MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

FEBRUARY 7, 1996

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, February 7, 1996, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Melody C. Miller; Commissioner Betsy Gwin; Commissioner Paul W. Hancock; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Stephen Plummer, County Counselor; Mr. Lewis R. (Bob) Rogers, Assistant County Manager; Ms. Becky Allen Bouska, Director, Finance Department; Mr. John DuVall, Director of Admissions, Bureau of Comprehensive Community; Ms. Delia Lopez, Chief Deputy, Appraiser's Office; Mr. J. Kenneth Hales, Director, Department of Corrections; Mr. Don Brace, Director, Bureau of Central Services; Mr. Kenneth W. Arnold, Director, Capital Projects Department; Ms. Irene Hart, Director, Bureau of Community Development; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Susan E. Crockett-Spoon, County Clerk.

GUESTS

Mr. Ruby Parker, Proclamation for Black History Month Mr. Andrew Hudanick, Gott Over-aggrieve Addition Taxpayers Society Mr. Barry Bertram, TOPP Consulting

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, all Commissioners were present.

CONSIDERATION OF MINUTES: Regular Meeting, November 29, 1995

The Clerk reported that all Commissioners were present at the Regular Meeting of November 29, 1995.

Chairman Winters said, "Commissioners, you've received the minutes of the meeting of November 29, 1995. What's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the Minutes of November 29, 1995.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

Chairman Winters said, "Thank you Becky. Seeing no questions, next item please."

PROCLAMATION

A. PROCLAMATION DECLARING FEBRUARY, 1996 AS "BLACK HISTORY MONTH".

PROCLAMATION

WHEREAS, the history and shaping of America is the by-product of hard work, sacrifice and cultural diversity; and

WHEREAS, the month of February is designated as Black History Month in recognition of the achievements and contributions made by African Americans; and

WHEREAS, during the month of February and throughout the year, the First National Black Historical Society Museum, at Elm and Water, holds special events, programs, seminars, guided tours, offers resource materials and provides speakers in an effort to increase the understanding of African American contributions;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the month of February, 1996 as

"BLACK HISTORY MONTH"

in Sedgwick County, and encourage all citizens to increase their awareness of America's diverse cultural heritage.

MOTION

Commissioner Schroeder moved to adopt the Proclamation 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "And we have with us Ruby Parker this morning. Ruby, if you would come forward and accept this Proclamation. If you have anything you'd like to say."

Ms. Ruby Parker said, "It is with pleasure that I accept this Proclamation declaring February as an honored time set aside for Black History, and I do accept this Proclamation with a deep sense of humility and gratitude. I realize the problems and the needs of education and understanding of all races and this Proclamation will certainly give us a boost in obtaining our goals and the maintaining of pride, dignity and respect. Thank you."

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

CITIZEN INQUIRY

B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING THE EAST SEDGWICK COUNTY SEWER DISTRICT.

Chairman Winters said, "Okay, Mr. Hudanick, again I'll remind citizens that this is the time on the agenda when we do allow citizens to speak to the Commissioners on each subject. The time frame is limited to five minutes. I'd like to just take a moment here before we start. I know that Mr. Hudanick has several things that he would like to visit with us about and I see that he is on the agenda for next week also. I'd like to ask our Counselor, Mr. Plummer, what are out obligations and what do we need to do to make sure that we give citizens all the time they need to speak, but yet I know that last week or perhaps the week before, I told Mr. Hudanick that he needed to just keep coming back for five minutes at a time. Can you help me understand what we need to do."

Mr. Stephen Plummer, County Counselor, said, "Yes, Commissioner. As all of us in the room know, the First Amendment allows citizens to petition the government. It also allows free speech and so on and so forth, but none of our constitutional rights are absolute, there are limitations on all of them and anybody's first amendment rights are subject to limitations, especially when those rights are exercised in public meeting. One limitation is that you have the right to place a reasonable time limitation on public presentations and you've done that with your five minute limitation. You also have the right to limit how presentations are made. We certainly wouldn't let someone come in here and address us with a bull horn for instance. You also have a right to limit the place where the presentation takes place, and that is you don't have to let people come up and sit next to you and address you. The point of all this is, you say a reasonable time of five minutes. You have the discretion to extend that a little bit if you want to, but you don't have to let someone come back and address you time after time on the same subject. If five minutes is the limit, I think that's a reasonable limit and I think you can stick to that if you choose to do so. Secondly, I don't think you have to entertain repeated five minute presentations on the same subject. The law doesn't require that."

Chairman Winters said, "Okay, thank you. Mr. Hudanick, I think what I'd like to do is that you've made a request for this week and next week, and if it is acceptable with you we'll go ahead and follow that. If you want to make your conclusion next week, that's fine, or if you want to take ten minutes this morning and get it done. However, you may have prepared for five minutes, but I believe there is going to be a point where I think the next best thing for you to do is to make personal contact with that Commissioner and they can sit down and have a more extended conversation with you. I don't think we're going to continue on with the five minute process from now on. So, I think what I'd like to do is go ahead and have your five minutes today and five minutes next week, which you've already made that request and you're on the list, but I hope that would be kind of the concluding remarks."

Mr. Andrew Hudanick said, "If you can give me fifteen minutes next week, I'll be off your backs."

Chairman Winters said, "No, I don't think 15 minutes, we talked about this 20 minutes last week at our meeting and with two more five minutes, that's going to be almost 40 minutes that we will have spent on that, and that's all the time we're going to spend before the bench on this issue.

"Again, if you want to try and make appointments and see Commissioners privately, you are certainly free to do that, but I don't think we're going to go for fifteen more minutes. So, what I'd like to do is, we'll start the five minutes and have your five minute presentation today and then you can go on for five minutes next week also."

Mr. Hudanick said, "Okay, then I'll take it from there."

Chairman Winters said, "Okay, thank you. Madam Clerk start the time."

Commissioner Miller said, "I do have a comment, excuse me Mr. Chairman. Mr. Hudanick, could you explain to me whether or not you are going to be speaking on the 'same' subject each time you attempt to address us."

Mr. Hudanick said, "I will this morning, but the next time I wanted to speak on, point out, flaws in your system of selectivity. I'm not here just to gripe about Gilder's Gardens. I feel obligated, as a citizen, to point out some of the flaws that you people might have in your system and not know about it from what I've observed."

Commissioner Miller said, "I'm not sure that it is appropriate to set a precedent that if an individual is not speaking on the same subject to simply to not let them be able to come in front of the bench and I simply needed to make that statement."

Chairman Winters said, "Alright, thank you. Mr. Hudanick, five minutes."

Mr. Hudanick said, "Yes, I was here two weeks ago, and one thing I've got pretty disjointed on a five minute rule and I tried to pull things together to get something in sequence to you people and I was afraid that what I elicited from you people were gunfire reflexes. In other words, which I didn't mean to do. I meant to point out certain things that happened to us in Gilder's Gardens and not to accuse anyone or even imply of any wrong doing and things like that. In fact, I think I mentioned, in my opening remarks, that it was a process that needs fixing. Plus the fact that we have been aggrieved in Gilders. We've been hurt by the actions of the County, or in-actions of the County I should say.

"I am a firm believer that the Commission has an obligation, total obligation, collective obligation to take care of the needs and welfare of all its citizens. Much as I have an obligation, I believe, and other citizens, to point out some workings that are not working really for the County. I want to specifically say that, wanted to concentrate on the fact that, the Commission look into why, in 1976, the sewer district was considered for Gilder's Gardens it set until 1985. I want to know why, in 1985, we were told, by the Commission, that we were going to get a sewer district by 1987 and it never happened. I was hoping the Commission would get interested in that. I was hoping to point out that philosophy behind this sewer district in Gilder's Garden, which is the oldest residential area in the County, why it kept being over looked. Which the philosophy behind it was that you have the oldest system, the oldest septic systems and you are subject to more seepage and so forth. This is what we were told the philosophy by Mr. Gragg and so forth.

"Wanted to know why that, we could understand why the slippage would occur to 1987, then he told us 1988, then 1989, we could understand that. But we would inquire do you have anything now after the slippage is over in being some plans when 1990 comes out to implement. No, that requires another slippage. We wanted to know why like the Timber Lakes was a complete fiasco. (Inaudible) into the Timber Lakes with the intention that we would tie up to those pipes. That is supposed to be the planning. Found out that they put in the wrong pipes. Two year delay with everything else going on. We were hurt, we were traumatized, we were left without, sometimes left without means of even using the bathroom in our area. Wanted to know why the, in 1987, when I worked as a planner in the City, I was involved in grant writing, that there were grants supposed to be going to the eastern Sedgwick County district. It never happened. In 1990, we were told that the grants had dried up.

"In 1992, they did put in a request for grants, the grants were all gone. Mr. Spears stood in front of this Commission, May 24, 1995, said, all of a sudden we found grants for Greenwich Heights and the western sewer district. Now how did the western sewer district get in there, what happened to us? We were the ones that were constantly bugging them since 1987, make sure we get the grants. I was personally involved in it because I was familiar with grants, used to be grant writer for the City of Wichita. To find out that after four or five years that these grants have been awarded for several areas, why? We wanted to know why petition....everything I'm telling you can be collaborated by people in our district, I'll give you their names and the developer.

"The developer wanted to put in 70 homes in 1988, 1989 to 1990 era. He can't put them in there anymore because the high costs that are going to be put onto Gilder's Gardens. By the way, the highest cost of any unit in the County or any unit in the State, \$8,700. We tried to work out a deal. I guess the developer, and I'm not going to mention his name, put out a deal that we can stretch those payments out so he can bring his costs down to build his homes, seventy homes in our area, which would have boosted the price of our homes. Right now, we have a church, New Life Christian Church, with a beautiful septic lagoon. Ask the minister why did you put in a septic lagoon. He built the church in 1992, 1993, he mentioned, we were promised there would be a sewer system and so we put in this beautiful lagoon for you, so forth. Now, again, we have carried out correspondence, strictly from 1985 on."

Chairman Winters said, "Thank you very much."

Mr. Hudanick said, "Thank you."

Chairman Winters said, "At this time, Commissioners, there are two off-agenda items we need to take up."

MOTION

Chairman Winters moved to take up an off-agenda item concerning an appointment for Mr. Hancock and an addition in the Appraiser's Office.

Commissioner Gwin seconded the Motion.

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

VOTE

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

OFF AGENDA: ADDITION TO THE APPRAISER'S STAFFING TABLE

Chairman Winters said, "Delia Lopez is here from the Appraiser's Office."

Ms. Delia Lopez, Chief Deputy, Appraiser's Office, greeted the Commissioners and said, "At this time we are requesting the addition of an Administrative Specialist range 19 be added to the Appraiser's staffing table to be effective February 6, 1996. The total budget impact is \$42,048."

Chairman Winters said, "Okay, thank you very much. Commissioner Miller."

Commissioner Miller said, "I have had some conversation in regard to, or commentary in regards to the movement from the Commission Office to the Appraiser's Office of the individual by the name of Bess Dreams. I really, as one Commissioner on this bench, I was not in agreement with this movement. I do understand why the decision was made and that the Appraiser's Office has received this transfer, but I felt that it was inappropriate, that it sent an inappropriate message from our Commission bench and this was something I needed to say publicly. Thank you."

Chairman Winters said, "Thank you. Commissioners, you've heard the request from the Appraiser's Office, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the addition to the Appraiser's staffing table."

Chairman 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 Melody C. Miller	No
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you, Delia. Mr. Hancock."

OFF AGENDA: APPOINTMENT TO SALEM TOWNSHIP

Commissioner Hancock said, "This is an appointment to Salem Township Board. The name of the individual is Sam G. Milligan, of Mulvane, and we're making the appointment as Township Clerk to fill that vacancy."

MOTION

Commissioner Hancock moved to appoint Sam G. Milligan to the Salem Township Board as Township Clerk.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you very much. Back to the regular agenda. Madam Clerk, call the next item please."

NEW BUSINESS

- C. BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE).
 - 1. CONTRACT WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC. ST. JOSEPH CAMPUS TO SERVE AS THE PRIMARY PSYCHIATRIC INPATIENT FACILITY PROVIDING MEDICAL SERVICES TO PATIENTS OF COMCARE.

Mr. John DuVall, Director, Admissions, Bureau of Comprehensive Community Care, said, "This particular contract is a continuation of a contract with Via Christi St. Joseph designating them as our primary inpatient facility. St. Joseph staff and our psychiatrist provide inpatient care to the patients of COMCARE. In addition, St. Joseph provides us funding for inpatient coordinator position, a master's level position that operates within our department. Glad to answer any questions, would recommend your approval."

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

MOTION

Commissioner Hancock moved to approve the Contract 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

2. AFFILIATION AGREEMENT WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC. ST. FRANCIS CAMPUS TO PROVIDE SERVICES TO ADULTS WITH SEVERE AND PERSISTENT MENTAL ILLNESS.

Mr. DuVall continued, "This contract is a continuation of the affiliation agreement we have with Via Christi St. Francis. This agreement is required by SRS and allows St. Francis to provide a full range of psychiatric services and to bill Medicaid for these services. I would recommend your approval."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

3. REQUEST FOR PROPOSAL TO PROVIDE FAMILY PRESERVATION SERVICES.

Mr. DuVall concluded, "SRS has sent out, to agencies within Sedgwick County, a request for proposal or it is referred to as an RFP. It is specifically to allow agencies to bid on providing family preservation services within Sedgwick County. The document we are considering this morning is our response to this particular proposal. Family Preservation Services, assuming we would be awarded this particular contract, is going to be provided primarily through our Family and Children Services, Family Consultation Services, and an agency called Mid-American Parents. We would be a primary contractor and would be subcontracting with the other two agencies to provide these services to families in Sedgwick County. They are primarily aimed at providing early intervention to family crisis. Be glad to answer any questions you might have and would recommend your approval."

Chairman Winters said, "Thank you. Commissioners, you've heard the request. I'm sorry Commissioner Miller, I didn't see your light on."

Commissioner Miller said, "Mr. DuVall, just for the public's sake, how would the request for proposal to provide family preservation services, how is it different. We're venturing, I know, into a new realm and so can you explain to me how it would be different than the way we normally do business."

Mr. DuVall said, "I'd like to defer that question. Barry Bertram of TOPP Consulting, which helps us write this proposal, is here today and he can kind of expand on what services they would be and how it is going to be different."

Commissioner Miller said, "Excellent, thank you."

Mr. Barry Bertram, TOPP Consulting, greeted the Commissioners and said, "Actually, if you were to look at the two cases from the position of a third party, I don't think you'd see a great deal of difference in the services being provided. The clients might be somewhat different. Presently the FCCS Unit which in my opinion is an outstanding unit, works with families who have children who are clearly identified as seriously and emotionally disturbed.

"The population we are looking at with this RFP would be families who have some crisis event going on which has indicated to an SRS assessment team that the child is going to be removed from the home. Some of these children might be SCD, many would not be, however, the service that is going to them would be very similar. An immediate response to the crisis, a period of intensive services and then some period of aftercare."

Commissioner Miller said, "Is this on the same level as a managed care type of a program though or no?"

Mr. Bertram said, "You would certainly have to watch your resources very carefully."

Commissioner Miller said, "Okay."

Mr. Bertram responded, "I don't have the numbers with me today for the cost per family and this is a closed bid so everyone is going to present different numbers. In our opinion, the final cost that we put together was a very accurate assessment of what the cost would be."

Commissioner Miller said, "Which was?"

Mr. Bertram said, "I'm sorry?"

Commissioner Miller said, "Which is how much?"

Mr. Bertram said, "\$5,500 a family I think, for 475 families. I think that is a fair cost assessment, it's not a low ball bid."

Commissioner Miller said, "I agree. It's just a little bit different than what we normally do and I thought it would be helpful..."

Mr. Bertram said, "With the changes with SRS, everything is going to be different than what we've normally done."

Commissioner Miller said, "That is true. Okay, thank you. Thank you Mr. DuVall. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Any other questions or comments?"

MOTION

Commissioner Gwin moved to approve the Request for Proposal 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

D. PROVIDER AGREEMENT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR SEDGWICK COUNTY YOUTH AFTERCARE PROJECT TO PROVIDE YOUTH OFFENDER AFTERCARE SERVICES.

Mr. J. Kenneth Hales, Director, Department of Corrections, greeted the Commissioners and said, "The Sedgwick County Youth Aftercare Project has operated as a grant funded program with the State provided aftercare services to juveniles coming out of State Youth Centers. Effective October 1, they have switched from grant funding to a per diem basis funding and this will require a provider agreement which establishes a per diem rate of \$84.60 a day. The effect of this also will be visited when we submit our budget for '97.

"As a grant funded program, grant funds would come in and we would operate off of a pool of funds established in the grant's office and after we go to a per diem basis funding, we will establish a regular budget and the per diem will come back and reimburse the general fund through those means. As far as alternatives, there really are no alternatives for us. This is a policy decision by SRS. If we continue to operate the program and receive SRS monies this is the only way in which it will be available to do that. Our staff recommendation is to approve the provider agreement and authorize the Chairman to sign."

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

Commissioner Gwin said, "Ken, I am interested, how are you dealing with the site of SKYP. Bring us up to date on that and what your plans are."

Mr. Hales said, "As you know, there is considerable neighborhood opposition for relocating to the site at 124 West 10th Street and we've withdrawn our consideration of that zoning change. At this point, I've instructed staff to ask for an extension to our current lease, we can opt out for a two month extension, so we can stay at the current location through May. During that time, I've asked staff to go through and revisit the other properties that we have looked at, that were not as suitable as the KETCH property.

"The reason we had not chosen those other properties to look at was because all of them required some form of remodeling to go into it. At this point, we're going to revisit those. Visit any other new properties that we can find and package up what it would take to relocate the program to a different location. It is my understanding that we all feel the neighborhood opposition is not likely to diminish significantly if new zoning regulations are passed. Therefore, we need to look at some different opportunities."

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

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Ken, if the County chose to not provide the aftercare, would SRS step in and provide that program?"

Mr. Hales said, "I believe that is quite unlikely. SRS does provide operating funds, but they have been consistently unprepared and unwilling to provide any other funds related to facility development. I spoke with Ben Coates several months ago concerning this situation from SRS and this has been the typical problem. Usually private for-profit or private non-profit organizations are compelled to do the up front expenses on their on. SRS just pays for the services rendered to the kids and that's really what we're faced with. I would not anticipate them coming in and providing the service and then we're starting a new group home."

Commissioner Hancock said, "There would simply be a release from the State facility and the kids would come straight back into the community."

Mr. Hales said, "All the kids that we service at SKYP are serviced as reintegration, they are on their way out. If SKYP were not there providing that kind of service, those kids would still be coming out, but they would be coming out under different circumstances. Some would come out under ISP type supervision, some SRS may provide other services too, but that kind of half-way house reintegration service would not be available."

Commissioner Hancock said, "Tell me while we're on that, would you mind sharing an opinion with us about the value of it as far as the County stepping in and providing the facilities?"

Mr. Hales said, "I think there is considerable value to it and what I hope to do in March is to be able to present clearly what the value is and compare that to what the fiscal impact is. Obviously, we have to look at both sides of that and at this point, I don't know the fiscal impact side. It provides a very valuable service to the community. It has been in operation sixteen years. It provides a service that is sorely needed for the type of youth we have coming back to our community. It has been very successful, however, we also have to weigh the other side of that too, and that's what I hope to provide the Commission in March after we package up these options."

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

Chairman Winters said, "Ken, I have a question back to the SKYP house. Do I understand you then, that we're not going to look at that place on 10th Street as an option?"

Mr. Hales said, "Unless we have some indication that the attitude of the neighborhood association will change with a change in the zoning procedures, it is my understanding it would not be successful."

Chairman Winters said, "I think any neighborhood we look at in the whole community is probably going to have some questions about it. If we stop the process of at least going through the hearing process, we might as well not start it any place else?"

Mr. Hales said, "We've already stopped the process on the current effort. We had considered going through it again after these new zoning regulations have come through. Now the new zoning regulations are still tentative, but we hope that they would provide some changes. The one thing, if my understanding is correct that is still required, is the special use permit. One thing that we are looking at in the other properties we are examining is properties already in commercial areas, so we would have the commercial hurdle to go over just the special use permit issue. And that is only necessary if we are located within a certain distance from residence or other activities. If we're in a highly commercial area or downtown area, we would avoid both of those problems, so that is part of what we're looking at."

Chairman Winters said, "So you believe that there is other property to look at that would fit in those criteria?"

Mr. Hales said, "I believe so. We have looked at some property that was actually joint owned by my understanding, that is right by the City and the County when they did the arrangements for the new State Office building but one of those facilities required remodeling costs, but we're going to go back and visit that one. That is one of the options we have available."

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

Commissioner Miller said, "Ken, understanding that the climate of the atmosphere within the neighborhood mid-town right now is not very conducive or positive in terms of relocating this type of 'halfway' house is probably how they're going to view it. But also understanding that there are some benefits to this type of housing program and speaking to it. Commissioner Hancock touched on it.

"Can you walk us through what the values of SKYP are in comparison to some privately owned halfway houses. I know that we have criteria that is set up in terms of how they are monitored, supervised, and possibly education or treatment that is provided there. So it is different and it does have a high success rate."

Mr. Hales said, "Right. SKYP is highly regulated. Since we are under contract with the Department of SRS, they come in and audit the program every year to be sure we're complying with various contract conditions. Those also involve compliance with certain KDHE rules and regulations concerning operation of boarding homes. So since we're funded, that program is funded through the State, all the mechanisms to allow us to receive those funds are applied to us. We also at times have received ADAS money and then that is another tier of regulation we have to comply with. So it is highly regulated.

"As far as the success rate, we've been very effective. I'm very proud that the kids that come in are very successful in finding and maintaining employment. We've had a number of employers who actually call us up seeking kids to work in the neighborhood, so that's one thing that is important too, is that we stay in the downtown area so the kids are close to jobs and close to things that they need to go to. We have looked at areas outside of town because of less neighborhood opposition but then if we go too far outside of town, kids can't get to work.

"So in that regard, we're very successful with the reintegration activities and we're highly regulated through our funding sources."

Commissioner Miller said, "So if we were to sincerely look at another site that would cost us additional money to expend out more money than we are currently spending on the SKYP program, there are some values to the program that would lend itself to looking at that very closely as far as I'm concerned."

Mr. Hales said, "Well it is, and the Commissioners have always demonstrated a sincere commitment to the services necessary for the kids in this community, and these are kids in our community, coming back to our community. So the question we'll be faced with is what is the fiscal impact of serving these kids and what is the value of the service and that's the decision you guys will be faced with in the future."

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

Chairman Winters said, "Thank you Commissioner. Mr. Manager, you had something to add?"

Mr. William P. Buchanan, County Manager, said, "I didn't want to be on the table that Mr. Hales is abandoning or we're not going to pursue the place at KETCH, the KETCH building. We certainly have some mitigating circumstances, which might make it more difficult to put a group home there, but that is still on the list and it will still be important for us to look at that so I didn't want to leave the impression that we've abandoned that choice."

Chairman Winters said, "Okay, and that has been a group home in the past, correct?"

Mr. Buchanan said, "Yes."

Chairman Winters said, "Okay. Thank you. Commissioners, you've heard the presentation on the Youth Aftercare Project, what's the will of the Board?"

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

E. CAPITAL PROJECTS DEPARTMENT.

1. ADDITION OF A PROJECT TO THE 1996 ADOPTED CIP TO EXPAND THE EXISTING PARKING GARAGE. CIP PROJECT #1996 PB313.

Mr. Buchanan said, "We have before you an addition to the Capital Projects Capital Improvement Program and you'll see that Item F also has to do with the addition of the parking garage. We thought it would be helpful to spend a few minutes talking about what this means to this neighborhood, to you and I, to the employees, and to do an overview of that. Although we have discussed this for some time, it's been on the table off and on for the last several years in conjunction with the jail, the adult detention facility. We thought it would be helpful to do a where we are today with the proposed parking lot addition. Don Brace, who's project this is, and Becky Bouska, who's charged with finding the money and it is our version of wrestling at the Coliseum tag team presentations.

Mr. Don Brace, Director, Central Services, said, "We'll be giving an overview of how we got here today and hopefully it will answer any questions that the audience has and hopefully any answers to any questions you have, we can answer those for you.

"I'm going to use this slide to show you how we got here today. So we all know where we are, this is the Sedgwick County Court House. This is the parking garage today and this is the Black Historic Museum. In the red here, we have the jail as it presently lies out there on our County property. Last year, the County approved an addition to the jail and this is the area which that will take over. When it takes that area over, we have a parking lot here which we call parking lot one and we have another parking lot here which we call parking lot two. The next slide will give you a picture of what those lots look like. Again, this is our garage, this is the Black Historical Museum and we have Water Street coming up here. Lot one, lot two, which I already mentioned and we have lot three here and this lot will come into play."

Chairman Winters said, "Just a second, I think I'm going to interrupt you here. We're having audio problems so maybe the public can be part of this, I think we'll call about a ten minute recess right now and you are close enough to the front I think we'll start at the front of where you start talking again. We're going to be in recess for about ten minutes.

The Board of Sedgwick County Commissioners returned from recess at 9:55 a.m.

Chairman Winters resumed, "Folks, if I could have your attention again to call the meeting back to order. We've been off the air for a short time with audio problems. We were just beginning a presentation by Don Brace concerning the proposed parking garage, so Don you're still up."

Mr. Brace continued, "I only thought instant replay was on a sports program, but the Commissioners have really gone out of the way for the public today. I appreciate that. I'm Don Brace and myself, along with Becky Bouska, Finance Director, will give an overview of our proposal for an addition to our parking garage.

SLIDE PRESENTATION

"I'd like to use this slide to show the people and the Commission how we got to where we are today. Last year, when we approved the addition to the parking garage, it took up quite a bit of our parking lots. For the people's interest, this is the Sedgwick County Court House today. This is the parking garage and this is the Black Historic Church. The red area here depicts the jail as it is today and the yellow depicts the addition that was approved by the County Commission last year. The yellow takes up two parking lots. Lot one, as we call this area here comes in this area here, it holds approximately 170 spots. We have lot two, which is this area here, and that holds 150 spots.

"This next slide will show you a good picture of those two sites. Again, this is our parking garage, this is the Black Historical Museum and we have Water Street coming up here. Parking lot one, parking lot two, and parking lot three comes into play because this is where the site is for the addition to the garage. To help out, these add up to approximately 435 parking spots. Of those 435 spots, approximately 375 are used daily. This takes us right to the site where we would like to get the approval to put the addition to the garage. The proposed garage comes off the north, it runs north south. This is our existing garage, this is Water street, this is the Black Historical Museum, this is our Mental Health Building, this is the Lodge building that stands there now.

"The proposed expansion would hold approximately 450 slots. Again, the exact number of slots will be figured out when the design people design the entire garage. The garage, we'd like to have it built exactly like this one down here, the same outside features, the same type of ramps. We have not decided how people will ingress and egress the garage at this time, but that will be done by the architect. Ground rules for the architect is that we want it to be done so that safety is paramount and we can get traffic out of our local area.

"I'd like to make one general comment. This garage is not being built for County employees parking. This is built for the public, the people of Sedgwick County. If this garage is not built, the people that work around here, will probably use up all the parking spaces that are available a big radius around here. If that happens, the public can not come here to do their business and I think our paramount interest here, and you people have shown that, is that we want to take care of the public, so that's the reason this garage needs to be built, to take care of the people of Sedgwick County. Becky Allen Bouska will come up and discuss the finance portion of the project.

"Excuse me, I'm going to get this slide here for you. This is a construction time table. This time table is just a plan and hopefully today the County Commission will approve adding the project to the CIP. This slide has a lot of acronyms, so BOCC for the public is Board of County Commission, and the CIP is Capital Improvements Program. Also today, we'd like to have the BOCC approve a Resolution asking the PBC to issue bonds. The PBC is the Public Building Commission, and then RFP, and that's request for proposal, and then we get the RFP back and we'll look over those and take the best bid that came in. We'll start construction approximately November 1996, and hopefully the construction will be completed by September of 1997. Now this is the outside time frame. I hope to compress this, hopefully by two or three months if at all possible. With that, I'll get Becky up here to do the finances."

Ms. Becky Allen Bouska, Director, Finance Department, said, "I get to be the bearer of bad news this morning, I'm the person who gets to tell you how much this project is going to cost. At this point in time, all we are dealing with are estimates. We have currently estimated \$260,000 for architect and engineer costs, which total about \$545,000 with actual construction costs totaling \$3.6 million. Adding in the bond issuance cost of \$95,000 you come to a total of 4.5 million dollars. As with any project, we have to find funding sources for that.

"Currently, State law allows us to create what we call the Public Building Commission. The Public Building Commission has the ability to go out and issue debts upon request, specifically the Board of County Commissioners, and fund a specific project. The next slide that Don is going to bring up here will show you if we funded a bond issue totaling \$4.5 million, please keep in mind these are outside figures, that it is our hope that we will come in under 4.5, but we are trying to give you the highest potential cost. That in 1997, with principal of \$122,000 and interest of \$270,000, we need a total payment for debt service to the Public Building Commission of \$392,000.

"The net impact column over there, if you notice, nets out approximately \$50,000 off of that cost. We have assumed a net impact number that \$50,000 or \$40 per quarter per employee will be paid which is the current rate of payment for all employees who park in the garage, would also be in effect for the new garage. The payments, if the bond issue occurred in 1996, it would end in the year 2016, with a similar net impact of \$342,000. In the year 1997, that amount would be a mill levy of approximately .167 and that would drop to a .103 in the year 2016 if that remaining cost were totally property tax dependent. At this point, Don and I are available for any questions that you have regarding the project and if you need to see any slides we'll try to put them up there so that you can see them again."

Chairman Winters said, "Thank you. Commissioners, you've heard the discussion. Commissioner Gwin."

Commissioner Gwin said, "Becky, I guess a question of you. I think I'm fairly comfortable in the fact that we need to replace parking that we're going to be losing and I am comfortable in the fact that we need to build another garage. The question that occurs to me is that we have several major capital projects coming before us, the jail, we just completed the Forensic Center, the Science Center, and this parking garage. How do you rate the County's ability or strength to handle several of these major capital projects?"

Ms. Bouska said, "Over the next month you'll be receiving information from the County Manager's Office regarding the financial planning of the County over the next five years. What we are working on is how to structure the debt, how to deal with large capital projects coming on board as well as a very large operational expense in the Detention Facility possibly in 1998. Currently our debt capacity is capable of handling the amount that we're looking at. I don't feel that is risking the fiscal integrity of the County to issue this debt.

"I feel that over the next few years there will be decisions made by the Commission as to which the County will go regarding all the capital projects that are on the plate. So at that point in time, we'll have a better perspective of what's happening. As you know, we're in the development process of the budget and through that process we look at debt service, we look at operations and we also look at the mill levy. You should be receiving information in the next month, it's not complete yet, but we will be dealing with those issues at that point in time."

Commissioner Gwin said, "Okay, thanks Becky. Thank you Mr. Chairman."

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

Commissioner Miller said, "Becky, I do have a follow up question. Is there a limit that we, as a County, need to be adhering to in terms of debt service?"

Ms. Bouska said, "Yes, ma'am, we have two limits that we deal with in terms of debt service. The first limit is the limit set by the State of Kansas which is 1% of the total assessed valuation including motor vehicles. We have a self imposed debt limit of ½% assessed value including motor vehicle taxes that we are looking at in terms of projecting through the next five years. When we get to the point of the jail and the Science Center, we will exceed the capacity of our policy set limit, we will not exceed the capacity of our legal limit to issue debt."

Commissioner Miller said, "What year would that be?"

Ms. Bouska said, "I can not tell you the year of the Science Center, the detention facility, we are still debating what year the bonds will be issued. I think Mr. Buchanan has a comment. He was starting to go to the microphone so I thought."

Commissioner Miller said, "How would this impact, and Commissioner Gwin eluded to it, how would this impact any other projects that are not on the books right now that we could possibly foresee, because this is needed, I'm going to vote in the positive for it, but just as this is needed, there may be others that come up and I'm just wondering how far do we stretch?"

Ms. Bouska said, "In terms of philosophy of debt service, I think the Commissioners have a great deal of flexibility in the policies they want to set. It is not my impression that this will have, in terms of \$4 million, when we're looking at 20 million dollar projects with the Science Center and a very large number with the jail, I don't know that one off the top of my head, I don't think in the overall scheme of things, the \$4.5 million will have near the impact of the larger projects that are coming on board."

Commissioner Miller said, "Well I'm looking at the millage."

Ms. Bouska said, "That number also fluctuates as the assessed value grows. So the debt limit allows growth."

Mr. Buchanan said, "Mr. Chairman, if I could make a comment please. Part of the planning that we go through on an annual basis and a continuous planning process is for the Capital Improvement Program and so it is real unusual for us to bring you a program that is outside the Capital Improvement Plan, especially one that is of this magnitude and there are others that will come to you that are an addition to a road here or the flexibility of doing some other things by trading some funds around. So, in looking at that over the last several years and working with the committee, which is comprised of Mr. Plummer, Marvin Krout, David Spears and myself, we try to imagine and envision what we'll spend our money on in the next four or five years.

"I would like to be able to tell you that we can't think of anything else that's out there, but of course that's not accurate because some things surface, but we do have a process and a plan to try to lay out how we're going to spend our money for Capital Improvements over the next five years and I think we can be proud of that because there are certainly lots of governments in the State of Kansas who don't do that or ignore it or don't keep to a very planned way of spending money. This one is unusual and that's why we are treating it as such."

Commissioner Miller said, "There's going to be a strategic plan along with the business plan that's going to be presented once again to the Commission bench by the Black Historical Society Board. Will we be looking at 1996 if there are Capital Improvements to be made there, 1996 funds or 1997 budget?"

Mr. Buchanan said, "Both of those plus '98, '99, and we will look at the plan and try to determine how those needs will fit with our needs in an expenditure process. 1996 may be a little more difficult because we're in the middle of the year and whether we would have to amend the budget include it or not, but not impossible."

Commissioner Miller said, "But this type of movement is reflective of amending the CIP budget, correct?"

Mr. Buchanan said, "Yes."

Commissioner Miller said, "Thank you."

Chairman Winters said, "Anything else Commissioner?"

Commissioner Miller said, "No."

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

Commissioner Gwin said, "Becky, you made me think about something. You said there is a State imposed debt limit on local governments of 1% of the total assessed value including motor vehicles. Does the State also have the same limit on itself for its debts?"

Ms. Bouska said, "I'd have to get you that answer, I don't know the answer."

Commissioner Gwin said, "I'd be interested in that. And secondly, we have always been very conservative and have imposed a debt limit of half of what the State would allow, ½%, but I think I hear you telling me that you're going to come and probably ask me to revise that upward because of some of these major projects."

Ms. Bouska said, "Exactly, whenever there is an exception to that policy limit, we always come to you and mention that this is an exception and we request permission to do that."

Commissioner Gwin said, "But that exception or the provision that you may request us to change, you're not going to ask us to change State law, that we can live with the 1%."

Ms. Bouska said, "No ma'am."

Commissioner Gwin said, "Alright, thank you. And I'd be interested in the State's debt limit."

Ms. Bouska said, "I'll get that for you."

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

Chairman Winters said, "Thank you. Is there other discussion? We've all known, I think, from the time we started the discussion of the addition to the adult detention facility that parking was going to need to be addressed. If it's the will of the Board, this might be the day we begin that addressing. Any other discussion or do I hear a Motion concerning this proposal?"

MOTION

Commissioner Miller moved to approve the addition of the project to the 1996 Adopted CIP.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Discussion. Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman, if you please. Becky, this \$50,000 that you are going to get out of employees for parking, do you have a consensus to do that in this proposal?"

Ms. Bouska said, "No sir, it was just some information if status quo was to exist for the new garage."

Commissioner Schroeder said, "Okay, because it didn't say that in here when I got this yesterday, that's what the net impact was, after you make the employees pay to park there. I want to say, and I appreciate Don's comment, but I think the reason we are building a parking garage is our employees have no where to park when we take their space, am I correct? So that's my first concern is that people have a place to park when they come to work here.

"Otherwise, there's no where that you could send 235 people downtown to find spaces. Obviously that wouldn't work, but I'm a little bit concerned. We haven't reached a consensus yet. We are planning that the net impact is \$342,331 and we haven't reached a consensus on whether we are going to assess employees a parking fee for parking in the garage or not."

Ms. Bouska said, "The actual operations of the garage come before you in the form of a contract. No decisions are made until we walk through the budget process and the contract is reviewed for a garage. From my prospective, I was trying to give you the normal status quo operations of the garage if we treated the new garage as we do the current garage. Don may have a few comments regarding this."

Mr. Brace said, "Sir, the figures and the costs that we would charge our employees would be coming in the '97 budget for you to approve at that point."

Commissioner Schroeder said, "My question is today, if I vote to go along with this proposed parking lot addition, that doesn't mean I'm voting to assess the employees \$50,000 in parking fees."

Mr. Brace said, "No, not at all."

Commissioner Schroeder said, "Okay, great. Thank you. Thank you Mr. Chairman."

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

Commissioner Gwin said, "Commissioner Schroeder, I appreciate your comments. I do, however, think that it's only fair and reasonable that County employees pay to park. I don't know what that amount is specifically, but I think it ought to be something identical to what they pay to park in the current garage. Covered parking does have a value, I believe, and it would to me if I were an employee and not having to scramble to find it. I don't know what the amount is, but I'm certainly willing to look at a fair rate to park that is somewhere near what they are paying in the current facility."

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

Commissioner Schroeder said, "Mr. Chairman, if you please. Betsy, I understand that, my concern is, they don't have any other place to park, there is no where else to park.

"We're causing this to happen and it's not as if they're going downtown to shop and they want a convenient spot, it's that we're forcing them to park in this garage and then we're going to force them to pay a fee. They don't pay a fee now if they park on the surface lot, they pay a fee if they park in the garage, but they park in the garage at their choosing. Now, we're going to force all of our employees, County and State employees, to park in the garage because there will be no surface parking left once the jail has been built, and there is no additional parking any where in the area unless you walk blocks to a parking garage in the downtown core area.

"I don't agree with what I've been hearing, that if somebody chooses to work here, then they can find a place to park. If the City of Wichita can not provide adequate parking then I think it's up to the employer to find it, otherwise the community doesn't work. It's not good economic development if we don't provide the correct parking and I'd sure hate to see all of these people be dumped into the downtown area. It's hard enough as Sheldon Kamen said in the paper, to get a parking space, but I'm just concerned, the employees are not our enemy in this case, the employees are an asset and I want to treat them as such and I'm not saying that we absolutely don't charge anything, I just think that we need to make it as convenient as we possibly can for our employees.

"Right now, we're working on salaries and I don't know what's going to happen with that. If that comes down and we freeze employees there, plus we start charging them to park in the garage, I don't know what else we can do to them and I want to be careful that the morale stays up, productivity stays up and I would hate to see people come in from the cold walking six, seven, eight blocks or soaking wet. I sure hate to see us start taking money from them because once we start, that will increase gradually over a period of time and my guess is that the average employee down here makes somewhere around \$25,000 a year and that may not seem a lot to us, but there are a lot of them out there that are really going to feel that pinch and I just want us to be aware of that. I know I can't control what's going to happen, it's going to be the majority of the Board to make the decision. I want to do what's right. I just want to protect our greatest asset and that's our employees. That's all."

Chairman Winters said, "Thank you very much. Any other discussion? We have a Motion, any other discussion on the Motion? Call the vote please."

VOTE

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

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

2. MODIFICATION NUMBER ONE WITH SPEARS CONSTRUCTION FOR THE CLASSROOM ADDITION TO THE JUVENILE DETENTION FACILITY. CIP PROJECT #1995 PB287.

Mr. Arnold said, "I would ask your approval of this modification for this facility, it is \$550. It involves three relatively minor items that are necessary from a code and a fire standpoint and I would be happy to answer any questions you might have."

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

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

INTRODUCTION OF THE NEW KANSAS COLISEUM DIRECTOR

Chairman Winters said, "Thank you very much. At this time, Mr. Buchanan has an introduction he'd like to make."

Mr. William P. Buchanan, County Manager, said, "I was remiss this morning in not reminding you that we have one of those delightful tasks again and this has been called the class of '96. We've hired so many department heads. Last, and certainly not least amongst them, is John Nath who would be the Coliseum Director. John comes from Cincinnati, Ohio, worked in Casper, Wyoming, but more importantly, he speaks western Pennsylvanianese and understands that culture. So I am glad to have someone else here from there.

"The real issue is that he is a competent professional in his field. We did an international search, if you recall, we brought someone in who was working for a private company who was running some facilities outside this country, in matter of fact, two people. It was a difficult search, and we have found the best person to do this job. It is a task that is important to the community and one that is very important to this Commission and it is the premiere place in Kansas and John is going to make it even better. John."

Mr. John Nath, Director, Kansas Coliseum, said, "Good morning. Thank you, Bill, for all those kind words, now all I have to do is live up to them, a tough task. It is a real pleasure to be here. I'm very flattered to be chosen. This is a wonderful community. I've only been on board for seven days, but in those seven days, everyone I've met, not only in conjunction with the Coliseum and with the County, but even the folks in the community have made me feel very welcome and I appreciate that and my family appreciates it. It is nice to be here. Thank you very much."

Chairman Winters said, "Thank you, John. We're pleased to have you here and as you'll probably come to learn, Commissioners are very proud of that Coliseum. We think that Sam Fulco really built that into a facility that we're proud of, both in way of performance and in the fact that it's not a drain on the taxpayers in this community to operate that facility and we think there is a great foundation there. We've heard a little bit about you, but we'll be anxious to know you better. Welcome to Sedgwick County."

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

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

F. RESOLUTION REQUESTING THE SEDGWICK COUNTY PUBLIC BUILDING COMMISSION ISSUE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$4,500,000 FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS TO CONSTRUCT AND EQUIP AN ADDITIONAL PARKING GARAGE FOR SEDGWICK COUNTY, KANSAS.

Mr. Bob Rogers, Assistant County Manager, said, "You've heard the tag team of Brace and Bouska make their presentation regarding the parking garage. This is the Rogers post script to that presentation. You had presented to you a proposal whereby the Public Building Commission, or PBC as we like to call it in acronym terms, would do the actual funding of this garage. The first step for that process is for you to approve a resolution asking the PBC to proceed with the project. That's what we have before you in this item. We have before you a resolution, which would ask the PBC to issue bonds in the amount not to exceed \$4.5 million to fund the parking garage project. We are not far enough in the process yet to know exactly whether we will be issuing \$4.5 million or whether is will be \$4.2 million or what that number will be.

"The key to this resolution, however, is that we will be using a number, which we don't expect to exceed, and that's what we've done in this process. After your action today, assuming you would approve this resolution, the Public Building Commission in their last meeting has been briefed with regard to the potential of this project and they will be prepared at their next meeting, which is scheduled for January 28, to take action then on a resolution indicating their intent to comply with your desires and your request that the action would be in the form of a resolution.

"It would be published a couple of times in the County newspaper, after which time there is a 30 day protest period and then we would be, after that point, assuming no protest, we would be prepared to have the Public Building Commission do the funding for the garage. So we would ask that you approve the resolution. If you have any questions, I would be happy to try to answer them."

Chairman Winters said, "Thank you very much Bob. Commissioners, you've heard Bob's presentation. Any other questions? If not, what's the will of the Board?"

MOTION

Commissioner Hancock moved to adopt the Resolution.

Commissioner Miller seconded the Motion.

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

VOTE

Commissionan Batass Carrin	A ***
Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

G. PRESENTATION OF THE HOUSING AUTHORITY ADMINISTRATIVE PLAN.

Ms. Irene Hart, Director, Bureau of Community Development, greeted the Commissioners and said, "I've been before you before talking about the HUD and the reinvention. This is one of the first times we've actually had something to work with. HUD has reinvented themselves and has issued some new regulations regarding Section 8 Housing.

"We, therefore, need to revise our Administrative Plans to reflect those new regulations and we need to bring that Administrative Plan to you for your consideration and hopeful adoption. The plan itself actually does not change very much. There are some technical changes and there are about five program areas that I'd like to highlight.

"One, it consolidates two other plans. It consolidates Equal Opportunity and Housing Plan into the Administrative Plan. That Equal Opportunity and Housing Plan has to do with outreach to owners, outreach to potential tenants and those sorts of things.

"Secondly, the Housing Authority may now provide some family information to any prospective landlord. In the past, we could not give any information about our knowledge of how regular they were in rent payments or any other questions to prospective landlords. We can not provide certain information to those landlords.

"Third, we can now disapprove bad landlords from participating in the program. And by bad landlords, there are people who have violated Fair Housing laws, who have been convicted of fraud in housing programs, people who have a history of not maintaining the units that they're renting, people who don't pay real estate taxes and some who have been involved in drug trafficking. So we can now exclude their participation from this program.

"The fourth change is that we now need to verify citizenship of any participant in the program. Before, that was not a requirement, but we'll handle that during the annual certification. We'll need verification of their citizenship.

"Fifth, on any new contracts, we will no longer be involved in damage payments. The Housing Authority has had a limited responsibility in assisting a landlord whose property had been damaged and they had been unable to collect from a tenant. We will no longer be involved in that situation.

"I would be happy to answer any other questions you might have."

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman, if you please. Irene, you mentioned something that caught my interest, that if a tenant does damage to a landlord's property, and they cannot collect to repair that and that is made of record to us, do we allow that tenant to apply for that assistance if they have a known record of abuse to property?"

Ms. Hart said, "If they're not involved in an agreement to pay restitution, to pay off that damage claim, then we don't allow them in the program."

Commissioner Schroeder said, "So it has to be something of legal record on file? Because I know a lot of tenants choose not to go to that trouble, though they've had thousands of dollars or hundreds of dollars of damage. That's what I'm saying, is there a tracking system in place for that?"

Ms. Hart said, "That's one of the pieces of information we could provide to a landlord if they asked us, when in the past we hadn't been able to do that. It's up to the landlord to screen their tenants and select who they want in their property. Under the previous program, the previous rules, we could not exclude a tenant even if we had to pay a damage claim, they could still be in the program as long as they were on a repayment schedule. If not, if they weren't repaying, we could exclude them from the program, and we've done that."

Commissioner Schroeder said, "Okay. Thank you Mr. Chairman."

Ms. Hart said, "Did I answer that?"

Commissioner Schroeder said, "Yeah, you did, I'm just concerned about, I know how that system works, and I know how some of those tenants can go from home to home and cause damage and they are never stopped and they continue to receive aid, et cetera, and I think that's wrong. Because there are good tenants out there that sometimes can't get the aid they want who take wonderful care of property and there are others who don't care because they know it's not theirs."

Ms. Hart said, "It's still up to the landlord to screen the tenants and this time we can provide information."

Commissioner Schroeder said, "I think there is an assumption, too, that when somebody has the support of getting housing assistance, you would assume that they're a good tenant, and that is not always true, and like you say, it's up to that landlord to screen those people well. But I don't want to promote anybody either that is not a good tenant. There are accidents that will happen, and I agree that there will be disagreements on who is responsible for what damage, but there is a lot that is very premeditated, it's done purposely, it's done because they're careless, et cetera, so I was just curious if we try to track that kind of thing."

Ms. Hart said, "Our program staff try to make it very clear to any landlord that they are not our tenants, they are not people we're placing in their units, that the agreement is between the landlord and the tenant and we provide a subsidy, but they're not our folks."

Commissioner Schroeder said, "Just purely financial assistance. Okay. Thank you Mr. Chairman."

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

Commissioner Miller said, "Yes. Irene, how many Section 8 houses do we provide subsidies for?"

Ms. Hart said, "We have approximately 300 vouchers and certificates. We own no property at all, so everything we do is in conjunction with private landlords."

Commissioner Miller said, "And that equates out to about how much in terms of money coming from..."

Ms. Hart said, "I sure can't tell you that. We get it in lumps. We get it in allocations that are anywhere from three to five years in length. So we may get an allocation of several hundred thousand dollars and it is expected to last for a number of years, and we've received several allocations, so what I need to do is add all those up. Last time I figured, it was under two million dollars. How much under I can't pinpoint right now."

Commissioner Miller said, "Sizable amount of subsidies."

Ms. Hart said, "The program operates in rural Sedgwick County and all of Butler County and all of Harvey County."

Commissioner Miller said, "So it is a tri-county area."

Ms. Hart said, "Yes, outside the City of Wichita."

Commissioner Miller said, "Thank you."

Chairman Winters said, "Thank you. Irene, it appears that this Administrative Plan may have some more functions for somebody to do administratively in checking on and making information available. Are we going to be able to handle this with current staff that is in place or are we looking at a larger burden on us to do this plan?"

Ms. Hart said, "The current staff can handle this very adequately. It, in effect, is less burdensome that the previous regulations."

Chairman Winters said, "Okay, well good."

Ms. Hart said, "If you're able to tell a prospective landlord some history on a prospective tenant, than you have less time taken up later on with complaints from the landlord about a bad tenant, I hope."

Chairman Winters said, "That makes sense. Very good. Commissioners, you've heard the proposal, what's the will of the Board?"

MOTION

Commissioner Miller moved to formally adopt and approve the Administrative Plan.

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

H. BUREAU OF PUBLIC SERVICES.

1. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH ASPHALT CONSTRUCTION CO. ON SEDGWICK COUNTY PROJECT NO. 799-G, H, I; 167TH STREET WEST FROM 57TH STREET NORTH TO K-96. CIP #R-200. DISTRICT #3.

Mr. David Spears, Director, Bureau of Public Services, greeted the Commissioners and said, "Item H-1 is a modification of plans and construction for the road improvement project on 167th Street West between the Colwich city limits and K-96, designated as R-200 in the Capital Improvement Program. This project has been constructed and is ready to be finaled out. There will be a net decrease of \$49,335.48, due to variations in planning quantities from actual field measurements. The specific items and explanations are on page 91 of the back up information. I recommend you approve the modifications and authorize the Chairman to sign."

MOTION

Commissioner Hancock moved to approve the Modification of Plans and Construction 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 Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

2. LETTER OF PROPOSAL FROM SAVOY, RUGGLES & BOHM, P.A. TO SURVEY COUNTY PROPERTY LOCATED AT 127TH STREET EAST AND CENTRAL. DISTRICT #1.

Mr. Spears said, "Item H-2 is a request for your approval of the Proposal by Savoy, Ruggles & Bohm, P.A., to survey four parcels of land, which were originally acquired by Sedgwick County for the construction of the K-96 by-pass. After the survey is complete, then the County can sell these parcels. The Proposal has a not to exceed cost of \$6,000. I recommend that you approve the Letter of Proposal."

MOTION

Commissioner Gwin moved to approve the Letter of Proposal.

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

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

3. APPROVAL OF AN OUT OF CYCLE PURCHASE OF A TRACK EXCAVATOR.

Mr. Spears said, "Item H-3 is a request for your approval to make an out of cycle buy for a track excavator. The existing excavator is in bad shape and requires constant maintenance. The existing one is a 1988 DEUTZ, made in Germany. All engine and mechanical parts are manufactured in Europe with metric standards. The total amount spent on repairs to date is \$42,193.51.

"If you approve this request, the Purchasing Department will assist us in requesting proposals rather than bids. The new excavator would be paid from the special equipment fund. This fund was set up in December using the balance of the 1995 highway budget from the Bureau of Public Services. I recommend that you approve an out of cycle buy for a track excavator."

Chairman Winters said, "Thank you. Commissioners?"

MOTION

Commissioner Hancock moved to approve the out of cycle purchase.

Commissioner Schroeder seconded the Motion.

Chairman Winters said, "We have a Motion and a second. Commissioner Gwin."

Commissioner Gwin said, "David, do you have any sense of what the cost of a new track excavator is?"

Mr. Spears said, "Yes, approximately \$190,000, less the set-a-side we now have is approximately \$34,120, and we think the trade in will be approximately \$20,000. So, it's \$190,000 minus \$54,000-\$55,000 plus or minus."

Commissioner Gwin said, "I appreciate that. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Any other questions? Any other discussion on the motion that we have? Please call the vote."

VOTE

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

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

4. LETTER OF PROPOSAL FROM CENTRAL KANSAS RAILWAY, INC. TO INSTALL CROSSING MATERIAL, SIGNALS AND GATES AT THE RAILROAD CROSSING ON 183RD STREET WEST BETWEEN U.S. 54 AND 23RD STREET SOUTH IN CONNECTION WITH CIP #R-228. DISTRICT #3.

Mr. Spears said, "Item H-4 is a request for your approval of a proposal by Central Kansas Railway, Incorporated, to install crossing material, signals and gates at their crossing on 183rd Street West between U.S. 54 and 23rd Street South. This will be done in conjunction with our road improvement project for the new Goddard High School. The school bus route is on 183rd Street. The proposal has a not-to-exceed cost of \$116,393.94. I recommend that you approve the Letter of Proposal."

Chairman Winters said, "Thank you. Commissioners, you've heard the proposal, any discussion? Commissioner Gwin."

Commissioner Gwin said, "Is this something, David, that we pay for or does the railroad pay for it, or does the State pay for it?"

Mr. Spears said, "In this case, we will pay for it. We initiated this, it is part of where the Goddard school is going in and we've had several discussions with the people at the Goddard school and the school bus route does go that way and this will have actual gates that will come down to block and the traffic. It's kind of unusual out in the County, but it is a safety feature and that's why we proposed it, so that's why we have to pay to get it done."

Commissioner Gwin said, "Okay, so it's not on the State list."

Mr. Spears said, "No, it's on the State list..."

Commissioner Gwin said, "But it's not going to come quick enough."

Mr. Spears said, "No."

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

Chairman Winters said, "Thank you. Any other discussion? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Letter of Proposal.

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

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

5. RESOLUTION RELATING TO EXTENSIONS, ADDITIONS OR SUBSTITUTIONS IN STREET LIGHTING EQUIPMENT TO BE FURNISHED BY KG&E. DISTRICTS #1 AND #5.

Mr. Spears said, "Item H-5 is a resolution prepared by KG&E. We've found a couple of technical errors in it. We've contacted KG&E and they wish to redo the resolution, so I would request that you defer this indefinitely until we can get it corrected."

MOTION

Commissioner Schroeder moved to defer this item indefinitely.

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

Chairman Winters said, "Thank you, David."

Mr. Spears said, "Thank you."

Chairman Winters said, "Next item please."

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' FEBRUARY 1, 1996 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have before you the minutes of the February 1 meeting of the Board of Bids and Contracts. There are five items for your consideration this morning.

(1) BITUMINOUS OVERLAY - 101ST ST. N., GREENWICH TO BUTLER COUNTY LINE - BUREAU/PUBLIC SERVICES FUNDING: SALES TAX

"Item one, bituminous overlay for 101st Street North, from Greenwich Road to the Butler County line, for the Bureau of Public Services. It was moved to accept the low bid of Central Paving, Inc., in the amount of \$327,966.35.

(2) REMODELING OF HISTORIC COURTHOUSE - CAPITAL PROJECTS FUNDING: 1996 CAPITAL PROJECT

"Item two, remodeling of the Historic Courthouse for Capital Projects. It was moved to accept the low bid of Great Plains Contractors, for \$145,242.

(3) SOFTWARE MAINTENANCE - INFORMATION SERVICES FUNDING: INFORMATION SERVICES

"Item three is software maintenance for Information Services. This is 1996 maintenance for COBOL, DBM, DB2, DIF, MSO, RPTG, SU, and TT software. All provided by Information Builders, they are the sole source as the publisher of these software applications for \$25,913.51.

(4) TELEX EQUIPMENT MAINTENANCE - INFORMATION SERVICES <u>FUNDING: INFORMATION SERVICES</u>

"Item four, telex equipment maintenance for Information Services. Again, this is 1996 maintenance on various equipment items for a total of \$55,955.81. They are the manufacturer of these particular equipment items.

(5) I B M SOFTWARE MAINTENANCE - INFORMATION SERVICES <u>FUNDING: INFORMATION SERVICES</u>

"Item five, IBM software maintenance also for Information Services. Again, 1996 software maintenance in the amount of \$370,360. IBM is the publisher of these mainframe software applications.

ITEMS NOT REQUIRING BOCC ACTION

(6) SOUND REINFORCEMENT SYSTEM - KANSAS COLISEUM FUNDING: 1995 CAPITAL PROJECT

"There is one item, which does not require action at this time, and that is a sound reinforcement system for the Kansas Coliseum. It was moved to table this item indefinitely for further review of the quotations submitted.

"I would recommend that you approve the recommendations submitted by the Board of Bids and Contracts.

MOTION

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

Chairman Winters said, "Thank you Darren. Next itme please."

CONSENT AGENDA

J. CONSENT AGENDA.

1. Utility & Highway Permit Agreements.

- a. Multimedia Cablevision is submitting this application requesting permission to bury fiber optic cable on the north side of 63rd Street South between Woodlawn and Oliver and make two crossings under 63rd Street South. Riverside Township. Utility Permit No. 002-96. Road No. 634-24. District #2.
- b. Southwestern Bell Telephone Co. is submitting this application requesting permission to bury cable on the west side of Hydraulic from 85th Street North approximately 2,000 feet south. Grant Township. Utility Permit No. 003-96. Road No. 823-F. District #4.
- c. Southern Kansas Telephone is submitting this application requesting permission to bury cable on the north side of 87th Street South east of Tyler Road and cross under 87th Street South. Ohio Township. Utility Permit No. 004-96. Road No. 640-21. District #2.
- d. Southern Kansas Telephone is submitting this application requesting permission to bury cable on the west side of 247th Street West from 95th Street South north approximately 5/8 mile. Viola Township. Utility Permit No. 005-96. Road No. 789-AA. District #3.

2. Floodway Reserve Easements.

The following tracts of land were granted by Floodway Reserve Easement at no cost to the County. These Easements were requested by the Director, Bureau of Public Services, for off-site drainage of the subdivision plat of Calvary Baptist Church Addition.

a. Owners: Gary L. Tully and Victoria E. Tully, located in the Southeast Quarter of Section 30, Township 28 South, Range 2 East, more specifically located north of 63rd Street South and west of 79th Street East (Rock Road). Gypsum Township. District #5.

b. Owners: Lowell L. Anderson and Aileen R. Anderson, located in the Southeast Quarter of Section 30, Township 28 South, Range 2 East, more specifically located north of 63rd Street South and west of 79th Street East (Rock Road). Gypsum Township. District #5.

3. Right-of-Way Instrument.

One Temporary Construction Easement for Sedgwick County Project No. 608-19; 45th Street North between Maize Road and 119th Street West. CIP #R-215. District #4.

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.

Old	New
<u>Amount</u>	Amount
10.00	**
\$265.00	\$265.00
\$236.00	\$234.00
\$349.00	\$349.00
\$360.00	\$360.00
\$430.00	\$430.00
\$335.00	\$334.00
\$347.00	\$357.00
\$335.00	\$335.00
\$250.00	\$198.00
\$235.00	\$235.00
\$407.00	\$407.00
\$215.00	\$145.00
\$425.00	\$425.00
\$325.00	\$330.00
\$335.00	\$223.00
\$350.00	\$350.00
	\$265.00 \$236.00 \$349.00 \$360.00 \$430.00 \$335.00 \$347.00 \$335.00 \$250.00 \$250.00 \$215.00 \$407.00 \$325.00 \$325.00

(Continued)

Old	New
Amount	Amount
\$373.00	\$317.00
\$467.00	\$386.00
\$226.00	\$208.00
\$400.00	\$300.00
\$323.00	\$251.00
\$417.00	\$410.00
	\$373.00 \$467.00 \$226.00 \$400.00 \$323.00

- 5. Notice of public hearing on February 14, 1996 regarding adoption of the proposed Wichita-Sedgwick County Unified Zoning Code.
- 6. Agreement with Background Check Services to provide on-line access to Sedgwick County's electronic data.
- 7. Authorization per K.S.A. 79-2012 to withhold delinquent personal property taxes under the County Treasurer's certification dated January 31, 1996.
- 8. Orders dated January 24 and 31, 1996 to correct tax roll for change of assessment.
- 9. Consideration of the Check Register of February 2, 1996.
- 10. Budget Adjustment Requests.

Department	Type of Adjustment
Comcare	Supplemental Appropriation
Corrections	Appropriation Reduction
Corrections	Supplemental Appropriation
Detention Facility	
Expansion	Supplemental Appropriation
Facilities Mgmt	Transfer
Comcare	Transfer
Comcare	Supplemental Appropriation
	Comcare Corrections Corrections Detention Facility Expansion Facilities Mgmt Comcare

Mr. William P. Buchanan, County Manager, said, "Commissioners, you have the consent agenda before you and I would recommend you approve it as presented."

MOTION

Commissioner Schroeder moved to approve the consent agenda as presented.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you. Is there any other business to come before this Board? We do not have a sewer agenda or anything else, this is it. This meeting is adjourned. Thank you very much."

K. OTHER

L. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:47 a.m.

	BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS
	THOMAS G. WINTERS, Chairman Third District
	MELODY C. MILLER, Chairman Pro Tem Fourth District
	BETSY GWIN, Commissioner First District
	PAUL W. HANCOCK, Commissioner Second District
	MARK F. SCHROEDER, Commissioner Fifth District
ATTEST:	
Susan E. Crockett-Spoon, County	Clerk
APPROVED:	
,	. 1996