

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**MAY 1, 1996**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, May 1, 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 B. Plummer, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Ms. Mary Ann Mamoth, Personnel Director, Bureau of Human Resources; Mr. Daryl Gardner, Acting Controller, Bureau of Finance; Mr. Jim Weber, Director, Sewer Operations & Maintenance Department, Bureau of Public Services; Mr. John Coslett, Director, Bureau of Emergency Management; Mr. Kenneth Arnold, Director, Capital Projects; Dr. Larry Jecha, MPH, Director/Health Officer, Wichita/Sedgwick County Health Department; 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**

**Ms. Shelly Duncan**, Proclamation, Children's Mental Health Awareness Week

**Mr. Jack McCarthy**, Proclamation, Jack McCarthy Day

**Mr. Joe Norton**, Bond Counsel, Gilmore & Bell

### **INVOCATION**

The Invocation was given by Mr. Joe Stout of the Christian Businessmen's Committee.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, that Commissioner Hancock was absent.

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**CONSIDERATION OF MINUTES: Regular Meeting, March 27, 1996.**

The Clerk reported that all Commissioners were present at the Regular Meeting of March 27, 1996.

**Chairman Winters** said, "Commissioners, you have had an opportunity to look at these minutes, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Minutes of March 27, 1996, as presented.

Commissioner Miller seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	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."

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

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

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

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**PROCLAMATION**

**A. PROCLAMATION DECLARING MAY 1-7, 1996, AS "CHILDREN'S MENTAL HEALTH AWARENESS WEEK."**

**Chairman Winters** said, "Now Commissioners, I have a Proclamation that I would be glad to read into the record at this time.

**PROCLAMATION**

**WHEREAS**, a growing number of children are recognized as having emotional and behavior disorders; and

**WHEREAS**, one in twenty children and adolescents are severely emotionally disabled; and

**WHEREAS**, members of the community lack information and understanding of mental illness in children; and

**WHEREAS**, the cost to support these children in their families and in the community are exorbitant in dollars, lost potential and heartache; and

**WHEREAS**, there are many ways for adults to affect the youth of our state as parents, grandparents, neighbors, friends, counselors, teachers, churches and businesses; and

**WHEREAS**, it is essential that children with emotional and behavioral problems have access to education, information and training;

**WHEREAS**, children and their families have the right to live and work in their home communities;

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of May 1 - 7, 1996, as

**"CHILDREN'S MENTAL HEALTH AWARENESS WEEK"**

in Sedgwick County.

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

**Chairman Winters** said, "Thank you very much. Commissioners, Shelley Duncan is here to accept the Proclamation. Thank you Shelley."

**Ms. Shelley Duncan** said, "On behalf of all the professionals and family members of children with mental disabilities and the kids themselves, we appreciate the Proclamation. We are launching a public awareness campaign so to speak, and one of the things that we have for you is a pin that says 'Caring for Every Child's Mental Health'. We appreciate the opportunity and certainly the Proclamation."

**Chairman Winters** said, "Alright, thank you Shelley and keep up the good work you do for the citizens of Sedgwick County. Commissioners, at this time I have an off agenda Proclamation that we'd like to bring up."

**MOTION**

Chairman Winters moved to take an off agenda Proclamation.

Commissioner Miller seconded the Motion.

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

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**VOTE**

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

**Chairman Winters** said, "Thank you very much. Commissioners, let me read this Proclamation into the record.

**PROCLAMATION**

**WHEREAS**, diabetes is a disease in which the body does not produce or properly produce insulin, a hormone that is needed to convert sugar, starches, and other food into energy needed for daily life; and

**WHEREAS**, sixteen million people in the United States have diabetes, unfortunately about half are not aware that they have the disease;

**WHEREAS**, diabetes is one of the most costly health problems in America, costing nearly \$92,000,000 annually;

**WHEREAS**, to bring awareness, Jack McCarthy, a 60 year survivor of the disease, will begin his diabetes Miracle Walk from Derby, Kansas, on May 4, 1996;

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Saturday, May 4, 1996, as

**“JACK MCCARTHY DAY”**

in recognition of the Diabetes Miracle Walk to focus attention on this chronic disease.

"Commissioners, that is the Proclamation, what's the will of the Board?"

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### MOTION

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

Commissioner Gwin seconded the Motion.

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

### VOTE

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

**Chairman Winters** said, "Thank you very much. Jack, if you would come forward at this time. Jack, how far do you plan on walking on your walk?"

**Mr. Jack McCarthy** said, "I'd take my hat off, but my hair is a mess. Well, it is going to be pretty close to 1,500 miles. I have already walked 10 miles this morning, so ten eight mile days is a pretty nice day for me. Twenty four is great, 12 in the morning and 12 in the afternoon. My longest day will be 30 miles and that is from St. Joe to Cameron, Missouri, unless I can get somebody to build a town in between. I don't know if we can do that this quick or not. Anyway, I'll leave Derby on May 4, arrive here at Central and Broadway at 5:00 that evening and then Sunday morning I'll leave town, take off for Indianapolis, Indiana, and then on to Atlanta, Georgia, for the Olympics. Now my goal after 60 years of diabetes, is to walk to Indianapolis because that is where my insulin is made and I figure maybe I can get a free bottle of insulin after 60 years. Then, this just happened to be the year of the Olympics so I thought shoot, another 550 miles or so just go on to the Olympics you know. I retired the 29th of February so we've got a lot of activity going on. I know my name has been put on the list to carry the torches in different areas which I think is going to happen in Gainesville, Georgia. It looks like we're not sure yet. Also, we're not for sure, but I've been asked to hand the awards out for the high water dive in Indianapolis, which I happen to be in town the day that is happening, so the winners of that will be the World Champions to go to the Olympics.

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“So anyway, if I were about 6 foot 5, I'd do it in a million less steps. This is going to take about pretty close to 3,000,000 foot steps and I'm going to try to raise a dollar a foot step, let's see what happens. Anyway, just keep me in your prayers and if everything goes well, I walk in the rain, it doesn't make any difference, maybe that's why I'm so short.”

**Chairman Winters** said, "We certainly wish you the best of luck Jack and you certainly do have our support and thanks for citizens like yourself taking on fund raising objectives like this and we're certainly glad Commissioner Schroeder brought you to our attention and we certainly wish you the best in your endeavors."

**Mr. McCarthy** said, "Thanks very much."

**Chairman Winters** said, "Good luck. Alright, Madam Clerk, if you would let the record show that Commissioner Hancock has arrived at the meeting. Next item please."

**Commissioner Hancock arrived at 9:15 a.m.**

### **RETIREMENT**

#### **B. PRESENTATION OF A RETIREMENT CLOCK TO LEE SWEETLAND, FIELD CASE MANAGER, DEPARTMENT ON AGING.**

**Ms. Mary Ann Mamoth**, Personnel Director, greeted the Commissioners and said, "Lee Sweetland, Field Case Manager with the Department on Aging, is retiring June 1 after 11 years of service. Lee has been in the hospital for a medical condition and is unable to be here today. I know that the Department on Aging and the clients that Lee has helped in her employment with Sedgwick County are going to miss her very much. She is a wonderful, wonderful lady. She has brought a lot to the Department of Aging in how she has dealt with the clients there and I hope she is watching and we want to wish her well in her retirement."

**Chairman Winters** said, "Alright, thank you. You'll see that she gets her clock."

**Ms. Mamoth** said, "Yes, I will."

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**Chairman Winters** said, "Thank you very much. We're sorry she couldn't be here today, but we know that you'll give her the clock on behalf of the Commissioners and the citizens of the County, so thank you for all your work Lee. Next item please."

### **AWARD PRESENTATION**

#### **C. PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING.**

**Ms. Allen-Bouska** said, "Commissioners, it is not very often I get to come before you to thank employees of the County for a good job and today I have that opportunity. For the 1994 CAFR, which is the prior year CAFR, we received a Certificate of Achievement for Excellence in Financial Reporting. I want to make sure, because I really think I would be remiss without mentioning Bob Rogers, who is the Assistant County Manager, was an active participant in this document. Daryl Gardner, who is here today, was the Acting Controller at the time. I, unfortunately, was out on maternity leave if you recall correctly."

**Chairman Winters** said, "Would you explain what CAFR stands for? What does it mean?"

**Ms. Allen-Bouska** said, "The Comprehensive Annual Financial Report. This is a very important document for the County because essentially it is our annual report to the citizens of this County. This document is sent across the nation, it is reviewed by our peers, and our peers have determined that it meets and conforms with all the qualifications that are necessary to be a good public document in terms of its communication.

As you are aware, governments are different than private industry. A government's purpose is to communicate properly their public services and the cost of those public services. We feel that our CAFR does an adequate job. We are continually striving to improve it and I am very grateful for the staff and their work and I would like to, at this time, ask Daryl to come forward and thank him for the commendable job that he and his staff did."

**Mr. Daryl Gardner** said, "Thank you."

**Chairman Winters** said, "Thank you very much. Commissioner Hancock."

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**Commissioner Hancock** said, "I just wanted to say that in the last four weeks I've had an opportunity to sit through an Executive Development class that the County sponsors, and Becky has been in it with me and part of our responsibility on occasion was to bring out the Comprehensive Annual Financial Report and look it over and understand it. I am sure not much of it stuck with me as we went, but I was fascinated to learn that the report is formatted and seems to be standardized reported and if anybody would really like to get in depth with it and understand what each page means, I recommend it, because it is pretty informative. Each section has a special meaning and a purpose and you understand it a little bit better if you really get a lot of information from it, I know I did in just that short time. Anyway, I wanted to thank Becky who sat beside me and helped me cheat on a test. No, we didn't have any test, but it was really interesting and quite boring to you guys, but it is a fascinating document to look through and get to know a little bit better. Now I even appreciate more what you guys do. Thank you very much."

**Chairman Winters** said, "Thank you Commissioner Hancock, appreciate that. Next item please."

### **PUBLIC HEARINGS**

#### **D. PUBLIC HEARINGS AND RESOLUTIONS.**

##### **1. PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION CREATING A LATERAL SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS, AND AUTHORIZING IMPROVEMENTS THEREIN (BALTHROP ADDITION).**

**Mr. Joe Norton**, Bond Counsel, Gilmore & Bell, said, "With the Chairman's indulgence, I would like to have a personal note before we start on this public hearing."

**Chairman Winters** said, "Certainly."

**Mr. Norton** said, "As some of you may know, I have the privilege this year of being the President of the Alumni Association at Wichita State University. Every year we hold a Shocker Auction to raise money for the association's activities, including funding of endowed scholarships for needy and deserving students."

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“Last Saturday was that activity and again, as he's done for a number of years, Commissioner Schroeder donated his time and expertise as auctioneer for that event and we had a very successful auction. I would like to publicly thank him for his presentation.”

**Commissioner Schroeder** said, "Thank you. Thank you for inviting me."

**Chairman Winters** said, "And then, before you proceed Joe, the rest of the story is that Mayor Knight and City Manager Chermes and County Manager Bill Buchanan and Chairman Tom Winters agreed to donate their services of washing someone's vehicle who would bid on that at Shocker Auction and Joe, if you could report who was fortunate enough to do that."

**Mr. Norton** said, "In addition to that, also the auctioneer, Commissioner Schroeder indicated that he would be more than happy to sit in an easy chair with a cold libation and watch that activity. On that basis, I am happy to report that I was the successful bidder. Probably sometime in January when it is cold."

**Chairman Winters** said, "I'm sure that the first day that the Mayor has an open day, I will clear my calendar and I'll have an open day."

**Commissioner Schroeder** said, "I just want to add that the reason that I threw myself in there is somebody that would come and watch, I told them I wanted to see Tom Winters work. Also it was not bringing in any money, so I thought, well I needed to do something to increase the pot, so I threw myself in and it just went through the ceiling, so we did great. That's when Joe got interested, it was fun."

**Commissioner Gwin** said, "I'm sure you did a good job."

**Chairman Winters** said, "Thanks for bringing that up, we appreciate it."

**Commissioner Gwin** said, "Make sure they do it too. You've got that big motor home?"

**Mr. Norton** said, "We could probably arrange something like that. To more important matters now."

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### VISUAL PRESENTATION

"Balthrop Addition Sewer District. The County has received a petition signed by 100% of the owners of property desiring that the Board of County Commissioners create a sewer district within Sedgwick County in the Balthrop Addition. On the screen before you is a map depicting the outline of that area which is located north and east of the intersection of Greenwich Road and Central.

"The petition requests that the improvements be conducted in phases and on the screen is a depiction of the phases of improvement. There is a general phase which brings sewer service from the end of the interceptor located immediately north of Central up to the area and that would be assessed to all property in the outer boundaries. Then there are various phases of construction as depicted upon the map and those phases' costs would be assessed to the individual properties within the phased areas. The Bureau of Public Services has prepared an estimate of cost for the general and the phases, aggregating the sum of approximately \$946,000 depicted on the lower right hand portion of the screen before you.

"The petition requests that the assessments be made on a fractional basis depending upon, since there are various sizes of lots and parcels within each phase, it would be done on a fractional basis to denote a fair and equal assessment of cost for the improvements. There are a total of 410 lots in the proposed development and you can see there that the cost of the general phase is as low as \$321 per lot and as much as \$6,000 per lot on the phase where commercial property is located on the intersection of those two roads.

"The statute requires that prior to considering the creation of this district that you conduct a public hearing. Notice of that has been published as required by law in the official County newspaper. Mr. Weber and I would be happy to answer any questions you have now or at the conclusion of the public hearing."

**Chairman Winters** said, "Alright, thank you Joe. Commissioners, are there any questions? At this time then, this is the proper time to open the public hearing. At this time I would open the public hearing and receive comment from anyone here wishing to talk about item D-1 on our agenda today. Is there anyone here in the audience who would like to talk about this item? Seeing no one, we'll close public hearing and limit discussion to staff and bench."

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**Mr. Norton** said, "Very good. We have prepared a Resolution which would implement the findings that we've discussed this morning, authorize the creation of the district and the improvements in the various phases at the estimated cost that we have discussed. We recommend your adoption of that Resolution."

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Next item."

- 2. PUBLIC HEARING AND RESOLUTION ENLARGING THE BOUNDARIES OF THE SPRINGCREEK INTERCEPTOR MAIN NUMBER 6 SEWER DISTRICT AND GREENWICH HEIGHTS LATERAL SEWER DISTRICT.**

**VISUAL PRESENTATION**

**Mr. Norton** said, "The Board of County Commissioners has previously created two sewer districts among many in the eastern portion of the County as described in the agenda item. Those improvements are currently under construction and there is a parcel of property that is depicted in yellow on the screen located outside the boundaries of the main and lateral district here that desires sewer service at the time construction is commenced."

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“The owners of 100% of that property requested that the property be included in the district and that their property be assessed in a like manner as with other properties in the district. So they are assuming their proportionate share of the cost in exchange for the extension of the lines.

"The action today would adopt a Resolution including that property within the Springcreek Interceptor Main number 6 and within the Greenwich Heights lateral sewer district so that property could be served today and pay their proportionate share of the cost of the improvements. Again, the statute requires that a hearing be conducted on this action. Notice has been published in accordance with that statute and it would be appropriate at this time to receive any comment from the public."

**Chairman Winters** said, "Okay, thank you very much. At this time I would open the public meeting. Is there anyone here who would like to speak to item D-2 on our agenda today? Is there anyone here who would like to speak to item D-2 on our agenda today? Seeing no one, the public hearing is closed. We'll limit discussion to staff and bench."

**Mr. Norton** said, "We have prepared a Resolution for the Board to consider which would implement the findings necessary to include this property within the sewer district and impose upon them a like assessment as other properties within that district. We would recommend your adoption of the Resolution."

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

### **MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Schroeder seconded the Motion.

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

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**VOTE**

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

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

- 3. RESOLUTION CREATING A ROAD IMPROVEMENT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (BALTHROP ADDITION - STREET IMPROVEMENTS).**

**VISUAL PRESENTATION**

**Mr. Norton** said, "This is a companion street project to the Balthrop sewer project which is the first one we talked about this morning. Again, located north and east of the intersection of Greenwich Road and Central. Petitions signed by 100% of the property owners within the improvement district, request that streets be constructed in this area on a phased basis and assessed to various properties. Again, there would be an entrance located there on the portion of the map right off of Central that would access the commercial properties. There is a church and school here and then the various residential areas. So the access street would be called the general phase and assessed to all properties within the general boundary and then various roads would be constructed in phase one and phase two and assessed to properties within those particular areas.

"The Bureau of Public Services has prepared an estimate of cost of the improvements, aggregating the sum of \$2,637,605. Again, the petition requests that the assessments be made on a fractional basis because the difference in size of lots and the nature of the properties, but each property bears a proportional share of the cost of the various improvements. The cost varies from about \$10,000 per lot in each of the residential phases to various costs on the general phases much lower because there are many more parcels.

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"Mr. Chairman, I'd be available to answer any questions that you have on this matter. The statute does not require a public hearing, though you may want to receive public comment if there is any from the audience prior to considering the Resolution. The Resolution would implement findings that we talked about today and authorize the creation of the road district and the improvements on a phased basis. We recommend you adopt the Resolution."

**Chairman Winters** said, "Alright, thank you very much. Commissioner Gwin."

**Commissioner Gwin** said, "My only question has to do with a clarification. You showed a road coming out onto Central. There is also one that comes out onto Greenwich Road, is there not?"

**Mr. Norton** said, "I believe that is correct. Do you want to put the map back up Jim?"

**Commissioner Gwin** said, "I think I saw it."

**Mr. Norton** said, "Right, as part of phase one, the road also comes out here on Greenwich Road, so there is double access for fire protection purposes."

**Commissioner Gwin** said, "Alright, thank you."

**Chairman Winters** said, "Alright, thank you. This is not a public hearing, but if there is anyone in the audience today who would like to speak to item D-3, we would certainly listen to your comments. Is there anyone here who would like to talk to item D-3? Alright, seeing no one, Joe, anything else?"

**Mr. Norton** said, "Recommend you adopt the Resolution."

### **MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

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**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."

- 4. RESOLUTION CREATING A ROAD IMPROVEMENT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (QUAIL CREEK ESTATES - STREET IMPROVEMENTS).**

**VISUAL PRESENTATION**

**Mr. Norton** said, "The County has received a petition signed by about 76% of the owners of the property in an area known as Quail Creek Estates, for the creation of a road improvement district and the construction of roads in that area. That addition is located generally south and west of the intersection of Greenwich Road and 47th Street South. On the screen before you now is a map depicting the proposed development in Quail Creek Addition, showing that we have in essence a street coming in off the public thoroughfare and a cul-de-sac road that serves the various lots in the proposed improvement district, of which there are eleven. On the screen before you know is an estimate of cost prepared by the Bureau of Public Services which indicates that the cost of these streets is approximately \$175,000. The petition requests that the cost of the improvements be assessed equally per lot among the eleven lots which results in a principal component of approximately \$15,850 per lot. Again, this is about a 76% petition of property owners. No public hearing is required by statute although you may want to receive comment if there is any prior to consideration of a Resolution which would create the road improvement district, authorize the improvements and the assessment method we have discussed this morning."

**Chairman Winters** said, "Alright, thank you. Commissioner Miller."

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**Commissioner Miller** said, "Yes, Mr. Chairman. Joe, this is for my sake and possibly for the public's sake. I do understand that basically the County has been petitioned to improve the roads in particular areas. What is the criteria for a group or the procedure for an addition to come to the County and request that and they do pay for it, I know."

**Mr. Norton** said, "That's correct. The statutes as modified by the County's Charter Resolutions, the mechanism both for sewer and streets, in particular streets, that basically provide that either the County can initiate a project on a finding that an improvement is necessary subject to public hearing and protest by a majority of those property owners, or a majority of property owners within a proposed district may sign a petition and file that with the County Clerk requesting that these districts be created and improvements made. As a practical matter, before they are brought to you, the Bureau of Public Services reviews these from an engineering standpoint and a cost standpoint as to whether or not they are feasible for the County to be involved. We review them from a legal standpoint as does the County Counselor's Office before it ever comes on the agenda for your consideration. So before you see them, Engineering has made a finding, in essence, that it is feasible to do that kind of project if it is within the County's infrastructure and that it has been reviewed from a legal and financial standpoint. On that basis, the Board of County Commissioners then receives the petition and has the ability to create a district and authorize the improvements through the normal construction, bidding type process or the Board of County Commissioners may decide to reject the petition and not get involved in the project, so that decision is yours."

**Commissioner Miller** said, "Sometimes it is initiated also by developers or business?"

**Mr. Norton** said, "The owners of property could be developers of a proposed project, like the Balthrop Addition we talked about earlier. It could also be properties that currently have houses or other commercial buildings on them that have unimproved roads that want to have the roads improved and over the year we've seen both types of projects in Sedgwick County."

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

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**Chairman Winters** said, "Okay, thank you Commissioner. We're on item D-4, this is not a public hearing, but if there is anyone here in the audience who would like to speak to item D-4 we would certainly be glad to hear your comments at this time. Is there anyone here in the audience who would like to speak to item D-4? Seeing no one, Commissioners, what's the will of the Board?"

**MOTION**

Commissioner Schroeder moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Paul 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."

**NEW BUSINESS**

- E. APPROVAL OF STATEMENTS OF COSTS AND ASSESSMENT ROLL; PETITIONS; AND ESTABLISH DATES FOR PUBLIC HEARINGS.**
  - 1. APPROVAL OF STATEMENTS OF COSTS AND ASSESSMENT ROLL; ESTABLISHING PUBLIC HEARINGS REGARDING PROPOSED SPECIAL ASSESSMENTS FOR CERTAIN INTERNAL IMPROVEMENT PROJECTS IN THE DISTRICTS; AND PROVIDING NOTICE THEREOF.**

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### **VISUAL PRESENTATION**

**Mr. Norton** said, "The County has authorized various public improvement projects which are not completed. On this phase of the agenda, there are seven projects that basically involve street improvement districts, such as we have just created in the Quail Creek Estates area. These projects are denoted on the map by numbers, basically located in the eastern portion of the County, east of Greenwich Road and north of Central and south of 13th Street, which is one exception, where the improvements have been undertaken. The statutes prescribe that before assessments may be spread on these properties, the Board of County Commissioners must approve the cost statement and establish a date for a public hearing and conduct a public hearing, receive comment and levy assessments. Today is the first part of that in which you receive the Bureau of Public Services final cost statements and establish a suggested date of May 22 for the time and place for the public hearing to receive comments on these assessments. There are seven projects depicted upon the screen. They are street improvement projects to be assessed in the manner in which those projects were authorized by Resolution by the Board of County Commissioners.

"These are the remaining projects, six and seven, in those particular areas. At this particular point in time, the recommended action is to accept these cost statements, set May 22, 1996, at 9:00 a.m. as the date for public hearing to receive comment on these from affected property owners and authorize notice of that public hearing to be published and mailed to each individual property owner that may be affected by this assessment."

**Chairman Winters** said, "Commissioners, do I hear a Motion to that affect?"

### **MOTION**

Commissioner Schroeder moved to approve Statement of Costs, Assessment Roll and Notices of Public Hearing; establish May 22, 1996 at 9:00 a.m. as the date and time for a public hearing; and authorize a notice of such public hearing to be published and mailed as required by law.

Commissioner Miller seconded the Motion.

**Chairman Winters** said, "We have a Motion and a second. Is there any discussion? Commissioner Miller."

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**Commissioner Miller** said, "Just a point of clarification. On that second sheet that you had up for the proposed statement of cost."

**Mr. Norton** said, "Yes."

**Commissioner Miller** said, "What is the discount?"

**Mr. Norton** said, "Okay, included in the final statement of cost are estimated cost necessary to issue the bonds to permanently finance these projects. A discount is a fee that is paid to the purchasers of the bonds to sell those on behalf of the County. There are two ways in which that can be accomplished. Let's say, for example, we have a bond issue of \$100,000, that can be sold at \$100,000 and they will bid a rate which is higher than market so they can sell it to their customers and receive a profit, or we can structure the issue, say for example at a \$100,000, where they bid a slight discount, we receive like \$98,000 and then they resell the bonds at market rates and so that results in a lower effective interest rate cost for the County. Statistics and analysis have shown that if you offer that discount, normally speaking, the net result is a lower effective cost to finance those improvements, so we build that amount in there, so the amount that we receive from the actual sale of the bonds is enough to cover the various costs associated with that other than the market fees that are reduced in the bid."

**Commissioner Miller** said, "Okay. So that is reflective of that."

**Mr. Norton** said, "Yes, we built that in there so we would have that flexibility when it comes time to sell the bonds."

**Commissioner Miller** said, "Okay, thank you."

**Chairman Winters** said, "Alright, thank you. We have a Motion to take the approved action on item D-1, any other discussion? Madam Clerk, call the vote."

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**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."

**2. ESTABLISH A PUBLIC HEARING ON REMOVAL OF CERTAIN PROPERTY FROM THE EASTERN SEDGWICK COUNTY SEWAGE DISPOSAL DISTRICT AND GUILDER'S GARDENS-GOTT ADDITION LATERAL SEWER DISTRICT.**

**Mr. Norton** said, "This one is a little bit different so I'll try to take a little more time and explain to the Commissioners what we're attempting to do here. The Board of County Commissioners as I have indicated before, have created various sewer districts within eastern Sedgwick County. The main, what we call Four Mile district, and in that district there are also various lateral districts and at the time those districts are created, the Board makes a determination of what property is going to be included on those districts and served by the sewers. It has been brought to the County's attention that there are two parcels now that are within the boundaries of both the Four Mile Creek district and in one case, the Guilders Gardens-Gott lateral district, that had been annexed into the City of Wichita with the consent of this Commission and have been or are going to be served by the City of Wichita sewer system and they will not be served now or at any future time by the sewer district of the County. Those property owners have requested that their property be removed from the districts and released from the costs of future assessments from the improvements because they are not going to be served by that.

"On the map before you now, depicted in yellow, is a parcel that is within the Four Mile Creek sewer district on which is located the church and place of worship that has been known as the Christ Community Church and that is a property which has been served, again, by the City sewer system and annexed into the City and will not be served by the County district.

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"The next map depicts an area known as the Fountains addition, which is located south and east of the intersection of Greenwich Road and Central which you recently received and took action to allow this property to be annexed into the City and served by the City system as opposed to the County sewer district. Again, that property owner has requested that the property be removed from the Four Mile Creek district as well as the Guilder's Garden project.

"Prior to making this decision, there is no clear statutory procedure for this, there are some statutes which imply this action is authorized by the Board of County Commission and addressing this with the County Legal Department, we both concur that prior to taking such action, it is advisable to conduct a public hearing in which notice is given to the affected property owners and published for all citizens of the County. The net effect of this would be to release those properties from assessments that are possible to be imposed on the lateral district but in essence, there will be no improvements made there would be any benefit from and from the Four Mile Creek area by assessment. What we are asking from you today is, prior to your considering this request, that you receive these petitions and establish May 22, as a date for a public hearing to consider the request of these property owners thus giving the public the opportunity to comment on this prior to making a decision."

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

### **MOTION**

Commissioner Schroeder moved to establish May 22, 1996 as the date for the public hearing and authorize the Clerk to provide notice.

Commissioner Gwin seconded the Motion.

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

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**VOTE**

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

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

- 3. ACCEPTANCE OF PETITION AND ESTABLISHING A DATE FOR THE PUBLIC HEARING REGARDING THE CREATION OF A MAIN SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS (WOODLAND LAKES ESTATES.)**

**VISUAL PRESENTATION**

**Mr. Norton** said, "Items 3 and 4 here are companion items dealing with the same parcel of property so it might be wise to consider those at the same time for purposes of receiving comments and so forth."

**Chairman Winters** said, "Okay."

**Mr. Norton** said, "That's acceptable to the Chairman?"

**Chairman Winters** said, "Yes. Is our action to be separate or can it be together?"

**Mr. Norton** said, "It can be together."

**Chairman Winters** said, "Thank you. Madam Clerk, would you go ahead and read item 4 and we'll discuss item 3 and 4 at the same time."

- 4. ACCEPTANCE OF PETITION AND ESTABLISHING A DATE FOR THE PUBLIC HEARING REGARDING THE CREATION OF A LATERAL SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS (WOODLAND LAKES ESTATES).**

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**Mr. Norton** said, "The County has received a petition signed by a majority of property owners within the proposed Woodland Lakes Estates main and lateral sewer district. Actually, the petition is signed by 100% of those property owners. That proposed sewer district is located north and west of the intersection of Harry and 127th Street East. The main sewer district is depicted upon the map before you and includes several developed lots and some undeveloped tracts. The lateral district itself is depicted on the map on the screen before you outlined in red, which is a majority of the tracts to be developed and a large unapproved tract, tract number 4. Estimate of cost is on the screen before you and the estimate of cost for the main sewer district, and this is to bring the line from the existing infrastructure and up to the area which will be assessed for the larger main district is about \$183,000, which assessed equally among 100 parcels, would have a cost of about \$1,829 per lot. The lateral district has an estimated cost of about \$473,000 and 92 parcels which have a component cost of about \$5,140. The interesting thing about this proposed improvement is that all the lateral district and a portion of the main district is within the boundaries of the City limits of Wichita, Kansas. The statute and your Charter Resolution provide, before you can create such a district, you must one, conduct a public hearing and two, receive the consent of the governing body of Wichita for the creation of this district within their boundaries.

"As part of the platting process for the area, this matter has been considered by the governing body of the City and they have consented to the County providing sewer service to this area, so we anticipate their consent, but formal consent is necessary. What we are suggesting today is that we receive and file these petitions, establish May 22 as the date for a public hearing to consider this request prior to creating the districts, authorize public notice to be given as required by statute, and forward a copy of these documents to the governing body of the City for their consideration so hopefully they can act on this prior to May 22 so that you will have their decision before you take action to create these districts."

**Chairman Winters** said, "Alright, thank you very much. Commissioners, you've heard Joe's presentation, what's the will of the Board?"

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### **MOTION**

Commissioner Gwin moved to accept the petition, establish May 22, 1996 as the date for public hearing and authorize notice of such hearing to be given in accordance with applicable law for both items 3 and 4.

Commissioner Miller seconded the Motion.

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

**Commissioner Miller** said, "Just a point in regards to the City of Wichita, you said this is within its boundaries."

**Mr. Norton** said, "Yes."

**Commissioner Miller** said, "Jurisdictional boundaries?"

**Mr. Norton** said, "City limits."

**Commissioner Miller** said, "So from a legal perspective, but it's our responsibility to provide the..."

**Mr. Norton** said, "At this point in time, we have our sewer lines located adjacent to this proposed sewer district, they don't have anything close and so as part of the platting process it is proposed that the County provide that service. Part of the main district is in the unincorporated part of the County and part of it is in the City limits and our line is adjacent to that."

**Commissioner Miller** said, "I would think they were coming back to the west then, we're going east to west then or..."

**Mr. Norton** said, "I can't tell you exactly where the lines are going to be in the ground but maybe Jim has them on the map and can point them out to you."

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**Mr. Jim Weber** said, "We have one of our main interceptor lines running on the north side of Harry in this area. The City limits, this was the original City limit sign here, with the platting of this property, in order to get water service, they requested annexation of the property they are platting into the City, however, this is within the Four Mile Creek district, well within it, deep within it, and this is a logical place to take sewer service and we simply will extend out. The Seltzer School sits right here and they've been needing sewer service for a long time, that will let us get this row of houses in here, existing homes, get up to Seltzer School and then from there they'll branch off and do their subdivision work."

**Commissioner Miller** said, "Okay, that is out..."

**Mr. Weber** said, "This is 127th Street. This would be changed with K-96, so this is Greenwich Road. This pocket in here is served by City of Wichita through a pump station that sits out in front of the Palace Theater right now and they don't have the capacity, we'd have to cross the turnpike and it naturally flows by gravity in this direction."

**Commissioner Miller** said, "Okay, just needed to be able to clear that up. Thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Good question. Commissioners, we have a Motion to accept both of these petitions and set the public hearing date for May 22 on both items, 3 and 4. Any other discussion? 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. Joe, someone will take of making sure that gets to the City."

**Mr. Norton** said, "Yes, we'll coordinate that with Public Services and the County Clerk's Office."

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**Chairman Winters** said, "Alright."

**Mr. Norton** said, "I think we are done on this agenda for now."

**Chairman Winters** said, "Okay, thank you Joe, appreciate your being here today. Thank you Jim. Next item please."

### **F. REAL ESTATE PURCHASE CONTRACT TO PURCHASE PROPERTY.**

**Mr. John Coslett**, Director, Emergency Management, greeted the Commissioners and said, "As you are all aware, for the past several months we've been working on a flood buy-out project with funds made available through FEMA, Federal Emergency Management Agency, and the CDBG block grant funds. We are at the point where we have the first contract ready to close with the property owner and am here this morning to ask you to authorize the Chairman to sign the Contract so we can have a closing tomorrow."

**Chairman Winters** said, "Alright, thank you very much. Commissioner Schroeder."

**Commissioner Schroeder** said, "John, in your estimation, how is the project going? Are we accomplishing the goal we set out to do?"

**Mr. Coslett** said, "It has been rather slow now because we're trying to get the mechanism in place to get the thing going but I fully expect to very aggressively pursue this and hopefully, I see a project that is going to extend over a period of several months, but we'll be working on it very aggressively to try to get the people that are interested taken care of."

**Commissioner Schroeder** said, "Is the level of interest there with those individuals who lie in those areas that are prone to flooding? I mean, do they understand, are we having a problem educating people on what we're trying to do?"

**Mr. Coslett** said, "No sir, just a very brief overview. In the past we've had big meetings on it and the people have had several letters from my office and they are pretty well aware of what is going on. At this point, we can only deal with the people whose names are on the original application. There are some of them, it was built in where they can decide not to participate even up to the point where there is a closing date. We won't know until we've got everybody that's on the first part of it whether or not we can include others."

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**Commissioner Schroeder** said, "Is this going to be the only time that this will be offered or will this come again at a later date, another offering?"

**Mr. Coslett** said, "The information I've been given is that this is a one time deal and there is no way of knowing if something happens again, but everything I've been told, it's a one time affair."

**Commissioner Schroeder** said, "Okay. Good work, we appreciate it very much. Thank you Mr. Chairman."

**Chairman Winters** said, "Commissioner Gwin."

**Commissioner Gwin** said, "This buy-out is funded entirely by FEMA and CDBG grants and so there is no local tax money involved except as taxpayers it is all our money. Since that is the case, how do we arrive at the price for the house? How is that established?"

**Mr. Coslett** said, "The program stipulates that we use 1993 County appraised valuation of the house, or the land and the improvements, and add 15% to that. There are also some provisions in there based on the guidelines in the plan where there are some funds to provide for moving expenses and relocation expenses. Those are the stipulations."

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

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

**Commissioner Miller** said, "Yes, Mr. Chairman. John, I understand that this is a one time opportunity, but what's the window for it, when will it all be done? When is the completion date for it?"

**Mr. Coslett** said, "Well, there is not particular date set and we kind of are in the tail end of this thing. The people that had to qualify had to be involved in the '93 and '95 flood so we kind of fell in on the tail end of it in August of last year when they first started the project. It is kind of an open end type situation. Again, I want to pursue it as quickly as possible. I know in Wiley County, which they had a tremendous amount of damage, much more than we had, but they are still working on it and they started in 1993, so it can be a drawn out situation."

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**Commissioner Miller** said, "Until the buy-outs are completed."

**Mr. Coslett** said, "Yes ma'am."

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

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

**MOTION**

Commissioner Schroeder 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 very much. Thank you John. Next item please."

**G. SEDGWICK COUNTY PARK.**

- 1. AGREEMENT WITH WICHITA AREA COUNCIL OF CAR CLUBS FOR USE OF SEDGWICK COUNTY PARK ON JUNE 9, 1996, FOR ITS 24TH ANNUAL ALL WHEELS CAR SHOW.**

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**Mr. Jarold Harrison**, Assistant County Manager, greeted the Commissioners and said, "This is an ongoing event we've had at Sedgwick County Park for a number of years. We have received their certificate of insurance and coordinated the dates with the Park Superintendent and we would recommend your approval of this Agreement."

**MOTION**

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

Commissioner 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. Next item please."

**2. AGREEMENT WITH MID-AMERICAN ALL-INDIAN CENTER FOR RESTRICTED ACCESS USE OF SEDGWICK COUNTY PARK FOR ITS ANNUAL INTERTRIBAL POW WOW FROM JULY 26 - 28, 1996.**

**Mr. Harrison** said, "This is the Agreement we've had with the Indian Center for a number of years. In addition to the use dates of July 26 - 28, it also allows for use dates of July 25 for set-up and July 30 for clean-up. I might note that on the first page of the Agreement in your back-up there is a correction. The deposit amount was misstated at \$450, it is actually \$180, and that correction has been made on the original Contract documents. We have coordinated the dates with the Park Superintendent and we would recommend your approval."

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**Chairman Winters** said, "Okay, thank you. Commissioner Hancock."

**Commissioner Hancock** said, "Jerry, on the agenda it says restricted access use, I don't think I've ever seen that one before."

**Mr. Harrison** said, "That's the language that we used in this. What we do is allow them to restrict access to a portion of the park and they have access control on the main north-south road through the park, because they do charge a fee."

**Commissioner Hancock** said, "The tribal..."

**Mr. Harrison** said, "The Indian Center staff and so they control access through that particular area for this three day event."

**Commissioner Hancock** said, "Okay, good. Thank you."

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

**Commissioner Schroeder** said, "Mr. Chairman, if you please. Jerry, you said setup is on July 25, the show is the 26th, 27th, 28th?"

**Mr. Harrison** said, "That's correct."

**Commissioner Schroeder** said, "Clean-up is on the 30th?"

**Mr. Harrison** said, "Uh, 29th and 30th, the 30th is the absolute drop dead clean-up date."

**Commissioner Schroeder** said, "Alright, thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you very much. Commissioners, you've heard Jerry's request, what's the will of the Board?"

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**MOTION**

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

Commissioner Schroeder 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."

**Mr. Harrison** said, "Thank you."

**Chairman Winters** said, "Next item please."

**H. RECOMMENDED COMPENSATION PLAN.**

**Mr. William Buchanan**, County Manager, greeted the Commissioners and said, "We have concluded the compensation plan review and recommendation and are prepared to make some recommendations to you today. As you recall, last year at this time, we began to discuss the pay plan and in 1995, about this time, it was my recommendation and you concurred that we suspended the pay plan as we know it. We stopped giving merit increases, which were about to 97% of the employees and they were at a rate of 4.5% a year. It was my recommendation and we felt that because of the cost of the pay plan at 4.5% wage increases, plus a cost of living increase that the Board of County Commissioners granted on an annual basis that almost all employees, 97 to 98% of us were receiving 5.5% wage increases.

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“Although this is very generous, it is out of line with what is happening in the market place. It is not what is happening with other municipal employees, certainly in this area or any place else in the country. There were also high levels of dissatisfaction regarding that plan because of the concept of merit. Maybe it was the definition of the word, but in fact when all employees receive it or all but a handful of employees receive it, it certainly is not a reward for meritorious work but in fact it was a pay plan, an automatic increase for pay plan.

"If you recall, after we suspended those, that system, we decided to grant a 3.75% increase to all employees January 1, 1996. In fact, because of that decision, most employees will receive more money in 1996 than they would have if they had been under the old system because some people, although they get 4.5% didn't get it until June or July or August or September. So in fact, more than half the employees in the County, certainly more than three quarters of the employees in the County will take home more money in 1996 than they would have under the old plan had it been continued.

"In the summer of 1995, last summer, I met about a dozen times with employee groups to begin discussing this issue and they were help discussions about how a pay plan should look, whether it should be based on performance, whether it should have other elements in that plan. We gathered that information and shared our thoughts and at that point we indicated, I had indicated to those employees and we had decided that we were going to put a group of employees together to begin examining the pay system and in fact, that group was put together and held 16 meetings, beginning September 26 of last year.

"Let me just review for you that those people included a Captain from Emergency Medical Services, a Senior Social Worker from Mental Health, a Deputy Director from the Bureau of Public Services, a Maintenance Crew Chief from the Sewer Utility, a Senior Investigator from the District Attorney's Office, a Director of Environmental Resources, a Detention Sergeant from the Sheriff's Department, a Youth Counselor from Corrections, a Quality Control Clerk from the Appraiser's Office, a Product Support Analysis from Information Services, a Chief Deputy in the Appraiser's Office, a Deputy in the Sheriff's Department and a Captain from the Fire Department. It was truly a cross section of employees from management and exempt and non-exempt, white and blue collar, if you will, and some no collars. The pay plan committee worked through January of this year and came with some recommendations which were turned over to a consultant.

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“We hired a consultant from Houston, Texas, to begin to not only take a look at what our own committee had to say but also to see what else was going on around the country and how could we develop a pay system that met some of our needs. If you would just bear with me, I would like to go through a little bit of the process the consultants used for the recommendations.

"In evaluating the issues, we did check, not only did the employee group check, but the consultant checked the organization climate, nature of the work force, professional, administrative skilled and unskilled to measure those items, what our existing systems and strategies were, the labor market conditions, what our financial and budget constraints were, and our committee and the consultant looked at those and finally the compensation philosophies and objectives. The compensation philosophy was what was the objectives for compensation? What were the objectives for Sedgwick County in paying folks? What's the relative labor market? What is the competitive position? Where do we want to be in the competition for employees? What kind of performance and skill levels do we need and are we paying them in a competitive way or are we paying for performance, are we paying differently for skills? What about the longevity issue? How the program is administered and communication and involvement of our employees in that program?

"We tried to look at some of the redesign issues, the impact of those. What the number of pay ranges mean? If we decreased or increased those, what affect would that have on "A" cost, and "B" employees, and how would that technical issue fit with the current pay plan and developing a new one? How big are the ranges? How long would it take from minimum to maximum? The current plan that was suspended, you began at step one and it took you to step nine, about eleven years I think. It took eleven years to get to the maximum. Number of steps and percentage of increases? We had nine steps at 4.5% increase. Number of distinct pay structures? How many pay plans do we have and pay structures and the step structure versus open range structure. There is a philosophy that you can have steps but you can more through there on an annual basis at a certain percentage. The other philosophy is, if the beginning salary is \$20,000 and the top salary is \$30,000 and someone gets to decide where you are in that range, without any form or substance. Philosophical issues, again, were competitive pay philosophy and values. Where do we want to be in terms of hiring folks from this community? What kind of budgetary support could we project over the next 5 or 10 years? What were some of our historical practices because in fact that is important? Recruitment and retention concerns. If we change the system will we be able to recruit good folks and keep them, and concerns for current pay plans, how that works.

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"The recommendations were not very many. What we discovered was we had a pay system that works, it works relatively well that needs some adjustments and needs some assistance and so we decided to...the consultant recommended some issues. The first issue was the wage structure. Currently we have one big plan and it was the consultants recommendation that we separate the two plans. We just have two different pay systems, one for exempt and one for non-exempt. At this point there is no difference in the pay rate or the increase and there is intention to make that change. The second issue, longevity, was, and there are no winners or losers if you will, there are no people under the wage structure if you are in one plan or the other, it just clearly identifies whether you are an exempt employee or a non-exempt employee and sometimes that gets fuzzy and we need to clean that up. We are working on that not only on this pay plan but doing some other things.

"The longevity issue was that the consultant told us that our current longevity plan and that is not on that, was that you started receiving longevity at 5 years and that you continue at increments up until the 25th year when that was the last of them. Consultants suggested that that is not what is happening throughout the nation and that is not happening with our competitors and that the recommendation was to change that, that you would not receive longevity until you were here 10 years and it would be at \$40 and at 15 years, \$55 and at 20 years, you would receive \$70 or \$75 they are suggesting and there would be no recognition about 25 years. Because what you and I said last summer to employees and because of what has occurred, I'm recommending that we make this change but only for new hires. That we continue the system that is in place for those people that are currently working for Sedgwick County and that longevity plan that people are familiar with continue for those people working for Sedgwick County.

"The last three recommendations, the next recommendation is the progression to market pay. The concept in pay plans is that at some point in compensation, we pay what is referred to as the market value for the job. Traditionally, this organization has indicated that about after 5 years, the 5th step is what the market is, that we move people through the system until we get to market. Currently, that is 4.5% until you get to market and then the progression is at one year increments. This recommendation mirrors the current pay system, for new hires, or people that have been here 2, 3, 4 years, that is essentially the same as we've had in the past, that it takes and will receive 4.5% increases until they receive market. The above market system is one that is significantly different.

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"The recommendation is that the market is at step five and the maximum at step 13, so that we are adding some steps to the system and the progression of the increments is at rather than one year and 18 months, which is the current plan, we're suggesting and recommending it be at two year increments and that the step increase be at 2.25%, so that it is significantly different from what we have done in the past with employees.

"The final recommendation is the pay performance and it was suggested by the consultant that we develop a pay for performance program. That we begin taking a look at how we go about pay for performance and as you well know, there has been considerable debate and continues to be considerable debate in this organization as to what that means and how it would work and who would decide and the recommendation was certainly not a firm one, but one that indicated that we need to work on that and make sure that everyone is comfortable with that situation.

"I want to show one more slide and that is the comparison of the pay curves, because I think this helps illustrate what we are proposing. The current plan was that you were hired here and that in the 5th year, this is market, and that real short period of time, you topped out and you were then...that's about year eight, you were at market and you stay there. That's above market."

**Commissioner Schroeder** said, "That's eleven years, twelve years."

**Mr. Buchanan** said, "This is about where market is. The employee recommendation, their committee, suggested a very similar recommendation and their recommendation was that the line be just not as steep and take longer to get there but you would reach maximum pay, significantly above market a little later than the current pay plan. The consultant's report and the one that I am recommending is that we reach market at this point and then we progress through market to the top of the pay plan at 18 or 19 years. That is when people will be at the top of the pay plan and that rewards those who stay longer and continue to progress through their career but in fact one can see its progression over time.

"The recommendation to you also indicates that this is, the action we are asking of you today, is for you to approve these concepts so that we can go about developing an implementation plan and that implementation plan should be presented to you within a matter of several weeks after you approve these concepts."

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

**Commissioner Gwin** said, "Thank you Mr. Chairman. Mr. Buchanan, a couple of questions. The recommendations that you bring us today, is any part of this or are there parts of this that the employee group recommended?"

### **VISUAL PRESENTATION**

**Mr. Buchanan** said, "They talked about two separate plans. They talked about the longevity issue. I don't think they recommended quite what the consultant recommended. They talked about the progression to market. Theirs was different, slightly, but recognized the need to change. They dealt with pay performance in a different sort of fashion and above market, they understood we need to take longer to get to market and they were getting to maximum sooner. I want to show you this slide. There is a recognition here by the employee group. Here is the current system and here is market. You get here sooner than you get it here. Employees recognized that we need to stretch it out to get to market so we could debate whether it would be 5 years or 8 years. What we are suggesting is that 5 years sounds about right to us and had been a tradition with us. You get to market here. We're off slightly in how long it takes to get to maximum. We never expected the employee group and the consultant to match exactly and when they certainly have an opportunity to speak for themselves but when we agreed that we did not have serious objections to any of the recommendations although I did receive a letter from one of the committee members who objected to the whole committee's report and the consultant's report."

**Commissioner Gwin** said, "How does this affect employee evaluations?"

**Mr. Buchanan** said, "Well, employee evaluations are to continue. That is clearly a supervisors responsibility to interact with the employees, to talk about the things that work well, things that need improvement. We know that we need to fix that system because there is a level of dissatisfaction about the numbers and how they are distributed, but it is absolutely essential, if we're going to be successful, that supervisors sit and talk with employees about goals and objectives and what we expect from them for the next year and how they are doing. That's just the process that we need to encourage, make happen and in some cases force it to happen."

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**Commissioner Gwin** said, "The phrase above market may be troublesome to some with the question being gee, why would you pay an employee above market anyway, what's up with that? Go back and run through that one more time as to why long term employees or people who have been around awhile, explain that."

**Mr. Buchanan** said, "Well, one of the philosophical values that this organization has, that we continue to grow and nurture, is placed on the value of people who have given service to the County over the years and good service. I think that happens to be a great value and people that know the ropes, that know what they're doing, that have been around, that can tell you the history, can remember the good days and the bad days, but also know the clients, the citizens, know the kinds of things that we expect and have expected over the years about service to the public. Those employees need to be valued and paying above what we think is market is one way to do that, to make sure that you retain them. Now in this, we are blessed to be in a community that has such low unemployment, we are also because of that industrial growth, our employees are right for going other places. People come to work for the government for all kinds of reasons, one is a dedication to public service and one of the traditional ones has been job security because governments are pretty secure. I think we need to position ourselves and then certainly in the next several years, make sure we retain people who have been here a while. We are in a market place that is highly competitive for good people and our citizens demand excellent service and we want to make sure it is there."

**Commissioner Gwin** said, "Thank you. The other question has to do with why we even started discussing this. A year or so ago, as we started looking at the financial responsibilities of County government and the amounts of monies that we had available to us, we realized that the compensation pay plan we used to have was a very expensive proposition and my hope was that with the new pay plan that we would be able to save the taxpayers of Sedgwick County some money, do we yet have those figures? Do we yet know what kinds of savings this made?"

**Mr. Buchanan** said, "We ran some numbers and we believe these to be the case. If we continued the 1994 plan, if we continued that in 1995 and 1996 and 1997, and we now can calculate that cost and if we now impose this pay plan or place it beside it, we see that the pay plan that is being recommended is about a little more than \$2,000,000 less than the old plan on an annual basis, that's about 1 mill."

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

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

**Commissioner Hancock** said, "Thank you Mr. Chairman. Last night it was reported to be in the media that our pay plan was essentially 2.25% step increases with pay increases over two years, so I take it that's not the whole story."

**Mr. Buchanan** said, "It's not the whole story."

**Commissioner Hancock** said, "Okay, and I hope the folks that report on this report the whole story or not tell it at all. The pay for performance was something that interested me from last year and if any question about it, our current merit system we need to change the terminology involved and keep it or change the system itself and create some kind of merit system. The pay for performance aspect of this report is something that I was particularly interested in and that I think that it is good that we reward excellence when excellence occurs and that is one way of doing it and it isn't necessarily those who work hard and those who perform and develop their careers and now the County along with that is offering some creative programs and those are the folks I kind of wanted to reward and I'm sorry to see that we didn't come back with a full scale, full blown program of merit increases that reward excellence throughout the County. I don't know where we are going to go with this today, Mr. Manager and Mr. Chairman. I was glad to see them take out the two programs they had two pay scales that were in the original plan and I would sure like to see them hurry up and come back with some kind of pay for performance and I think those folks who are working hard out there deserve some kind of recognition through their pay check on a weekly basis. That's all I have right now. I'd like to listen to what the other Commissioners have to say about this and some kind idea where we think we ought to be on it."

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

**Commissioner Miller** said, "Thank you Mr. Chairman. Mr. Manager, to the consultants, and also the employee pay plan committee, I certainly descend some accommodations because I know that it took time and energy to produce this. I need to know or clarify on the longevity, you said that would only apply to new hires, is that the only segment of this recommended action that you are requesting that would only refer....your addition said you would....those employees who were in place would continue on with our current longevity."

**Mr. Buchanan** said, "Yes Ma'am."

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**Commissioner Miller** said, "So our new hires would..."

**Mr. Buchanan** said, "I am recommending that for longevity section only that we continue the system under which we are operating now and that for new hires, we use this new system. For all the other recommended actions that we would bring you back an implementation plan but it appears like we would implement the new pay plan beginning January 1, 1997. We have paid people this year, we've increased their salaries this year and so that would be a time at which it would be a logical time to it, maybe some advantages of starting earlier, but we haven't worked all that out yet."

**Commissioner Miller** said, "Okay, another point of clarification which may hinge upon what Commissioner Hancock was speaking to and that is, where are we today in terms of the pay above market. I understand that the recommended action is to increase the incremental 2.25% every other year, where are we today?"

**Mr. Buchanan** said, "The pay system is designed and we believe it is accurate for market to be about the fifth step so about half of our employees would be above market right now, from steps 6, 7, 8, and 9, so that would indicate that about half our employees are above that."

**Commissioner Miller** said, "Okay, but I guess I'm saying that they step at a 4.5% on a yearly basis, or where are we today in comparison to the incremental pay increase above market?"

**Mr. Buchanan** said, "Step 1 and 2 through 5 and that's one year and then we have step 6, 7, and between steps 7 and 8 is 18 months and then 8 and 9 is 18 months, so that if this is market, this is one year, this is two and then under the new plan we would have step 5 and then 6, 7, 8, 9, 10, 11, 12, and one more. At this point there would be two year increments."

**Commissioner Miller** said, "Okay."

**Mr. Buchanan** said, "So you could see that here is one, a year and a half, a year and a half, so here is 4 years from here to here, two, four, six, eight, ten, twelve, fourteen, sixteen, to the top."

**Commissioner Miller** said, "To get there."

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**Mr. Buchanan** said, "Yeah."

**Commissioner Miller** said, "So we stretch that out. Okay, and when looking at the graph that shows or illustration that shows the comparison pay curves, it appears that to max out, according to our current pay plan is about the seventh year?"

**Mr. Buchanan** said, "It really should be here, which is..."

**Commissioner Miller** said, "About the ninth? So this is a bit off is what I'm looking at or not? Maybe I'm just..."

**Mr. Buchanan** said, "Yeah, yes, the graph that appeared on there and the one that I'm looking at in front of me now appears to be off by two years."

**Commissioner Miller** said, "Okay, and then on the employee pay plan committee, they were comfortable with maxing out about the 12th or 13th year?"

**Mr. Buchanan** said, "Their plan would have found that this is 11 years, their plan was somewhere around 13 or 14 years and ours is 16 or so to max out."

**Commissioner Miller** said, "Okay, on the graph it looks longer than that, but it's about 16 is what you're saying?"

**Mr. Buchanan** said, "Jerry tells me it is 18 years."

**Commissioner Miller** said, "So we've moved where we are today at about 9 years, we've stretched that max out, doubled it, correct? Stretched it out over that period of time."

**Mr. Buchanan** said, "Yes."

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**Commissioner Miller** said, "I'll also have to agree with Commissioner Hancock that the recommendations are certainly lacking as far as I'm concerned in the area of pay for performance and I made this suggestion with the consultants. I think this is a very important area also and if indeed we are going to talk about including it then certainly I would think we would have some suggestions, prototypes, models, something to start with in order for us to build our own pay for performance if that is something that the BOCC is in consensus over."

**Mr. Buchanan** said, "That is a superb idea and that is exactly what we would hope to do is to see, gather data, about the programs that work around the country for the public sector, employees, and to us that information for the basis of our own."

**Commissioner Miller** said, "I understand, I'm just saying that I was hopeful that the consultants would be able to bring some of that to the table or that is our responsibility? They simply suggest it?"

**Mr. Buchanan** said, "They brought to us several concepts and ideas about pay for performance that had to do with skill levels. That was somewhat different from what some of us have talked about. The consultants suggested a pay for performance based on whether certain training courses were obtained, whether certain levels of safety were reached and those sorts of items. That is a process that we hadn't thought about and it is relatively new in the public sector. So they gave us some names of some organizations that he believed were doing it successfully and we're trying to determine whether in fact their stories are successful."

**Commissioner Miller** said, "Okay, thank you. Just one final. With the employees pay plan committee, you said that they were generally fairly comfortable with the recommended action that you have here. What were their concerns, if there were any?"

**Mr. Buchanan** said, "We were in the meeting together and I can't recall, when the report was given to them, we gave the report to the committee ahead of time, we had the consultant talk through some of the issues with them. There were technical questions, but I don't recall that there were any specific major concerns. Now I may not have been there the whole time."

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**Mr. Harrison** said, "The Manager is correct. There were some questions about how did you do this, and did you look at this, but there were no specific things related to this particular recommendation that said we have issue with this that I can recall other than the one letter that we received from one of the committee members."

**Commissioner Miller** said, "Which they didn't like it in total."

**Mr. Harrison** said, "That's correct."

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

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

**Mr. Buchanan** said, "Could I just go back here for a second to this because I was confused and I don't want you to be confused. The best I can do is indicate that that is about 8½ years. That's under the old plan it did take 3½ years for the first 5 steps and then 5 to 7 were two years and 8 through 9 were 3 years. So this is accurate. We're talking about 8½ to the top of the plan and this is 20 years."

**Commissioner Miller** said, "Okay, thank you."

**Mr. Buchanan** said, "I was counting wrong."

**Commissioner Hancock** said, "And the graph is essentially accurate and at about 12 years that the employees pay plan suggested as I can tell."

**Chairman Winters** said, "Okay, thank you. Commissioner Gwin."

**Commissioner Gwin** said, "Just a couple of things. I am prepared to support this idea and the recommendation today for several reasons. The biggest of those being it will save money for the taxpayers, but secondly I believe it does in fact recognize that the biggest or the most important learning years are in fact the first few and so it quickly gets a new employee to market, which is what I believe is fair and then very gradually, over time, encourages that employees continued good performance, longevity and continued value to the County and I am very supportive of that."

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"I could not continue to support a pay plan that rose so quickly and that maximum pay was achieved in such, quite frankly, short time. Nine years is a very short time to receive a maximum I believe. The other area in which I continue to be interested in and I appreciate Commissioners Hancock's and Miller's talk about it, pay for performance is an interesting concept that may be right for public service. I would challenge us to look for the evaluation of that concept and how it would work from department to department. My sense is that if there are some measurable achievements that an employee, for which an employee will be rewarded, that those measurable achievements need to be defined by his or her department. The achievements for my office staff and their performance may be completely different than the achievements for the staff of the Bureau of Public Services and so I think as we look at performance, we kind of need to look at what is important not only to the County, and to our values, but also to each department as to what makes that employee better for that particular department and you mentioned safety and if a fellow who drives a piece of equipment for the Bureau of Public Services can drive so many hours or so many miles without an accident, does that not have value? If my staff attends certain courses to increase professionalism, does that not have value, though they are completely different achievements.

"So I want to encourage us to look at the pay for performance because I think that does have some value but I am prepared to support this project and I believe it is fair to the taxpayers, I believe it is in fact fair to the employees. I believe we will still be able to recruit some of the best people in this area as employees of Sedgwick County plus I believe we'll be able to keep them. I believe Sedgwick County is an incredible place to work and will continue to be so and may even improve by this. Thank you."

**Chairman Winters** said, "I've got a quick question, Mr. Buchanan. On the two year progression increments, was there a reason that two years was selected as opposed to 18 months? I know that we were on a 18 month cycle, are you confident that two years is the right number there?"

**Mr. Buchanan** said, "The two years was based on the theory that we were going to reward folks through the process and they were going to reach maximum pay at 20 years and to do that, the average of employees, there are certainly some that work 25 or 30 years, but most people are out by 20 and that was that reason."

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**Chairman Winters** said, "I understand, that's a good answer. I'm going to be supportive of this because I believe it is important that we get a pay plan in place that is similar to what other major employers in the central part of the United States are doing and I think our other plan was not and I think this plan is much closer to what we see happening in the market place. Commissioner Hancock."

**Commissioner Hancock** said, "Thank you Mr. Chairman. I have got about four or five things to say and the first thing is I mentioned this pay for performance and I want to share with the public and my fellow Commissioners what the consultant said about that. It is particularly difficult to achieve pay for performance in government simply because two people working side by side and both of them generally having the perspective that they are doing excellent work, at least equal to their co-worker, one gets a merit increase and the other doesn't and it is public information and it creates a lot of problems in the private sector.

"So the consultant, and I don't have any reason to believe...within the framework of government that has been very difficult to achieve historically. The private sector, while it is difficult, it is achievable and it has been achieved simply because that information about what I'm making and what you are making is private and in some institutions, I was told, that it is even against company policy to share with your co-worker what you make versus what they make. So those merit increases, they can create some disharmony and so in the government it is very difficult to achieve. So I'm not under any illusion that we may or may not get this, but however Commissioner Gwin made me think about something and she used the term measurable achievements.

"With that, I think we may be able to look at something that I call and I added to that, Commissioner Gwin, supplemental compensation, that we may all be on a particular range or a particular step depending upon how many years we have been here and if we have merited those increases over those years and what our job descriptions are, however, with measurable achievements, those department heads or elected officials may determine that supplemental compensation may be warranted and some kind of system along those lines on a percentage basis may be something we want to look at. Therefore, when two individuals working side by side, one says I got an increase and you didn't or you got an increase and I didn't, the response can be yes, but I did the following. That is pretty important, maybe that's the way we ought to go.

"Secondly, a stone overlooked that traditionally around here, we have given cost of living

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adjustments over the years and throw that in with the 4.5% and you end up with a 5.5%. Those probably aren't going to go away. I will say this, in our decision making concerning cost of living adjustments, probably they haven't been where they should have been because we've always looked at our merit increases as 4.5% and probably didn't meet the government index for adjustments traditionally and when I've heard that from time to time, we've kept them low because of our....maybe those costs of living adjustments could be a little different and I expect they will.

"The other thing is, and I've got two more things. One, if we are talking about what is fair, pay for employees. Well, I don't think we ought to utilize that term, what's fair. I think we ought to look at what is competitive. To me, that is more important because what is fair for work performed and that is what we do, we provide services, we don't produce a right, folks that come into the County and we say we think this is a fair raise for you, that term is relative. If I'm a single individual who has a hermit like lifestyle, minimum wage may be perfectly fair and I'm perfectly happy, I'm not sure, but what is competitive for my abilities, I think that's the key. Forget what is fair, what is competitive in the market place. If an individual can go someplace else and get paid more and we lose talented employees and we lose competence because of it and we end up with the bottom third of ability and desire and self-initiative and all the good things that the employees bring to an organization, then we have lost the race and we'll be a second rate organization so we have to stay competitive.

"Last of all is that I am going to suggest this, that in looking at this, it may look like a compromise to me, where we were and where the consultant is recommending and I don't even think the employees pay plan is a compromise. I think it accelerates up to the top pay too fast and I'm not happy with that. Could I suggest that we take the consultant's recommendation and shorten their maximum to maybe 15 years and still utilize the scale that they have outlined for us but instead of 20, you get there in 15. Just food for thought. Now I know over a great scheme of things that accelerates our salaries, on the other hand, we have a contract with a lot of folks who have come here to work with expectations. The second suggestion is this, while our new hires are going to come in with a new kind of longevity pay, maybe our new hires can come in with a new kind of pay scale. I can remember a year ago, when the University came to see us about this pay plan and Joe Pisciotte simply said you have a pretty good plan. He did indicate that it was going up pretty rapidly and maybe we can back that off some, but he said your plan isn't perfect but none of them are, but overall it is a pretty good plan, you've done a pretty good job.

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“We had just overhauled it four years previously, so maybe right now an idea for us is to institute a new pay plan and I don't want to make things so complicated that they're unendurable or even undoable, but maybe a combination of pay plans for new folks and keep in place what we essentially have as the old pay plan and phase it out over the next couple of years. I imagine our accounting people would go absolutely bonkers with that deal and I'm sure payroll would just lose our minds, but I am looking for something that can keep us competitive and I hate to lose some of the talent that has been with us 12, 13, 14, 15 years, those years that they are so productive and some of the experience that comes with 20 year people also. I come in here when I'm 20 years old and I stay here for 20, I'm 40, folks I'm free ride to go on to bigger and better things and I sure hate to lose them. Thank you, that's all.”

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

**Commissioner Miller** said, "Commissioner Hancock just as a follow-up with your suggestion, I think those are valid suggestions and I would and I'll just throw this out. If it flies, it flies, if it falls, so be it. I am thinking that with the suggestions that you have made that possibly we need to work with your suggestions and maybe some other suggestions that the Commissioners are mulling about right now and the summary sheet that we have here, away from this setting and for someone to come back to us with an actual different scenario that we could possibly vote on. I do hear Commissioner Gwin is supportive of the plan as it is and I understand that this is a recommendation and that from the Manager, that indeed the implementation will not be verbatim as we see it today, but I'm hearing some things that I would like to be able to follow up on. One of them would be able to shrink the amount of time that it takes to get to the maximum pay, I like that. I thought the discrepancy of the difference was too vast. I would like to reward employees a bit quicker with maximum pay rather than 20 years. I also am interested in exploring how it is that we could indeed more than possibly one pay plan. If indeed we're going to move from one type of...well the pay plan now is going to move from being just straight across the board to exempt and non-exempt, it seems to me it might not be terribly too difficult to possibly incorporate differing levels of pay plans, something that we could explore and I just simply would like to put that out for discussion. Thank you Mr. Chairman."

**Chairman Winters** said, "Commissioner Hancock."

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**Commissioner Hancock** said, "Thank you Mr. Chairman. Mr. Chairman, I know we've had the Manager's Office and the consultant and we've paid to have some good things done and a lot of it...what we see is this nice graph they give to us and believe me, for every little line on that graph went a whole bunch of information so don't think, anybody out there seeing this, that's what you got for this, this suggestion? Well this is the simple version, a whole bunch of understanding had to go into every little line to know where we're going to be and where we are at. Every job description had to be looked at. We had to find out statistically where we're at on our current pay scale. Statistically where we would be at based on every job description, where everybody is at, at every range, and every step, to have some idea where we would have to be financially in the end and that is the bottom line folks, looking for a way to be competitive and yet remain financially responsible to our taxpayers. So I don't want anybody to walk away from here and I don't want it to be reported that those consultant guys are nuts. They are not nuts, they are very competent and they had to do a lot of work to arrive at this and bring to us some kind of an idea. Where I am going with this is we are in the middle of budget hearings and we are having budget hearings this afternoon as you well know and Thursday and Friday possibly and probably on into the future for a few days, so we are kind of in a hurry with this and I don't want to hold up the deal and hold up the budget because I would sure like to get an idea where we're going to end up on that too. This is a big part of our budget and what our decision that we are going to make is going to be a big impact. I would make this suggestion and then I'll put it in a Motion."

### **MOTION**

Commissioner Hancock moved to defer this action on the agenda item for two weeks.

Commissioner Gwin seconded the Motion.

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

**Commissioner Schroeder** said, "Mr. Chairman, if you please. Bill, in this process, what is the estimated cost for pay for performance going to be? If we have a cost savings of \$2,000,000 would it take a \$1,000,000 out of that?"

**Commissioner Hancock** said, "No idea."

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**Commissioner Schroeder** said, "I'm not asking you, I'm asking him. If these consultants are as good as they say they are, surely they've looked at other areas where they pay for performance and they have a percentage idea in their minds but when I asked them, they both said, I don't know. So shouldn't we know that before we say this is a good idea and we eat up a million or two dollars with pay for performance and we're back to zero and the taxpayers get nothing out of this deal if that's the emphasis?"

**Mr. Buchanan** said, "There is no recommended pay for performance activity yet. What is being suggested is that we study it."

**Commissioner Schroeder** said, "I'm going to guess that it's going to happen though."

**Mr. Buchanan** said, "Let's assume we study it and what I'm suggesting to you, Commissioner, is that during that study we will hear reasonable debate about why not to do it. So if I were going to look into the future, I wouldn't predict that we're going to end up with a pay for performance, because there are lots of employees that have expressed to me that they are concerned about that issue. So I don't know what it looks like, but let's just assume we do have a pay for performance. Then it is going to be up to the Board of County Commissioners, how much money do you put into that, do you put in half a million dollars, two million or a million dollars in that and that would determine the cost. Traditionally, pay for performance are designed so that it is virtually impossible to reward everyone in your organization, that's why it is performance, so that some people get rewarded and some don't. Therefore the cost is a lot smaller. It would be easy to hand out a hundred dollars, if you have ten employees, a hundred dollars to each employee and say this is for performance. Well, they're usually designed so the minimum is \$100 and you only have \$200 to give them, so it forces people to make those kinds of difficult decisions. Those are kinds of issues we need to work through and I can't tell you a number that we can substitute."

**Commissioner Schroeder** said, "Well my only concern is, from what I'm hearing, if we are basing this concept on saving then I think pay for performance, whether we are going to do it or not, we need to decide that. Otherwise, this could just totally wipe out that savings. If we do a pay for performance later and I don't want to mislead anybody to think that we're going to save them money and then in a year or two we find out we're not, so that's my concern. The other is when I was first approached about this a year or so ago I asked whether we could do this on a phase in basis. I guess that's been ruled out. Give people a chance to adjust their budgets, et cetera, planning for education, if we could phase this in

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over a couple of years instead of just simply doing it next year. I guess that is not an option."

**Mr. Buchanan** said, "That is part of the implementation debate that is continuing to occur of when it needs to be implemented and how that would work."

**Commissioner Schroeder** said, "This consultant we hired, I'm sure there are a lot of them across the country and they all could have recommended different ranges is my guess. Are we stuck on 2.5%, do we have to do 2.5%? Could we go 3%, is that a possibility?"

**Mr. Buchanan** said, "Yes sir. There is no magic in that number. It was debated internally whether it should be 1%, 1.5% or 3% and in essence, it was divided, the 4.5% was divided in half, 2.25%, the national average of employee wages for municipal services is about 3%, some running around 3.5%. If this tradition holds, that would be about the national average."

**Commissioner Schroeder** said, "That's why when I asked them and I heard that, I thought I didn't know why we were dropping to 2.25 why 3% wouldn't work or something better if 4.5 is too high, then we're out of market, then maybe we look at it, but I'm concerned about taking that sudden drop. The other is that this employee group, it doesn't necessarily represent all employees and I don't want anybody to think that, that was just getting them involved to look at the process and get their input. Did they agree, obviously they did not agree with the consultant's recommendation and what was that opinion based upon? Was there any particular fact that I missed that they based that on, the employee group?"

**Mr. Buchanan** said, "Say that question again sir."

**Commissioner Schroeder** said, "Did the employees in this employee committee group, did they agree with the consultants to a 2.25%? I don't think I heard that."

**Mr. Harrison** said, "Again, when the employees met with the consultant, they asked technical questions, but there was no consensus that we don't agree with your report."

**Commissioner Schroeder** said, "They didn't give an opinion?"

**Mr. Harrison** said, "No sir."

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**Commissioner Schroeder** said, "You're kidding, I wonder why?"

**Mr. Buchanan** said, "The way we structured it was that we asked for their opinion, we handed their opinion to the consultant, the consultant did the work that he did, we reported back to the committee. At that point, we intentionally did not ask for their endorsement. It may have been a strategic mistake, but we didn't want to put them in that position. They did have an opportunity to review and to make objections and to make alternatives and that was not done. Now I'm not suggesting that silence is consent at all, but there was an opportunity to do that. We did not, as you indicated, all parties certainly were not represented we think all the voices were represented and all the opinions, we didn't hear back from them."

**Commissioner Schroeder** said, "It just strikes me as really unique that they wouldn't...I wouldn't ask them to endorse it either, but that they wouldn't have their opinion on whether they agree or disagree with it, with the 2.25%, that surprises me because I would have thought that would have been part of their goal is to look at that."

**Mr. Buchanan** said, "Their recommendation was something less than 4.5% and so I don't know that they were in a position to, they knew it had to be adjusted, they recommended that adjustment occur, but I don't know that we were in the mode to debate on percentage."

**Chairman Winters** said, "Commissioner Schroeder, I don't know if this means anything, but I would say their recommendation, according to the graphs, are that we get to the top rate in 12 years so I would say their recommendation would not be 2.25% but it would have been in some percentage that would have gotten them to that earlier."

**Commissioner Schroeder** said, "That's why I would have thought they would have given us a number."

**Commissioner Miller** said, "I just need to do a quick follow-up with you Commissioner Schroeder and that is if I'm correct, the committee had a formal recommendation also. I would they would have a formal opinion or comment as to the consultant's report or recommendation that occurred. To me, that would formalize their whole process, their task. There wasn't anything to that nature? I'm just thinking along the same lines as you Commissioner Schroeder."

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**Commissioner Schroeder** said, "Maybe I shouldn't even pursue it, if they didn't give a definitive answer."

**Commissioner Hancock** said, "They're 3.25%."

**Commissioner Schroeder** said, "They're 3.25%? Okay. That's what I was after. So they recommend 3.25%, okay. COLAs, we've traditionally done a one percent COLA, the City of Wichita, can you tell me what they've done over the last few years? Hasn't it been 3 to 4%?"

**Mr. Buchanan** said, "Yes sir."

**Commissioner Schroeder** said, "What do you see happening with COLAs if we go to a different plan?"

**Mr. Buchanan** said, "One of the issues about by stretching the plan out and by doing it the way we have recommended, it will give you more flexibility to deal with COLAs than you have in the past. When 97% of the employees are getting a 5.5% wage increases, 4.5% automatically because of the system, it did not give you much flexibility. So this pay plan would certainly allow for that."

**Commissioner Schroeder** said, "We might see some increases in COLAs then."

**Mr. Buchanan** said, "That will be determined by you."

**Commissioner Schroeder** said, "Okay. I'm not sure and obviously anybody would say this is fair to the taxpayers, I mean if that's simple, that's easy, but I would certainly like us to find other places to try to cut our budget other than here, which I know we will do, but I want us to be awful careful about how we treat our employees because I think morale is so important, productivity is so important, Boeing is hiring, Boeing does pay awfully well in a lot of positions and I hate to lose good people to the local industry. I mean that's great that they're doing well, but I would hate to start over in a lot of different areas because we've gone too far with the plan."

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"I guess all I can say today is that I'll support the Motion that we look at this for two weeks, but I would like us to reconsider the 2.25% and possibly look at something higher than that, or do a phase in, or both, in order to give the employee a little bit of relief somewhere along the way. I'm sure if we brought in another consultant, like I said earlier, he might tell us or she might tell us something different, but I think we just need to be very careful before we jump into it, but when it comes to the pay for performance, I'm not sure where I am at on that. I can see, for instance, in our front office how that could cause problems. We need to look at it. When you have two people that work side by side, eight hours a day, and obviously they will not both perform the same way. I don't think anybody in this organization performs equally or in the same way, but let's make sure we do that right also if we approach that, but I sure would like to spend some more time with you and Jerry and whoever else we need to talk to and make sure we hit the right numbers on this. I want to do the right thing, but if I don't feel comfortable with it obviously I can't support it. Thank you Mr. Chairman."

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

**Commissioner Gwin** said, "Thank you Mr. Chairman. I seconded Commissioner Hancock's Motion for discussion. As I've said before, I could support the plan as it is written. I will say, however, that I appreciate some of the suggestions or proposed amendments that my fellow Commissioners have talked about. I have no problem stopping for a while and kind of looking at those again. If the employees committee could look at it, if the consultant could look at it, we certainly ought to give ourselves the time and the opportunity to look at it and see what some of these proposed amendments or alterations may mean. I think that is worthwhile and I'll support the Motion for that purpose. Also, not to belabor an issue, but to get back to the pay for performance and again I appreciate the Manager's concern because it is a little difficult to do this, but my picture of pay for performance is not based upon some subjective source or subjective opinion. I would think if that kind of program is going to be implemented that it has to be based on established criteria or guidelines. Just because I have people who report to me or do my day to day work, typing, whatever, does not mean that that's going to be my basis on whether or not they give supplemental compensation. Supplemental compensation has to do with guidelines that the five of us would establish, whether they are educational courses, those kinds of things, not just that they're here and they're doing their job, but other things that would lead to them being better employees and that would be for us to establish criteria and or guidelines, not just well I like that one better than the other."

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“That certainly isn't what I want to get into and I don't think anybody does, but I will certainly support the deferral for two weeks. Some of the suggestions here are very positive and I think can help us accomplish what we all want to do, so I am speaking in support of the Motion and will be glad to work on it for the next two weeks.”

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

**Commissioner Hancock** said, "Thank you. I think we ought to, on this pay for performance business, and merit increases, I think we ought to back off on that for right now. None of us have a plan exactly in place and I think the decision we have before us is how fast are we going to get to the market with our pay and how long are we going to extend it out until we reach the maximum out in our pay range. I don't want to cloud this issue. I think that's something we need to think about in the future. The only thing I could say in regard to that is that one, I don't have a clue how that would work exactly, I know it is done but I don't know how it is done in government and two, the only thing we have to consider when making any adjustments to what the recommendation is by the consultant is this, if we think that we may include a pay for performance or some kind of merit system, where individuals with same job descriptions and the same number of years have a differential in pay, then we need to make sure that we provide room for that in our pay plan."

**Commissioner Miller** said, "Exactly."

**Commissioner Hancock** said, "Now the consultant's plan does provide room in that and I have suggested maybe a compromise. My ideas along those lines wouldn't provide the room for that, if we're going to max out our employees faster based on merit. If we're willing to go above the max to pay merit then that's something we have to say yes to or no to up front. So those are the decisions we have to make. Not how we're going to implement our pay plan or even if we for sure are, but if we think we are, then we've got to consider it. If we think we are and then we don't, then maybe in a year or two we have to come back and say let's change our rate of increase and our pay. Folks, it's very complicated and to the employees out there, I want to tell you it is very complex. It is not just how much you are going to get paid today for what you do today, it involves many years of looking ahead and how we do this is very complex. One other thing I can say as far as government is concerned, and I said this a while ago, that merit increases have a problem when people work side by side because of public information. One other thing is this too, governments have a tendency to institute pay plans and keep them in place no matter what the economy is.

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“Private businesses don't do that folks. If the economy goes south on them, they quit giving raises and that is something that we may want to consider with a future pay plan. If the economy goes south here, things look bad. Quite frankly, things aren't bad in Sedgwick County and the region around it and we are doing pretty well so, okay, we can stand to share some of the wealth and the competition for employees is pretty keen. But the competition becomes open season on any talented individual. Things change quickly and we are not so market driven as the private side. So when folks out there are working for us, look at that and say, well, you know, we're not giving a very good deal here with our pay, always remember that if Boeing quits tomorrow, chances are you'll still have a job. I know that is an exaggeration but economy fluctuates and business fluctuates to accommodate that economy we generally don't. So it is just another aspect, another complication, to throw into this when we try to decide this thing. Now that I've really made it almost impossible to make the decision.”

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

**Commissioner Schroeder** said, "On pay for performance, there are a lot of things that concern me about that, I don't know quite how to put this, maybe I'll just wait."

**Commissioner Gwin** said, "Commissioner Schroeder, may I just jump in here and say I think Commissioner Hancock is right. The first thing we have to deal with are how long we think it takes before this organization gets an employee to market, how many years until they max out. Those are very important issues and I am willing to put the pay for performance on the back burner, if you will, and not even talk about it. Those two things are the things we need to decide as soon as possible so we can make budgetary, or department heads and elected officials can make budgetary decision. I am ready to put the other one on hold for a while so we can get to what is of utmost importance."

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

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**Commissioner Miller** said, "I am afraid though, that if you put it on hold for a while for a moment that we won't get back to it. I happen to believe, and I said this, and I'll continue to say this, that I know Sedgwick County is a progressive County and in revamping or redoing our compensation plan, I think this is one factor and I believe each of us agree that it has somewhat of merit and it has some importance and so pay for performance, it would inevitably impact the amount of savings it is that we're saying that we could possibly save our taxpayers if it is implemented. I think it needs to be dealt with at the same time we deal with the other key issues and recommendations that are made here and that is progression to market pay and pay above market.

"I think we need to come to the decision and this is something we can do within the two weeks that we've set aside to defer. Come to the decision, first of all, if it's something we're interested in as a Commission. Do we want to do pay for performance? If so then, it would have been helpful if there were prototypes or particular models that would have been included within the recommendation that our consultants gave us for us to really be able to talk about this with some confidence. We're not able to do that because we don't have the comparatives right now, we don't know, it is kind of a blind spot but it certainly is intriguing and it certainly seems as though it could have some potential for us. I believe that it is something we need to deal with. First of all we need to agree on whether or not we want to do it at all, then we need to find out what is out there, what's working, and then figure out if it could possibly be implemented here at Sedgwick County. I do support the deferment for the two weeks."

**Chairman Winters** said, "Okay, thank you. Well I am also going to support this deferment. I'm not sure that I heard a strong cry for a pay for performance plan be presented to us in two weeks, so I wouldn't think that's going to be there."

**Commissioner Miller** said, "I'm not asking for a plan, I'm asking for first of all, we need to find out if we even want to deal with it."

**Chairman Winters** said, "Okay, I kind of heard you or thought I heard you say that you wanted to see something, you wanted the staff to have something, you wanted it here, and I wouldn't expect it to show up in two weeks either."

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**Commissioner Miller** said, "This is what I said, it would have been nice if we had those prototypes to work with but we don't. Then I said that first we need to figure out if indeed we even want to do that. Then, I said, if it is, then that is when we go out and capture the information in order for us to make an intelligent decision."

**Chairman Winters** said, "Okay, I understand what you're saying now. Commissioner Schroeder."

**Commissioner Schroeder** said, "Well, there are a couple of things just before we close on this. When we talk about pay for performance and people taking classes and this and that, there are two things that strike me right at first. One, if you happen to work for the Bureau of Public Services, there may be no way that you can improve or get pay for performance because your job won't allow it. How do we take care of those people. Two is, I could rack up a dozen classes a year, but would I use it, would it make me better? I don't think so. There are a lot of people that may not see it that way. I say I don't think so, maybe not, I'm sorry, maybe not. I could take a dozen classes every year and never really implement the knowledge that I gained, if I gained any, sitting in that class and do I pay for those classes, the taxpayer pays for those classes, does the employee pay for those classes, are we hitting ourselves twice, is that included in the pay for performance as a cost of doing pay for performance? How does that eat away at those \$2,000,000 cost savings?"

"I think we need to look at this a lot further than we are as Commissioner Hancock said, this is very complicated and complex and we need to make sure we are doing the right thing. I don't want to see us trap ourselves on this \$2,000,000 for savings, because we've said it, it's been said here today. Taxpayers are going to be looking for a decrease in their taxes. I don't want us to put that forward in that fashion. I think we need to say, we want to do what is prudent, but I don't think we can go right out and say we're going to save \$2,000,000 because it may get eaten up somewhere else in the budget process. I just want us to, if we're going to look at pay for performance, let's look at it in a serious form and that is make sure we take it from A to Z. That we don't leave something undone or something that we didn't look at, wasn't calculated into the end product, but I am willing to look at all those ideas. I just want us to be very careful about it. Thank you Mr. Chairman."

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**Chairman Winters** said, "Thank you. One last comment from my side. I guess the last thought I would have is that I'm not looking at this as to generate a specific tax savings to balance or make a budget look better. I am looking at this to make a pay plan that I think is equitable and correct and works well. So I am not shooting for any kind of specific savings."

**Commissioner Schroeder** said, "Okay, because I heard earlier, two or three people say we're going to save \$2,000,000 and that seemed to be the emphasis and I don't want us to trap ourselves."

**Commissioner Gwin** said, "I asked for how much less, I asked for it to vote and to calculate..."

**Chairman Winters** said, "That is certainly my intent, not to select a figure and drive toward that figure. My intent is to work on a good plan."

**Commissioner Schroeder** said, "Because I really don't want the media to come up and ask me are we going to save \$2,000,000 or how are we going to see that? I don't want to get into that trap."

**Commissioner Hancock** said, "A bi-product of a competitive compensation plan may be we save some money. That is not the point of the plan."

**Chairman Winters** said, "That's exactly right."

**Commissioner Gwin** said, "And we certainly have other financial challenges too."

**Chairman Winters** said, "Absolutely. I want to commend the staff. You've given us lots of information. Commissioners, I think we've had an excellent discussion this morning. We've all seen the reports, read the reports, but this is the first time that as Commissioners, we've had an opportunity to hear what it is that each other has to say and think and so I think that this has been a good discussion and I'm sure we will probably discuss it again in detail in two weeks but I think it has been a valuable process."

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**Commissioner Schroeder** said, "Just a note and I've been watching the media back there. Well, it is kind of interesting because when we start talking about doing it and the vote looks like it's going that way, they all stand up. When we start hesitating, they all sit down. It's been really interesting to watch these guys because I know what's going to be on the tube tonight when I watch, it is going to be aimed that obviously we are going to go ahead and do this because when I started to talk and I don't know whether it had anything to do with me or not, they sat down. I mean you guys, you've got poker faces, but anyway, it's kind of interesting. I just wanted to make that point."

**Commissioner Schroeder** said, "Thank you very much. We have a Motion to defer this item for two weeks. Is there any further discussion? Seeing none, 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 very much."

**Mr. Buchanan** said, "Thank you Commissioners."

**Chairman Winters** said, "Instead of taking a break, we've don't have a lot more to do, let's just proceed on with the minute. Call the next item please."

### **I. CHANGE ORDER NUMBER TWO WITH SPEARS CONSTRUCTION COMPANY FOR THE JUVENILE DETENTION FACILITY CLASSROOM ADDITIONS, PROJECT PB-287.**

**Mr. Kenneth Arnold**, Capital Projects Director, greeted the Commissioners and said, "This modification in the contract with Spears Construction is in the amount of \$6,693.75. It implements several different security improvements in the design requested by the department. It will bring the total contract amount to \$195,404.90. I would be happy to answer any questions you might have."

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**Chairman Winters** said, "Are we still under our projected budget on this project?"

**Mr. Arnold** said, "We are transferring the amount of \$4,265 from the CIP contingency fund to finalize this project."

**Chairman Winters** said, "Okay."

**Commissioner Schroeder** said, "Does that mean no?"

**Chairman Winters** said, "That means no. Alright, Commissioners, you've heard the request, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to approve the Change Order and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

**Mr. Arnold** said, "Thank you Commissioners."

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

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### J. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

**Dr. Larry Jecha**, Director/Health Officer, greeted the Commissioners and said, "Before you is our monthly report for March. A few of the items I'll go over quickly. Personal Health Services, our staff provided Fresh Start Stop Smoking facilitator training. We find that if we can train facilitators, our talents go out throughout the whole community. This is given at the American Cancer Society and different organizations were represented, so we can get facilitators in other organizations, Hunter Health, Veterans Administration, local HMO and some rehab people were all in attendance at this meeting and this is one way we can use our talents more effectively.

"March was a big month for Sedgwick County Immunize and a lot of our efforts were going into that area in March. A site visit by a pharmacist consultant revealed that we're in compliance with a few major changes and we changed policies according to their direction. We've got a new nurse in our Prevention Prematurity Program. This is a very important program in keeping our infants out of the neo-natal intensive care. This is very expensive care and this has been a very effective program that we've had over the years and it is nice to have another full time nurse on board for that one. The state staff from the migrant clinic, the evaluators visited and gave us some more insight into the migrant health program in the month of March.

"Our Community Health Nursing staff have continued to make a lot of home visits and there are some examples, I won't go into them, in your report of how they serve.

"The National Academy of Environmental Engineers has awarded the Gilbert and Mosley project an excellence in engineering award as the most outstanding environmental engineering project in the United States in 1995 in the Planning Category. Jack Brown was able to get this award in Washington state, he represented the City and County for that award and was able to give it to the City Council yesterday. We're really kind of proud of that award too.

"Rabies was detected in a domestic cat in March and it had bit its owner. It just points out the real need for rabies control in our community. The person that was bit did get post exposure rabies prophylaxis treatment. So far, so good, but this points out that we do have rabies out there and that it is important to keep all their animals up to date on the rabies vaccinations because your pets can get this. This is a good example of what happens.

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"The air pollution standard is still in the good category for March, but as you know, and no big surprise, the particulate matter was up a little, due to the high winds and dust, that's not surprising. Wouldn't take a rocket scientist to figure that one out."

**Commissioner Schroeder** said, "Does that cause us any problems?"

**Dr. Jecha** said, "It can."

**Commissioner Schroeder** said, "With the EPA, et cetera?"

**Dr. Jecha** said, "This was overall under, but yes, it could, this is mother nature's pollution and that does happen some time."

**Commissioner Schroeder** said, "But it doesn't effect us from an EPA standing."

**Dr. Jecha** said, "It is part of it but we were still within the standards for the month. The winds help us in that way. The update on the north industrial corridor. We continue to work with the responsible parties and coming up with responsibility for that and the Environmental Health people are working on that.

"Administrative Services, just might mention that there was a tobacco bill to keep minors from buying tobacco products and it was successful so the County will have an ordinance, it will be run more by the State level very similar to what the City has in tobacco vending machines and everything. In fact, the State ordinance was drafted after the Wichita ordinance, so that will be coming on line for the County folks as well. I want to mention that. Computer update, we are getting better every day with our new computer change over, hopefully within the next month or so we'll be full status and be able to get the reports we need out of this computer system.

"Disease of the month, strep throat. That seems to be hitting everyone right now in the last few weeks. Just might mention that. There are a lot of people with strep so people with high fever and sore throats, should get those throat cultures done.

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"During the month of March, Debbie Donaldson and I got together and we had an orientation and briefing for each other and our departments and I think it was well worth while. It is nice to find out more about some of the County's Departments as well and I think visa versa, it was well worth it.

"During the month of March also, ventless heaters problem was referred to the Board of Health for their recommendations to the City Council. Some people that there may be a problem with that and we're working with the Board of Health right now. With that I will stop and entertain any questions."

**Chairman Winters** said, "Commissioner Schroeder."

**Commissioner Schroeder** said, "Mr. Chairman, if you please. You said something about the tobacco legislation, that it is going to be coming on line in the County, what does that mean?"

**Dr. Jecha** said, "Well it is a State regulation, the sale of tobacco product to minors."

**Commissioner Schroeder** said, "Okay, and it obviously will effect us."

**Dr. Jecha** said, "It will effect all the County. Right now we have tight laws in the City but not in the County."

**Commissioner Schroeder** said, "Okay."

**Dr. Jecha** said, "As far as vending machine placement and those sorts of things."

**Commissioner Schroeder** said, "And what does that new State law do with vending machines, et cetera?"

**Dr. Jecha** said, "Actually it outlaws them or makes them, it can't be accessible to minors."

**Commissioner Schroeder** said, "What does that mean, like in a restaurant setting you wouldn't find one of those at the door any longer?"

**Dr. Jecha** said, "No, if it is not attended, right."

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

**Chairman Winters** said, "Thank you. Any other questions? Seeing none, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to receive and file.

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 very much Doctor."

**Dr. Jecha** said, "Thank you."

**Chairman Winters** said, "Next item please."

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' APRIL 25, 1996  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have before you the minutes of the April 25 meeting of the Board of Bids and Contracts. There are four items for consideration this morning."

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**(1) BRIDGE IMPROVEMENTS - BUREAU OF PUBLIC SERVICES  
FUNDING: GENERAL OBLIGATION BONDS**

"Item one, bridge improvements, various projects for the Bureau of Public Services. It is recommended to accept the low bid of Utility Contractors for \$771,413.50.

**(2) PERSONAL COMPUTERS - APPRAISER  
FUNDING: APPRAISER**

"Item two, personal computers for the Appraiser. It is recommended to accept the only bid received from Gateway 2000 in the amount of \$13,770 to match existing equipment and ensure compatibility.

**(3) CHAINLINK FENCE - LAKE AFTON PARK  
FUNDING: 1996 CAPITAL PROJECT**

"Item three, chainlink fence for the Lake Afton Park. It is recommended to accept the low bid of Wichita Fence for \$7,983.

**(4) TRACTOR WITH LOADER  
FUNDING: MOTOR POOL**

"Item four, tractor with loader for the Central Motor Pool. It is recommended to accept the low proposal of Western Implement with trade-in for \$26,547.28.

**ITEMS NOT REQUIRING BOCC ACTION**

**(5) GENERAL CONSTRUCTION - EXPLORATION PLACE  
FUNDING: SCIENCE CENTER, INC./PUBLIC BUILDING COMMISSION**

"There is one item that does not require action at this time. Those were proposal for construction of the Exploration Place, the Science Center. Those proposals have been remanded to a selection committee chaired by The Science Center, Incorporated. I would recommend you approve the presentations as presented by the Board of Bids and Contracts."

**Chairman Winters** said, "Thank you very much Darren."

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**MOTION**

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

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 very much. Next item."

**CONSENT AGENDA**

**L. CONSENT AGENDA**

**1. Utility & Highway Permit Agreements.**

- a. The Edge is submitting this application requesting permission to make an entrance onto Tyler Road south of K-96 Highway. Park Township. Highway Permit No. 009-96. Road No. 809-K. District #4.
- b. Southern Kansas Telephone Co. is submitting this application requesting permission to bury 200 feet of cable on the south side of 71st Street South from the east to west side of 215th Street West. Ninnescah and Viola Townships. Utility Permit No. 038-96. Road No. 636-12 and 13. District #3.

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- c. Southwestern Bell Telephone Co. is submitting this application requesting permission to install buried cable in Chateau Estates East Addition. Gypsum Township. Utility Permit No. 039-96. Road No. 835-T. District #5.
  
- d. KG&E, A Western Resources Co. is submitting this application requesting permission to install one pole and overhead primary on the east side of 263rd Street West between U.S. 54 and Maple. Garden Plain Township. Utility Permit No. 040-96. Road No. 787-Q. District #3.
  
- e. Southwestern Bell Telephone Co. is submitting this application requesting permission to bore Central west of Lancaster Street and bury cable on the north side of Central for approximately 75 feet. Minneha Township. Utility Permit No. 041-96. Road No. 618-36. District #1.

## **2. Right-of-Way Easements.**

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

- a. Road Number 825-F, Owners: Jeffery R. Norris and Michelle A. Norris, located in the Southwest Quarter of Section 35, Township 25 South, Range 1 East, more specifically located on the east side of 31st Street East (Hillside) and north of 77th Street North. Grant Township. District #4.
  
- b. Road Number 805-C, Owners: Neil Polley and Lisa Polley, located in the Northeast Quarter of Section 13, Township 25 South, Range 2 West, more specifically located on the west side of 119th Street West and south of 109th Street North. Eagle Township. Dist. #3.

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- c. Road Number 600-23, Owners: Greg McGhay, Susan McGhay and R.A. DeVore, President, Valley Farms, Inc., located in the Southwest Quarter of Section 35, Township 25 South, Range 1 West, more specifically located on the north side of 77th Street North and east of 55th Street West (Hoover). Valley Center Township. District #4.
- d. Road Number 600-23, Owners: James Kraus and Teresa Kraus, located in the Southwest Quarter of Section 35, Township 25 South, Range 1 West, more specifically located on the north side of 77th Street North and east of 55th Street West (Hoover). Valley Center Township. District #4.
- e. Road Number 807-X, Owners: Lee J. Dejmal and Vikki L. Dejmal, located in the Southeast Quarter of Section 31, Township 28 South, Range 1 West, more specifically located on the west side of 103rd Street West (Maize Road) and north of 71st Street South. Waco Township. District #2.
- f. Road Number 807-X, Owner: Cindy M. Thompson, located in the Southeast Quarter of Section 31, Township 28 South, Range 1 West, more specifically located on the west side of 103rd Street West (Maize Road) and north of 71st Street South. Waco Township. District #2.
- g. Road Number 839-J, Owners: Dan M. Hill and Lori D. Hill, located in the Southwest Quarter of Section 24, Township 26 South, Range 2 East, more specifically located on the east side of 143rd Street East and north of 45th Street North. Payne Township. District #1.

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#### **3. Floodway Reserve Easement.**

The following tract of land was granted by Floodway Reserve Easement at no cost to the County. This Easement was requested by the Director of Public Services, prior to the approval of Platting Exemptions.

Owners: Lee J. Dejmal and Vikki L. Dejmal, located in the Southeast Quarter of Section 31, Township 28 South, Range 1 West, more specifically located west of 103rd Street West (Maize Road) and north of 71st Street South. Waco Township. District #2.

#### **4. Right-of-Way Instruments.**

- a. Two Easements for Right-of-Way and two Temporary Construction Easements for Sedgwick County Project No. 632-7- 789; Bridge on 55th Street South between 295th & 311th Streets West. CIP #B-252. District #3.
- b. Two Easements for Right-of-Way and four Temporary Construction Easements for Sedgwick County Project No. 817-G through N½ J; Meridian from the north city limits of Wichita to the south city limits of Valley Center. CIP #R-169. District #4.
- c. One Easement for Public Utilities for Fairway Meadows Addition. District #5.
- d. One Temporary Street and Drainage Easement for Balthrop Addition. District #1
- e. One Easement for Utilities and one Dedication Deed for White Tail Addition. District #1.

**Regular Meeting, May 1, 1996**

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V93053	\$460.00	\$473.00
V95094	\$231.00	\$335.00
C93066	\$188.00	\$179.00
V96001	\$212.00	\$275.00

6. **Application for License to Retail Cereal Malt Beverages.**

<u>Applicant Name</u>	<u>d/b/a</u>
Sharon F. Anderson	Bud's Bait & Burgers

7. **Order date April 24, 1996 to correct tax roll for change of assessment.**

8. **Consideration of the Check Register of April 26, 1996.**

9. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960243	Treasurer	Transfer
960244	District Attorney Prosecutor's Special Trust Fund	Supplemental Appropriation
960245	Finance General/ Juvenile Detention Facility	Transfer
960246	Finance General/ Code Enforcement	Transfer

**Regular Meeting, May 1, 1996**

**9. Budget Adjustment Requests (cont.)**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960247	Finance General/ Register of Deeds	Transfer
960248	Department of Corrections	Transfer
960249	Department of Corrections	Transfer
960250	COMCARE - Hunter Health Clinic	Transfer
960251	Housing & Economic Development	Transfer
960252	1996 Bridge Projects	Supplemental Appropriation
960253	1996 Bridge Projects	Supplemental Appropriation

**Mr. Buchanan** said, "Commissioners, you have the consent agenda before you and I would recommend you approve it."

**Chairman Winters** said, "Thank you."

**MOTION**

Commissioner Gwin moved to approve the consent agenda as presented.

Commissioner Hancock seconded the Motion.

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

**Commissioner Hancock** said, "Recently, I talked to the Appraiser's Office and I've talked to the Treasurer's Office and a couple of folks in the Legal Department about this. I looked for it this week and it is not on our consent agenda and I don't know what you call it, a release from taxes by a taxpayer and I looked for it specifically this week and I thought it was going to be on here, but this is a case where we have to approve it as Commissioners."

## **Regular Meeting, May 1, 1996**

“If someone said, I don't have an item or paid too much, we have to ultimately approve that on our Consent Agenda, a release from that liability to Sedgwick County for those taxes. We've got a process that is just really slow folks. Six, seven, eight weeks to get this done for a tax payer. The Appraiser is working on it diligently, and Legal is working on it diligently and so forth, but I just want to put everybody on notice and put citizens out there on notice that this is a situation we hope we can fix, but we are stuck with some State statutes, required to go through a whole bunch of processes to do this. So, I actually have the lady's name in front of me, I don't wish to use it, but this is a case of a situation that is over \$6.50 in taxes due to Sedgwick County and we had to go through so many hoops it is incredible. I thought this was going to be on here today and I was prepared to say something. Now I'm saying something because it is not on here. Surely next week.”

**Chairman Winters** said, "Okay, thank you. Any other discussion about the Consent Agenda? Seeing none, 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. Is there any other business to come before this meeting? I will recess the regular meeting.

**The Board of Sedgwick County Commissioners recessed into the Sewer District Agenda at 11:25 a.m. and returned at 11:34 a.m.**

**Regular Meeting, May 1, 1996**

**M. OTHER**

**EXECUTIVE SESSION**

**MOTION**

Commissioner Miller moved that the Board of County Commissioners recess into executive session for thirty minutes to consider consultation with legal counsel on matters privileged to attorney client relationship, to pending claims and litigation and personnel matters of non-elected personnel and we'll be back in session no sooner than 12:00 noon.

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

**The Board of Sedgwick County Commissioners recessed into Executive Session at 11:35 a.m. and returned at 12:00 p.m.**

"We're back in order. Let the record show that there was no binding action taken in executive session.

**Regular Meeting, May 1, 1996**

There being no other business to come before the Board, the Meeting was adjourned at 12:00 p.m.

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

\_\_\_\_\_  
**THOMAS G. WINTERS**, Chairman  
Third District

\_\_\_\_\_  
**MELODY C. MILLER**, Chair 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