

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

October 1, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, October 1, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Pro Tem Paul W. Hancock; with the following present: Commissioner Betsy Gwin; Commissioner Melody C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Daryl Gardner, County Controller; Ms. Lucretia Taylor, Director, Diversity and Employee Relations; Mr. Mark Masterson, Interim Director, Department of Corrections; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

GUESTS

Ms. Roberta Schmidt, Proclamation for Mental Illness Awareness Week

Mr. Ken Cox, Fire Department

Mr. & Mrs. Jodi Pennington, 106 Franklin, Sedgwick, Kansas

INVOCATION

The Invocation was given by Mr. Chuck McCoy of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

The Clerk reported, after calling roll, that Chairman Winters was absent.

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

Mr. Daryl Gardner, County Controller, greeted the Commissioners and said, "I certify that there are funds available for those items that we have identified on today's Agenda, requiring expenditure funds. A listing of those items have been provided to you previously. If there are any questions, I'll be happy to answer them."

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Commission Hancock said, "I don't see any questions, Daryl. Thank you. I would like to make note that Chairman Winters will be along later. He had an appointment this morning and I'm just filling in temporarily for those in the audience. Thank you. Next item.

PROCLAMATIONS

A. PROCLAMATIONS.

1. PROCLAMATION DECLARING OCTOBER, 1997 AS "FAMILY SEXUALITY EDUCATION MONTH."

Mr. Fred Ervin, Director, Public Services, greeted the Commissioners and said, "We have three Proclamations and I will read the first into the record.

PROCLAMATION

WHEREAS, much of the fundamental education of the child occurs within the family, and parents should be the primary sexuality educators of their children; and

WHEREAS, the family should be given community support in this vital responsibility of parenting to improve the quality of family and personal life; and

WHEREAS, parents and potential parents need to be aware of resources which provide needed information to assist them in the sexuality education of their children; and

WHEREAS, the purpose and commitment to strengthen the family are reflected in National Family Sexuality Education Month;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 1997, as

"FAMILY SEXUALITY EDUCATION MONTH"

and strongly encourage all citizens and civic, health, religious, and family organizations to commemorate this month and the years to come by supporting family sexuality education.

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Mr. Ervin said, "I recommend you adopt this Proclamation and authorize the Chairman to sign."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Commissioner Hancock said, "Next item, please."

2. PROCLAMATION DECLARING OCTOBER 5 - 11, 1997 AS "MENTAL ILLNESS AWARENESS WEEK."

Mr. Ervin said, "Commissioners, I will read this Proclamation into the record."

PROCLAMATION

WHEREAS, mental illness interferes with the vital development and maturation of our county's most important resource, its people; and

WHEREAS, advances in scientific knowledge have made it possible to effectively treat even the most incapacitating mental illnesses; and

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WHEREAS, proper diagnosis of mental illness with appropriate treatment is humane because of alleviated suffering and also cost-effective because of reduced social dependence; and

WHEREAS, early intervention offers the most opportunity for successful treatment of mental illness; and

WHEREAS, improved knowledge about mental illness benefits society in general as well as the victims of mental illness;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 5 - 11, 1997 as

“MENTAL ILLNESS AWARENESS WEEK”

in Sedgwick County to enhance public awareness and to promote greater understanding for those who live with mental illness each day.

Mr. Ervin said, “Again, I would ask you adopt this Proclamation and authorize the Chairman to sign.”

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.

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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	Absent

Mr. Ervin said, "With us this morning is Roberta Schmidt to accept the Proclamation."

Ms. Roberta Schmidt said, "Thank you very much. We appreciate your acknowledgment of mental illness and for the consumers and for their families, we thank you very much."

Commissioner Hancock said, "Thank you. You might make a note, last week I spent time in Overland Park with about 400 mental health professionals at their annual convention. I do say, they work very hard. Those three days of meetings, I just couldn't make it the 3rd day, it was too much for me. They do work very hard. Thank you for being here today. Next item, please"

3. PROCLAMATION DECLARING OCTOBER 5 - 11, 1997 AS "FIRE PREVENTION WEEK."

Mr. Ervin said, "This is our third and final Proclamation. I will read it into the record."

PROCLAMATION

WHEREAS, smoke and poisonous gases are the leading causes of death in fires, and can kill us long before the flames reach us; and

WHEREAS, advance escape planning in all occupancies is essential to escaping a fire safely; and

WHEREAS, an adequate escape plan includes knowing two ways out of every room, and an outdoor location where everyone will meet upon exiting; and

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WHEREAS, fire drills should be practiced regularly, at least twice a year; and

WHEREAS, early warning signs of fire must be taken seriously. A quick decisive response is often what makes the difference between life and death in a fire; and

WHEREAS, this year's Fire Prevention Week theme, "Know When To Go: React Fast To Fire!" emphasizes the importance of escape planning at home and in public settings; and

WHEREAS, President Bill Clinton has proclaimed October 5 - 11, 1997 as Fire Prevention Week;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim October 5 - 11, 1997 as

"FIRE PREVENTION WEEK"

in Sedgwick County and encourage every resident in this community to participate in fire prevention activities at home, work and school.

Mr. Ervin said, "Again, I would ask that you adopt this Proclamation and authorize the Chairman to sign."

MOTION

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

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	Absent

Mr. Ervin said, "Commissioners, Division Chief, Ken Cox is here to accept the Proclamation."

Mr. Ken Cox, Division Chief, greeted the Commissioners and said, "On behalf of the employees of Sedgwick County Fire District #1, as well as the fire service in general, I would like to thank you for recognizing the week of October 5 - 11, 1997, as 'Fire Prevention Week' in Sedgwick County by way of this Proclamation. During this week, it is our goal to increase the public awareness of the dangers of fire and its threat to each and everyone of us. This years theme is 'Know When To Go: React Fast To Fire.' The Sedgwick County Fire District #1 strongly supports efforts to improve public responsiveness and stresses the importance of escape planning in any location, no matter where you are or what type of building your in, if a fire breaks out, it is too late to start developing a plan. You've got to know how to respond immediately in a variety of situations and take early warning signs of fire seriously. An important component of this years Fire Prevention Week campaign, October 5th through the 11th, will focus on home escape. Since the NFPA estimates that approximately 80% of all U.S. fire deaths occur in the home. In addition, this years theme will address instances where it may be safer to stay where you are if a fire occurs, such as in some high rise buildings. Sedgwick County Fire District #1 urges everyone to develop home escape plans with all members of the household, and to practice fire drills regularly. An adequate escape plan for one of two family dwellings, includes everyone in the household knowing two ways out of every room. Establishing an outdoor location, in front of their home where everyone will meet upon exiting, and knowing the emergency number of the Fire District #1, 911, which should be contacted immediately from a nearby phone, and not from a phone in the home. Again, thank you for allowing us the opportunity to address the Board. Thank you."

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Commissioner Hancock said, "Thank you, Ken. We appreciate what you do out there and let us know if we can give further assistance. It is very important. In my experience in life, I have a great deal of respect for what you do and the danger that is involved with fires. Appreciate it. Thank you. Next item."

ADOPT A HIGHWAY

B. APPLICATION BY VALLEY CENTER LIONS CLUB FOR THE SEDGWICK COUNTY ADOPT A HIGHWAY PROGRAM ON MERIDIAN FROM 61ST TO 77TH STREETS NORTH. DISTRICT #4.

Mr. David Spears, Director, Bureau of Public Services, greeted the Commissioners and said, "Item B is a renewal Agreement with the Valley Center Lions Club regarding our adopt a highway liter pick-up program. They will be responsible for Meridian, from 61st North to 77th Street North. I recommend that you approve the Agreement and authorize the Chairman to sign.

MOTION

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

Commissioner Schroeder seconded the Motion.

There was no further discussion, 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	Absent

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CITIZEN INQUIRY

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING ZONING.

Mr. Eddie Pennington, 106 Franklin, Sedgwick, Kansas, greeted the Commissioners and said, "Thank you for the opportunity to address the Commission. I also want to thank family and friends and the public, the media for their support and telephone calls the last few days. They have been a source of inspiration and encouragement.

"I am sure, you like ourselves, have heard from many sources comments regarding our situation. Our situation seems to have generated an overwhelming response from the public and the media. We sincerely apologize for any inconvenience that may have caused you.

"January, 1997, started an adventure of a lifetime for my wife and I. We had purposely planned our lives in a manner to allow ample resources to start our own business. We knew exactly what we wanted to do and where we wanted to do it. Through a series of numerous phone calls to Sedgwick County and the State of Kansas, we were able to acquire all the necessary forms and procedures that were required. We personally visited each required office to complete and present the necessary information and forms. We were completely dependent on the design of the governmental systems to lead our process. After receiving the necessary licenses and permits, our business, Northern Nights opened March 1, 1997. Our business expanded rapidly and at the request of many patrons, family oriented functions were added. We, needless to say, were extremely pleased with our instant and unexpected success.

"I addressed this Commission on September 10th regarding a Conditional Use zoning for land located near Park City leased by our restaurant and club. Testimony given by the Sedgwick County staff at that September 10th meeting, clearly evidenced a serious error had occurred. An error so impacting that we closed the doors of our business forever. A letter dated May 19, 1997, from the Department of Code Enforcement would be the start of a short process which would be loaded with confusion and a lot of frustration. The letter had been issued in part, in response to a complaint filed by a neighbor adjacent to the east. As well as stated, a Kansas Department of Zoning Revenue certificate was issued on February 10, 1997, from the County Clerks office. It was issued in error under the Wichita/Sedgwick County Unified Zoning codes.

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“In addition, it went to state that the licensed was issued in error because part of the property is residential and the surrounding property is residential. The land owner applied on our behalf for Conditional Use zoning as instructed. The first of series of meetings was held July 17th To our surprise at this meeting, the action was tabled due to lack of legal counsel. On July 31, 1997, however, the Planning Commissioner voted to deny the request.

“How can a mistake with these magnitude and far reaching consequences have happened? Both the State of Kansas and Sedgwick County have adequate systems in place to prevent such an occurrence. However, the system has become repetitious and relaxed. As a young family starting a new business for the first time, we were completely dependent on this process and state, and county employees working with us. Sedgwick County personnel have accepted and publicly admitted to the error which was made on a zoning form. Admitting their mistake was an appropriate and a very relieving action. However, mistakes have consequences.

“Had our business been unsuccessful, it would of been our responsibility. However, this was not the case. As elected Commissioners to represent Sedgwick County, you have the authority to ensure this accountability. We are asking Sedgwick County to reimburse our investment and losses. At this time we are faced with personal financial devastation through an error that was made within the Sedgwick County structure. You have previously been submitted a request for approximately \$74,300. However, we have liquidated all business assets to pay some of these losses. In addition, you have requested receipts for additional justification to our claim. We provide you today with the revised accounting and losses and expenses remaining based on actual receipts, rather than the canceled checks and invoices. Using that approach, the revised request is for \$65,043.43. We are pleading to your ethical and moral judgement to use the authority given to you by the community to approve our request for reimbursement. As important links to these steps, steps need to be taken to ensure that no one else is personally affected by an error such as this.

“Therefore, please use the following suggestions: no employee should be authorized to sign even on behalf of another any unfamiliar document. The Department of Code Enforcement should personally inspect all buildings and land on zoning requests. When state issued documents are found to be inadequate for county requirements, please suggest revisions. If not revised, develop documents to be used within the county to fulfill the needs that you have.

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“Lastly, although legal counsel for the county has made it clear that it differs with our opinion, we still believe people should openly discuss concerns and willingly decide on remedies or corrective measures. Because we have a strong belief in the power of communication, the legal system would never be considered a means of first attempt. We have the opportunity to provide each other with a win win situation. Thank you for your time and consideration.”

Commissioner Hancock said, “Thank you Mr. Pennington. There are a few questions. Commissioner Miller.”

Commissioner Miller said, “Thank you, Chairman Pro Tem. Mr. & Mrs. Pennington, first of all, I need to say that I know that it takes strength and courage to publicly air financial problems. I know that you feel as though, those financial problems were brought on by some mistakes that were made within this county structure. I need to be able to ask one question that kind of cropped up in my mind as you were giving your presentation and it was that ‘had our business been unsuccessful, it would be our responsibility.’ Can you explain that to me?”

Mr. Pennington said, “What I meant by that, had our business not financially supported itself, or had we made an attempt to open it and not had adequate clientele, then it definitely would of been our responsibility and the failure would of been the direct result of what we had done or what we had chose to do. In this case, we did have a successful business. More successful then we even expected and then it was closed due to the zoning issue. Other than anything we had directly done ourselves.”

Commissioner Miller said, “Okay. Thank you. That was the very clarification that I needed. The only other statement I feel that I need to make at this point would be from a County perspective, and I’m not sure if our counsel, Mr. Euson, would be the one to answer this, but Rich I’m sure you’re listening in. We do have a Claims Department, or what would be the steps in terms of taking action for submitting a claim to the County for damages?”

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Normally, our office would receive claims of this kind. We will receive this and I do have a copy of Mr. Pennington’s submittal, and I will consider this as a claim received. We will analyze the information that is presented and make a recommendation to the Board of County Commissioners at the appropriate time and in the appropriate form. Whether that be in Executive Session or by way of memo.”

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Commissioner Miller said, "Thank you Rich. The other point that I would need to make would be from a county governmental and departmental perspective, and it probably would go to our Manager. Seeing Mr. Wiltse is not here in the room, how do we address the incompetent, or the obviously not useful form that is being rendered to the state for review?"

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "My understanding when this was discovered that employees of Sedgwick County along with some of the Code Enforcement office and others, along with the Clerk's office began to sat down and make sure that the process was examined and that the right questions were asked, that properties were clearly identified as which zone they were in, and in this case we think the zoning was clear. Whether additional questions needed to be asked or not is unclear. Obviously, the more information we gathered the better off we would be. I believe the system is in place now. We are continuing to examine that would prevent this sort of error from happening again."

Commissioner Miller asked, "Specifically, have we done anything. . ."

Mr. Buchanan said, "I can only speak for the actions, however, taken an the Code Enforcement office. I cannot speak for the Clerk's office."

Commissioner Miller said, "Oh certainly. I am not speaking to the Clerk's office at all, at this point. Simply just Code Enforcements perspective. So, you are saying that it would be the Clerk's office that would look at the form itself?"

Mr. Buchanan said, "We know that in other . . . my understanding is that is one of the functions of the Clerk's office. All that we can do is assure that the Clerk has all of the information they need to make a proper check mark."

Commissioner Miller said, "Okay. Thank you."

Commissioner Hancock said, "Thank you. Any other questions? I have some of my own. I have tried to follow this, and Mr. Pennington, at the time that you were here, a number of issues on our Agenda on that particular day that were pretty big. I want to ask a couple of questions, you began in 1997 with the restaurant, is that correct?"

Mr. Pennington said, "Yes. With a restaurant and club, on March 1st."

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Commissioner Hancock said, "Help me a little bit. What is it about the zoning, does it not allow a restaurant or club, or just not a restaurant or club that serves alcohol?"

Mr. Pennington said, "It doesn't allow a restaurant or club, is my understanding without a Conditional Use permit."

Mr. Hancock asked, "You opened on March 1st, is that right?"

Mr. Pennington said, "Yes."

Mr. Hancock asked, "Had you gone to Code Enforcement prior to March 1st and talked to them about the nature of the business, if the zoning was applicable?"

Mr. Pennington said, "We went to the County Clerk's office, and they in turn called the Code Enforcement office to get the zoning to be completed on the form."

Commissioner Hancock asked, "And that was in January?"

Mr. Pennington said, "That was on February 10, 1997."

Commissioner Hancock said, "Based upon that, in your mind made it clear that your zoning was appropriate?"

Mr. Pennington said, "Yes, it did in mine. Not being involved in similar issues in the past, and I just assumed that that gave us the go ahead on the zoning."

Commissioner Hancock said, "That was in February?"

Mr. Pennington said, "February 10, 1997."

Commissioner Hancock asked, "You made the application then, is that right, on February 10th?"

Mr. Pennington said, "Yes."

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Commissioner Hancock asked, "How long did it take the Department of Revenue to get with you that you had been approved?"

Mr. Pennington said, "About 15 minutes."

Commissioner Hancock said, "Fifteen minutes."

Mr. Pennington said, "Yes."

Commissioner Hancock asked, "Did they do it over the phone from in the Clerk's office?"

Mr. Pennington said, "Yes, they did. It took approximately 15 minutes to get the form completed and returned."

Commissioner Hancock said, "Okay, that's all I have."

Mr. Pennington said, "Thank you."

Commissioner Hancock said, "Commissioner Schroeder."

Commissioner Schroeder said, "I don't have a comment for the Pennington's, just for the record, that I stand behind the comments I made previously when we dealt with this issue in an earlier meeting."

Mr. Pennington said, "I appreciate that."

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

DEFERRED ITEMS

D. REVISION OF PERSONNEL POLICY 4.607 EXIT INTERVIEW.

Ms. Lucretia Taylor, Director, Diversity and Employee Relations, greeted the Commissioners and said, "This item has been deferred and is basically the revisions of the exit interview policy at the previous meeting."

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“We took out some language and now the policy basically, again is just encouraging employees to come into the Department of Diversity and Employee Relations for the exit interview. It is a management tool to make sure that we know the reasons that employees are leaving the county and we are just making sure that supervisors and department heads know that they need to encourage their employee’s to come into the office. I would take any questions if there are any.”

Commissioner Hancock said, “Commissioners, are there any questions of Lucretia?”

MOTION

Commissioner Gwin moved to approve the revised policy.

Commissioner Schroeder seconded the Motion.

There was no further discussion, 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	Absent

Commissioner Hancock said, “Thank you Lucretia. Next item please.”

E. SUBMISSION OF PHASE TWO REPORT TO KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE), AS REQUIRED BY THE ADMINISTRATIVE CONSENT AGREEMENT WITH KDHE.

Mr. Mark Masterson, Interim Director, Department of Corrections, greeted the Commissioners and said, “Here again this week to request approval to file the phase II report with KDHE (Kansas Department of Health and Environment).”

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“Last week you tabled the item and instructed that some stronger language be added regarding the state’s responsibility for part of the problem with juvenile detention crowding. The report has been modified with the addition of paragraph three on page six, which is before you. Also, the language has been included in a transmittal letter that will be forwarded to the State today which is the due date for the report. I’d ask that you approve filing the report.”

Commissioner Gwin said, “Mark, just for the public, since we have this in front of us, would you mind reading that paragraph three?”

Mr. Masterson said, “Surely.

The fact of the matter is the State of Kansas is not doing enough right now to create the necessary programs for juvenile offenders. Judges need a continuum of options to employ to hold juveniles accountable, teach them responsibility and protect the community. When a juvenile is ordered into State custody for out of home placement, it becomes a state duty to transfer them in timely fashion to an appropriate setting. If there is not enough programs, the State needs to take steps to create them. It is unfair for Sedgwick County taxpayers to be asked to foot the bill for a larger facility by one State agency, while another State agency is partially to blame for the problem.

Commissioner Gwin said, “Thank you.”

Commissioner Hancock said, “Very good. Thank you. Are there any other questions or comments?”

Commissioner Schroeder said, “Just a comment. I guess I came down a little hard a week or so ago, but Mark I appreciate you and Jerry sitting down and taking a look at this again and adding the new wordage. I really appreciate it. I think it’s going to make a difference to all of us here especially, and send a strong signal to the State. I appreciate your help.”

Mr. Masterson said, ”Thank you.”

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Commissioner Hancock said, “Mark, I just want to say, I feel very strongly that we in Sedgwick County have an obligation to care for and meet the needs of juvenile offenders and I want to reiterate our commitment, at least mine personally to you and the citizens of this County that we will do our part. We will do everything that we can. We only ask that the State take a look at what we do, and do their part also. To at least meet us half way. I think too long the State has ignored the juvenile offenders and they have taken an approach of, out of sight, out of mind, and I’m very happy to see them taking a look at the juvenile offenders in a new light. I hope we hang in there with them and work together as partners, but we do need to have them do their part also. I appreciate you writing these comments to them. Any other comment?”

MOTION

Commissioner Gwin moved to approve the submission of the report.

Commissioner Schroeder seconded the Motion.

There was no further discussion, 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	Absent

NEW BUSINESS

F. PRESENTATION OF PREVENTION FUND TASK FORCE GRANT AWARD PROCESS.

Mr. William Buchanan, County Manager, “Shelley Duncan is also here who is acting as the staff for this process. I thought it would be important for us to review and for you to receive and file this information as we progress and proceed toward the Prevention Fund Award process.

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“As you recall we have created a fund of \$1,000,000. for prevention purposes with the purpose of assisting us in preventing people from going to our Juvenile facilities or our Adult Detention facility. We have used and created a criteria that was developed by the Federal Government used for grant funded through the center of Mental Health Services and that’s the criteria by which we will use. Actual review will be done through two review committees, the first one is the Prevention Fund Task Force which has been seeded for sometime and has worked on these problems, and that’s been led through the efforts of Commissioner Miller.

“The other review committee would be an internal committee, comprised of Jerry Harrison and Debbie Donaldson, Doug Russell, Becky Bouska, Kathy Sexton, Darren Muci and again led by Shelley Duncan who will staff that committee. They would also review the process. These two pieces of recommendations will then come to you for your determination as to which organization should be funded and at what level. Both committees will use the same criteria and scoring process. You will have the opportunity to hear from two different groups who are obviously looking at things, perhaps from two different perspectives. You need also to know that part of this process we have submitted to you, the RFP’s (request per proposals), which are also being picked up as we speak, and we expect to be back to you within several weeks after the due date, October 27th. This is the date the organizations will submit their application for these funds and we would expect to be back to you with some recommendation and certainly within three weeks.”

Commissioner Hancock said, “Thank you. Any other comments?”

Commissioner Miller said, “Just a brief comment. Mr. Manager I just needed to be able to say that the idea of having the two review Boards is definitely a workable one. It does bring us two different perspectives, one from the community, as you well stated, and the other from an internal kind of a managerial perspective. I am eager for the process to move on its way and to see what the products that come our direction will be and of course the Board of County Commissioners will make that ultimate decision. I am looking forward to it. Thank you.”

Commissioner Hancock said, “Thank you Commissioner. Any other comments?”

Mr. Buchanan said, “The only other comment that I would have is if it goes extremely well it’s because of my leadership and if it’s bad, it’s Melodies leadership.”

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Commissioner Gwin said, "I kind of figured that."

Commissioner Schroeder said, "Well, what's new?"

Commissioner Hancock asked, "Any other discussion, if not's what's the will of the Board?"

MOTION

Commissioner Schroeder moved to adopt the recommended Grant Award process.

Commissioner Miller seconded the Motion.

There was no further discussion, 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	Absent

Commissioner Hancock said, "Next item please."

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G. AGREEMENTS (THREE) FOR JOINT FUNDING AND MANAGEMENT WITH THE CITY OF WICHITA FOR THE 1998 BUDGET YEAR.

- 1. WICHITA-SEDGWICK COUNTY FLOOD CONTROL WORKS; COUNTY'S CONTRIBUTION OF \$659,920 (CITY'S CONTRIBUTION IS \$659,930).**
- 2. WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT; COUNTY'S CONTRIBUTION OF \$522,370 (CITY'S CONTRIBUTION IS \$522,370).**
- 3. WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH; COUNTY'S CONTRIBUTION OF \$1,570,990 (CITY'S CONTRIBUTION IS \$2,356,490).**

Commissioner Schroeder said, "Could I ask that we delay this item indefinitely, these three items of Planning Department, Health Department and Flood Control. I have got some questions that I have not got answered yet, and I would like to get an answer on one of these departments. I understand that this is not a time crunch and that basically we have time yet to do some discovery on some issues here. If that's all right with the rest of the Board."

Commissioner Gwin said, "fine with me."

MOTION

Commissioner Schroeder moved to delay this item indefinitely.

Commissioner Hancock seconded the Motion.

Commissioner Schroeder asked, "Did we even read into record what the item was?"

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "I advised the Clerk to just read item G, without specifying item G-1, G-2 and G-3 specifically."

Commissioner Schroeder said, "Okay."

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Commissioner Hancock asked, “Does that mean we are going to read them or not?”

VOTE

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

H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' SEPTEMBER 25, 1997 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, “You have Minutes from the September 25, 1997 Meeting of the Board of Bids and Contracts. There are fourteen items for consideration this morning.

**(1) PERSONAL COMPUTER HARDWARE & SOFTWARE-COMCARE
FUNDING: COMCARE**

“Item one, personal computer hardware and software for COMCARE. It was recommended to accept the low total bid of Entex Information Services, in the amount of \$49,117. There is a complete tabulation attached.

**(2) CD TOWER - COUNTY COUNSELOR
FUNDING: LEGAL**

“Item two, CD Rom tower for the County Counselor. It was recommended to accept the low bid of Stonebridge Technologies, in the amount of \$8,520.41.

**(3) COPY MACHINE - DISTRICT COURT
FUNDING: DISTRICT COURT**

“Item three, is a copy machine for the District Court. It was recommended to accept the low bid meeting specifications of Ikon Office Solutions, in the amount of \$28,131. That is based upon a five-year life cycle cost calculation.

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**(4) TOILET TISSUE - BUREAU/CENTRAL SERVICES
FUNDING: BUREAU/CENTRAL SERVICES**

“Item four, toilet tissue for the Bureau of Central Services. It was recommended to accept the low bid of Southwest Paper, in the amount of \$18,445.00

**(5) CUSTODIAL SERVICES - REGIONAL FORENSIC SCIENCE CENTER
FUNDING: REGIONAL FORENSIC SCIENCE CENTER**

“Item five, custodial services for the Regional Forensic Science Center. It was recommended to accept the only responsible proposal received from River City Building Maintenance, for \$742.00 per month.

**(6) SOFTWARE LICENSE AGREEMENT - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

“Item six, software license agreement for Information Services. It was recommended to accept the sole source bid of the publisher of Sterling Software, in the amount of \$21,618.

**(7) ANIMAL TRANSPORT VAN CONVERSION - MOTOR POOL
FUNDING: MOTOR POOL**

“Item seven, animal transport van conversion for the Central Motor Pool and Animal Control. It was recommended to accept the only proposal received from Mavron, Inc., in the amount of \$10,764. That is an extension of a proposal received last year.

**(8) TAX FORECLOSURE & TITLE SEARCH - BUREAU/FINANCE
FUNDING: BUREAU/FINANCE**

“Item eight, tax foreclosure and title search for the Bureau of Finance. It was recommended to accept the low bid of Columbian Abstract & Title Company, in the amount of \$23.00 per parcel/tract. Again, this is an extension of a contract originally solicited in 1996.

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**(9) LIVE SCAN STATION - CAPITAL PROJECTS
FUNDING: DETENTION FACILITY ADDITION**

“Item nine, is a live scan station for Capital Projects and the Sheriffs Department for the Detention Facility. It was recommended to accept the sole source bid from Printrack International, in the amount of \$55,250. Printrack International provides the current system that is in use.

**(10) INTERNET SERVER SERVICE - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

“Item 10, an internet server service for Information Services. It was recommended to accept the low proposal meeting specifications of NetVision Technologies, Inc. That price is \$95. per month with additional costs as you see noted. There is also two pages of tabulation information provided.

**(11) PUMPER TRUCK - FIRE DEPARTMENT
FUNDING: FIRE DEPARTMENT**

“Item eleven, is a pumper truck for the Fire Department. It was recommended to accept the low negotiated proposal of Central States Fire Apparatus, Inc., in the amount of \$185,145. Again, there is a page attached.

**(12) 6TH FLOOR FURNISHINGS - CAPITAL PROJECT
FUNDING: CAPITAL PROJECT**

“Item twelve, 6th floor furnishings for Capital Project for a remodel. It is recommended to accept the low total bid of Hesston Business Inters, with the exception of four italicized items on the following tabulation. Those items will be re-bid, the total we are purchasing today is \$23, 565.80.

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- (13) REMOVE WALLS AT JUVENILE - BUREAU OF CENTRAL SERVICES
FUNDING: CAPITAL PROJECTS**

“Item thirteen, removal of walls at the Juvenile Detention Facility by the Bureau of Public Services and Capital Projects. It was recommended to accept the only negotiated bid of Caro Construction, in the amount of \$11,000.

- (14) CASEBINDERS - DISTRICT COURT
FUNDING: DISTRICT COURT**

“Item fourteen, casebinders for the District Court. It was recommended to accept the sole source bid of Records Retrieval System, in the amount of \$20,256. That matches existing materials.

ITEMS NOT REQUIRING BOCC ACTION

- (15) COPY MACHINE - COUNTY CLERK
FUNDING: COUNTY CLERK**
- (16) COPY MACHINE - EMERGENCY MEDICAL SERVICES
FUNDING: EMERGENCY MEDICAL SERVICES**
- (17) COPY MACHINE - SHERIFF
FUNDING: SHERIFF**
- (18) CRACK SEALANT MACHINE - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**
- (19) VOICE MAIL SYSTEM - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**
- (20) PERSONAL COMPUTER HARDWARE & SOFTWARE-DISTRICT ATTORNEY
FUNDING: DISTRICT ATTORNEY**

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“There are six items that do not require action at this time. They were tabled for review and those include a copy machine for the County Clerk, and there are two pages of tabulation attached. A Copy machine for Emergency Medical Services, a copy machine for the Sheriff, and a crack sealant machine for the Bureau of Public Services and the voice mail system for Information Services and personal computer hardware and software for the District Attorney. I’ll be happy to take questions and would recommended approval for the Minutes provided by the Board of Bids and Contracts.”

MOTION

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

Commissioner Gwin seconded the Motion.

There was no further discussion, 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	Absent

Commissioner Hancock said, “Thank you Darren, nice job. Next item, please.”

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CONSENT AGENDA

I. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. Two Easements for Right-of-Way, one Temporary Construction Easement and one Easement for Drainage for Sedgwick County Project No. 618-34; Central from Greenwich Road to the K-96 Bypass. CIP #R-224. District #1.
- b. Two Easements for Drainage for ditch cutting on 87th Street South between Broadway and Seneca. District #2.

2. Section 8 Housing Assistance Payment Contract.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C97055	\$216.00	4	Sunflower Garden Apts.

3. 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>
V96093	\$94.00	\$000.00
V95031	\$316.00	\$203.00
C95005	\$254.00	\$385.00
V96087	\$239.00	\$252.00
V95045	\$334.00	\$000.00

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<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
C62017	\$240.00	\$158.00
V74001	\$263.00	\$125.00
V96061	\$260.00	\$160.00
C96096	\$325.00	\$190.00

4. **Authorization for Chairman to send Notice of Termination of Lease to Clarence Buddy Crumble.**
5. **Order dated September 24, 1997 to correct tax roll for change of assessment.**
6. **Consideration of the Check Register of September 26, 1997.**
7. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970574	Finance General Register of Deeds	Transfer
970575	Corrections-JRBR	Transfer
970576	COMCARE Outpatient Services	Transfer
970577	COMCARE-Hunter Health Outpatient Services Grant	Supplemental Appropriation
970578	Auto License	Transfer

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "You have the Consent Agenda before you and I would recommend you approve it."

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MOTION

Commissioner Miller moved to approve the Consent Agenda as presented.

Commissioner Gwin seconded the Motion.

There was no further discussion, 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	Absent

Commissioner Hancock said, "Is there any other business to come before this Board? Seeing none, this meeting is adjourned."

J. OTHER

K. ADJOURNMENT

Regular Meeting, October 1, 1997

There being no other business to come before the Board, the Meeting was adjourned at 9:45 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chairman Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997