I think it is important that we do more discovery on the type of properties, nature. I just believe that for some folks really deserve these programs and some folks just plain don't. I don't believe that we need to pay for stupid decisions that are made."

Commissioner Gwin said, "If I may tag on. One of the things that I talked to Randy about in the original program, was it possible to give the property owners one chance and that was it. At that time I think FEMA was not interested in doing that and the down side of that I think is that if these properties flood repeatedly, year after year after year, you and I are helping to rebuild them, to subsidize them based upon that decision making of that property owner. So I don't know that I'd force people to do it, but I would think that given the chance to buy-out, to be removed from a difficult housing decision that this person has made, that you get one crack at it and if you don't accept the buy-out at an agreed upon price, then FEMA no longer comes in to save you. I don't know if FEMA is thinking about that in the future, but I certainly hope they do, because I understand helping people, I understand that problems come upon them maybe not of their own making, but if FEMA would agree to revise this and say look, this is your chance to save yourself and if you don't take this chance, FEMA no longer is going to back you up in this decision. Hopefully they'll rework that. Randy, are you aware of whether or not they're considering that at this point?"

Mr. Duncan said, "I have heard FEMA Director James Lee Witt make comments very similar to yours. My own personal opinion is that those are based on his incredulity at some people who would not chose to take advantage of the program."

Commissioner Gwin said, "They're really wanting to revise the program then. I think that is probably where my opinion is coming from too. I obviously don't have the authority to change FEMA rules but I sure wish they'd think about it."

Mr. Duncan said, "Commissioners, you may have an opportunity to tell Director Witt that this afternoon."

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Commissioner McGinn said, "I just want to say that I agree with Chairman Hancock that we need to do more discovery on this and I do believe we're going to receive a flood report in a couple of weeks. There is a lot going on on the west side and I don't know that we fully understand it and hate to just start jumping in to these different situations if perhaps people aren't making good decisions or something."

Commissioner Sciortino said, "Since everybody is adding on a little bit. By what we've done today, does that set a precedent that you present us some other ones it is going to be difficult to say okay in this particular case we want the homeowners to participate and we set a precedent that we're not going to allow the citizens. We've done away with the citizen's obligation to participate?"

Mr. Duncan said, "Commissioner Sciortino, the participation on our part, on the part of Sedgwick County within this program is voluntary also and the only time this program is available is after a presidential declaration for a flood. So, for example, with this most recent presidential declaration for a tornado, that type of program is not in the services available."

Commissioner Sciortino said, "Might there be other property . . . we're talking about the Halloween flood. Might there be other property owners that we're going to submit applications to FEMA on or is this the extent of those?"

Mr. Duncan said, "These are the four properties in the unincorporated area of Sedgwick County that we've identified the criteria for participation."

Commissioner Sciortino said, "Okay, thank you."

Chairman Hancock said, "Thank you. Further comments? Thank you Commissioners."

M. OTHER

N. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:26 a.m.

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

BILL HANCOCK, Chairman
Second District

BETSY GWIN, Chair Pro Tem,
First District

THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1999