

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

SEPTEMBER 24, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, September 24, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Melody C. Miller; Commissioner Mark F. Schroeder; Mr. Richard Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Ms. Shelley Duncan, Director, Children and Family services, COMCARE; Mr. Doug Russell, Director, Department on Aging; Mr. Harry Hayes, Director, Human Resources; Mr. Mark Masterson, Interim Director, Department of Corrections; Mr. John Nath, Director, Kansas Coliseum; Mr. Jack Brown, RS, MPA, Acting Director, Community Health Department; Ms. Deborah Donaldson, Director, COMCARE; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

GUESTS

Ms. Gail Finney, on behalf of the Wichita Minority Business Development Council
Mr. Gary Wiley, Professional Engineering Consultants
Mr. Joe Norton, Bond Counsel, Gilmore and 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 all Commissioners were present.

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CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

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

PROCLAMATION

A. PROCLAMATION DECLARING SEPTEMBER 29 - OCTOBER 3, 1997 AS "MINORITY ENTERPRISE DEVELOPMENT WEEK."

Chairman Winters said, "Commissioners, I have a Proclamation this morning that I'd like to read into the record for your consideration."

PROCLAMATION

WHEREAS, since 1982, the President of the United States has proclaimed the first full week in October as Minority Enterprise Development Week, commonly referred to as "MED WEEK"; and

WHEREAS, the Wichita Minority Business Development Council is celebrating its 7th year as the only agency in the state of Kansas dedicated to increasing business, networking and referral opportunities for minority-owned businesses; and

WHEREAS, minority entrepreneurs are playing an increasingly important role in the diversification of our community, and in the competitiveness of our local and national business arena; and

WHEREAS, the Wichita Minority Business Development Council encourages opening economic participation to all citizens, increasing the utilization of minority owned businesses, and the creation of more jobs in our community;

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NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the week of September 29 - October 3, 1997 as

“MINORITY ENTERPRISE DEVELOPMENT WEEK ”

to honor our local Minority Business Enterprises for their contributions to the economic growth and development of our great community.

Commissioners, that’s the Proclamation, what’s the will of the Board?”

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	Aye

Chairman Winters said, “We have here Gail Finney to accept the Proclamation. Gail, if you’d like to say a couple of things and I think Commissioner Miller has some comments too.”

Ms. Gail Finney said, “I just wanted to say on behalf of the Wichita Minority Business Development Council, soon to be the Kansas Minority Business Development Council, thank you very much.”

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Commissioner Miller said, "That was exactly the lead in that I was going to give you the opportunity to kind of talk to the public about. Are there going to be some changes in the Council?"

Ms. Finney said, "Currently, we are in the process of becoming of our 501C3 agency. We will be a state wide agency versus just a local agency. We are in the process of expanding our staff and our services. Our goal is to increase more certification in minority business and to get out there and do more networking amongst mainstream companies and to become a more visible organization for minority businesses as well. So this Proclamation is very important to the Council and to Wichita and Sedgwick County as a whole. I really appreciated your continued support and thank you for having this."

Commissioner Miller said, "We appreciate your leadership, Gail. Thank you."

Chairman Winters said, "Thank you. Thank you very much for being here Gail. Next item."

PLANNING DEPARTMENT

B. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER SCZ-0748 - ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE ON PROPERTY LOCATED ½ MILE SOUTH OF 21ST STREET NORTH, WEST OF MAIZE ROAD.**

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "We have two zoning items this morning and they are both on North Maize Road in the rapidly growing west edge of Wichita."

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SLIDE PRESENTATION

“This is the smaller tract of land. This is 1 1/3 acres and it is on the west side of Maize road, just about ½ mile line between 21st Street, there is 21st and Maize Road, and about this point would be 13th Street. As you can see from this map, most of this area surrounding this is in the City of Wichita already. This 20 acres has not yet been developed so it hasn't been annexed, although if and when any of this area develops then it would be annexed as it goes through the platting process and services are guaranteed.

“The 20 acres and the 1 1/3 acres that is being requested is currently zoned SF-20, suburban residential zone. The request for this small acreage is for the Neighborhood Office district. It was originally submitted as a request for General Office and then at the Planning Commission hearing, the applicant's agent agreed with the staff recommendation for the Neighborhood Office district. The intended use is for offices, for a small complex. There is a site plan I'll show you in a minute that has a couple of small buildings for medical or general office uses. In terms of the surrounding uses, immediately to the west is an area, this area is owned by the Kirk family and there is an excavating company that is immediately to the west and then there is a home behind that which is in the same family. Then the remainder, including this very back portion, the ten acres left in the County and this twenty acres is all owned by a church. That church plans to develop that property. They have submitted a letter of support for this zoning request which is part of your packet.

“To the south is a single family development, which is just beginning to develop as you will see in the slides. There are a couple of homes in that area. There is a drainage reserve that is platted for open space and drainage immediately south of this tract. That land and also the most immediately effected lot zoned by the developer of this subdivision, he has also submitted a letter of support for the office zoning request.

“Across the street to the east, this area is about to develop. This area is the Stonegate Addition and is developed. As you will see, there are homes backing up to Maize Road. There is a masonry wall along there. Homeowners in this area and a couple of homeowners on Lark Court in this area have submitted protest petitions. As you will see on the map, the combined petitions from these owners, plus Kirk Excavating, represent more than 20% of the area within the statutory notice area and therefore four votes will be required to approve this zoning request.

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“The staff recommended approval of Neighborhood Office Zoning. Generally, we look for office zoning to be maybe closer to the intersections, maybe adjacent to a retail area like this office area is more adjacent to a commercial area and it is a transition. But in this case, we have some mitigating circumstances. This is kind of an out parcel left between the excavating company, the church ownership. There is a reserve that buffers to the south. There is the masonry wall along there. As you will see in the slides, Maize Road is being widened and part of that the City will be planting trees in that right-of-way and doing additional landscaping to provide additional buffer in that area.

“If the property is zoned to office, comes into the City, it will also be subject to the City’s landscape requirements and sign limitations that would help assure that it would be appropriate to the neighborhood. That is specifically why we created a Neighborhood Office district which has a more limited range of uses, heights, and scale from what the General Office district does have. It is also a very small tract. It would be difficult to lay this out for single family lots that would make any sense. We don’t want a lot of small lots fronting onto a major street. The traffic impact from this small tract would not be significant on Maize Road.

“So for all those reasons we did recommend approval subject to platting. The Planning Commission did in the end, after their public hearing, voted unanimously by an eleven to zero vote to recommend approval also. But like I said, there were protests from the neighbors. Several of them appeared at the Planing Commission hearing. Their concerns were that they felt that there was plenty of opportunities for businesses on 21st Street which is becoming a very commercialized corridor and that the character of the area along Maize Road ought to remain residential in character. As I said, there is not just a non-conforming use, but there is a conditional use that was approved in the ‘70s so there is a conforming construction company, Kirk Excavating Company, which is immediately to the west and that certainly is another reason we recommended approval.

“This is the aerial photograph of the area. You can see the excavating company back there. It is well buffered as you will see by the slides.”

Chairman Winters said, “Marvin, can you point out that reserve area?”

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Mr. Krout said, "The reserve area is to the south so it would be right here. This is the protest petition. Again, there is the reserve area and there is the lot that is still owned by this developer. The Kirk family protesting on this property, two owners on Lark Court protesting, and several areas back up to Maize Road protesting.

"We are looking at the site now. Right here is an access easement that provides access to Kirk Excavating which is here behind this row of trees. So this is the site in question in front of that use. You can see one of the homes that was constructed to the south in that subdivision. Again, we're looking directly west from Maize Road, which is still under construction at the site itself. This is the landscaping that is in front of Kirk Excavating and the church property to the north. Again, this is the church property extending all the way to that tree line. Now we're looking north on Maize Road and this is the east side of the street. You can see the Stonegate Addition's masonry wall that extends along Maize Road. The City will be doing additional tree planting along both sides of Maize Road in the future. There is a church to the north of one more residential street to be developed in here. Now we're looking from the west side of Maize Road across to the Stonegate Addition and this is probably one of the homes that filed a protest. These three owners who back up to Maize Road filed the protest to the office being across the street. Now we're looking south down Maize Road and this is the east side of the street and the wall. There are some existing trees. I think they will probably be pruned up and left and there will be additional planting in the parkway area. Now we're looking again south on Maize Road. This is the access road and so this is the office tract here. The access road back to Kirk Excavating and in the background the developing subdivision to the south. This is the site plan that shows that access road that I talked about that goes back to Kirk Excavating. The proposal for the 1 1/3 acres likely development scheme with a couple buildings of about 7,000 square feet each and the parking in the front. There would be landscaping along, required by the landscape ordinance of the City, along the Maize Road frontage. Back to the aerial photograph and the zoning map. I'll try to answer any questions that you have. I know the applicant is here and there may be other speakers."

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

Commissioner Gwin said, "Just a couple of questions Marvin. The ingress and the egress access, is that on the subject property?"

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Mr. Krout said, "I think it is part of the subject property, part of this property. There is an access agreement that was filed between these two owners."

Commissioner Gwin said, "That agreement will remain in place then to allow ingress and egress to the people behind it."

Mr. Krout said, "Yes."

Commissioner Gwin said, "Also, can you remind us the of the types of uses allowed in 'NO', Neighborhood Office?"

Mr. Krout said, "Neighborhood Office mostly allows office uses and related uses, laboratories. Multi-family is not permitted, it is permitted General Office. A hotel is a use that is permitted in General Office. A bank, which is a pretty high traffic generator is allowed in the General Office by conditional use but not in a Neighborhood Office, so it really is fairly limited and it is also limited in scale so that you can't have a very large user, any individual business can't be more than 8,000 square feet in size."

Commissioner Gwin said, "Okay. And on 1.35 acres you couldn't have a very big building anyway."

Mr. Krout said, "That's correct."

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

Chairman Winters said, "Thank you. Marvin, I see no other questions at this time. I think we would take public comment on this case now. Is there anyone here who would like to speak in support of this case? Please state your name and address for this record. We'll try to limit comments to five minutes."

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Mr. Gary Wiley, Professional Engineering Consultants, said, "I represent the applicant. Marvin has just done an excellent job in explaining the surrounding area and the uses permitted. The one thing I would like to also bring out for your knowledge is that the maximum building height in the Neighborhood Office is limited also to 35 feet, which is the same height in the residential district. As Marvin indicated, no user may exceed 8,000 square feet of office space. The types of people who have contacted the applicant have been office oriented. We have dentists, doctors, and insurance agents that have contacted the applicant for this particular site. Be happy to answer any questions. We are in agreement with the Neighborhood Office Zoning versus the General Office."

Chairman Winters said, "Thank you Mr. Wiley, I see no other questions. Is there anyone else who would like to comment either in support or opposition to this zoning change request? Is there anyone here who would like to speak to the Board of County Commissioners either in support or opposition of this request? Seeing no one, we'll close the public comment portion and limit discussion to Commissioners and staff. Commissioners, I'm supportive of this application. It looks to me like the staff and the Metropolitan Planning Commission themselves have done a good job on reviewing this and it certainly fits within what I think is appropriate out there."

MOTION

Chairman Winters moved to adopt the findings of fact of the Metropolitan Area Planning Commission (MAPC) and approve the zone change to "NO" Neighborhood Office subject to the condition of platting; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

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. Next item please."

- 2. CASE NUMBER SCZ-0749 - ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE AND "MF-18" MULTI-FAMILY RESIDENTIAL ON 42.84 ACRES LOCATED APPROXIMATELY 1/2 MILE NORTH OF 21ST STREET NORTH ON THE WEST SIDE OF MAIZE ROAD.**

SLIDE PRESENTATION

Mr. Krout said, "If you just drive about a mile north up the street to the half mile line north of 21st Street between 21st Street and 29th Street, which is right here. Twenty-first street would be here. There is 29th Street. So we're about at the half mile line here. This is just under 43 acres that we are talking about on the west side of Maize Road. The request, it is currently zoned SF-20, all that flesh colored area is zoned SF-20 and it is in the County. The request is for the southern half to be rezoned to the General Office category and for the northern half to be rezoned to the MF-18 category, which is the category allowing multi-family apartments, up to 18 units per acre.

"This is part of a larger tract and I'll show you a site plan for that larger tract. It is over 200 acres. It was the former Cranmer Grass Farm property and the overall plan is to develop it with a variety of uses, not only the office use and apartment use here, but to the south if you will recall, the County Commission approved about two years ago zoning to Limited Commercial and about 63 acres of land that would then be zoned Limited Commercial and Commercial and is now being marketed as the Newmarket Square and will be a major retail development and the area to the west and extending south over 100 acres to the south and west would be developed with single family homes as part of the overall development. I'll show you that site plan in just a minute.

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“The land, so the property owner is buffering this zoning request to the west and the south with his own property, so land to the north and land to the east is in the area that has been generally defined as the Pracht Wetlands complex, the area that a number of people in the community are trying to get together to find some way of seeing preserved as a wetlands preservation area as a permanent open space for the community. I think that separate owners here and here, but we believe that neither of those areas are likely to develop in the future. There may be some development in the very western portion but most of the acreage to the north and most of this area we expect to be preserved as wetlands area. You will see in the aerial photograph that there are a couple of ponds in this area. The conservation district, who is involved in that preservation effort indicated that nothing on this property is part of the wetlands complex that the group is attempting to preserve. So there may need to be reserves that are platted for open space and detention, but there is not a wetlands protection issue with this site.

“Further to the south and east, across Maize Road, you can see the Chadsworth single family development and then not shown on this map but in about this area and extending down to 21st Street is about 17 acres that is rapidly developing commercial uses. There was some discussion about that by a Chadsworth homeowner who was at the Planning Commission meeting. The staff recommended approval of the General Office and the MF-18 zoning for this tract subject to a Protective Overlay for the entire tract. The Overlay provisions would include some limitations on the density for both the Office and the Multi-Family use. It would not permit Multi-Family on the office tract so that we wouldn't be overwhelmed with apartments in this area, but we would be assured of some mix of uses. There are also some special height limitation and architectural requirements as part of the General Office portion of the tract. Again, this property, along with the property to the south when services are extended and the plat is completed, these properties would be annexed into the City and at the time would also be subject to the City's landscape requirements and the City's sign ordinance.

“This general area is in the Comprehensive Plan. It is one of several regional commercial activity centers that we have identified where we expect and are encouraging large scale commercial development to occur. This 65 acre tract, if you remember, is probably next to Towne East and Towne West, the largest single tract under ownership for commercial use and so we do expect significant retail development at that location. We are currently improving 21st Street.

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“The property owner, as part of the platting for the commercial property is guaranteeing major improvements to Maize Road up to this half mile line. The County in its CIP is proposing to widen Maize Road to four lanes from the County line all the way up to 45th Street and as part of the platting for this property, we will expect additional enhancements, an extension of a left turn land and decel land probably along that frontage would also be further improvements because there will be a significant traffic increase from this development. But it is consistent with the Plan. It is also consistent with good planning principals to have generally next to large scale commercial uses to have transitional uses such as apartments and offices. So we think this will be a good transition both for the single family to the west and also for the wetlands area to the north and the east.

“I think the traffic can be handled with the traffic improvements and so we have recommended approval. The Planning Commission, after their public hearing, recommended approval by a unanimous vote again, a thirteen to zero vote. There was one property owner from the Chadsworth area who came to the public hearing at the Planning Commission. He said he was the President of the Homeowners Association although it wasn't clear if he was representing all the homeowners in that area. His concern was that he thought that this area could and should develop with more single family uses and was just concerned with the overall commercialization going on in that area. I think that some of the Chadsworth homeowners have felt, he expressed that their property had been devalued by commercial development closer to home in this area that I talked about in the northeast corner where a bowling alley and some other development was going in. He felt that anything other than single family would not protect the property values in the Chadsworth area so he was proposing that the area remain for single family use. But the Planning Commission vote was unanimous and then no written protests were filed after the public hearing.

“This is the aerial photograph. You can see the entrance to Chadsworth at the northern end. This is the Chadsworth development over here. This is the tract in question. This is proposed for office and for apartments. You can see the ponds on the site. This area we expect to be preserved as wetlands. This area would be commercial and this area single family. We are looking now kind of south and west at what is left of the Cranmer Farms property. Now we are looking directly across the street and this is the southern portion of that general office tract and then to the north of this light is where the apartments would be located. Now we're looking north up Maize Road and west across the site. It is probably one of the ponds behind those trees.

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“This is the wetlands area to the east and residential subdivisions to the east about a quarter of a mile. Again, looking to the east across Maize Road at the wetlands area. This is looking west and north. You can’t tell much from that slide but in here, this is the wetlands area that is immediately to the north of this tract. This would be the southwest corner of 29th, which would be about here, and Maize Road. This is a site plan that is proposed. You can see this was the zoning that was approved for commercial a couple of years ago. It is now actively going through the platting process. This is the request for office zoning and apartment zoning. This is conceptual so we’re not sure exactly where this road will land but that is the proposal. There would be retention ponds probably on both sides of an entrance road. A collector road which would then provide access from the single family development here. A large retention lake which would be further buffer between the single family area and the commercial and office on the east side.

“We have talked to the applicant, we will continue to do that and in some way try to identify a way that we can maintain some sort of north south cross circulation so property that is developed in this northern area could get out directly to and from 21st Street as an option to having to go through the 21st and Maize intersection and get up to this area. That has worked out very well in Bradley Fair, where we have a circulator system to try to bypass the congestion that otherwise might be created at the intersection. We understand that the plans have not been completely worked out for this and we don’t know exactly how that property is going to be laid out. So it is a bit premature to identify exactly how a circulator road would work. I think it could be a private access drive but in some manner we are interested in providing some kind of connection from the collector road and this area to have a kind of relief valve out to 21st Street. We’ll be working with the applicants on that. We’re back to the aerial photograph now and the zoning map. I’ll try to answer any questions.”

Chairman Winters said, “Thank you Marvin. Commissioner Miller.”

Commissioner Miller said, “Thank you Mr. Chairman. Marvin, looking at the aerial, the proposed development to the north of that line that literally divides that acreage, is that 43 acres, is that what we said?”

Mr. Krout said, “This totals 43 acres.”

Commissioner Miller said, “Okay. Then to the north of it, that’s going to be the multi-family dwelling and wetlands too?”

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Mr. Krout said, "The wetlands area is off to the north. Also, most of this quarter section here."

Commissioner Miller said, "And the retention pond is where?"

Mr. Krout said, "There are retention ponds right in here. There is obviously some drainage that comes in here but the conservation district says the people who are looking at this area have drawn a line here and said that their intent is not to try to include this as part of the wetlands area. It will be preserved as some kind of open space. There needs to be a drainage area for retention purposes."

Commissioner Miller said, "Okay. Then I looked in the findings and it reads in the recommendation, and this may be redundant with what you just said but is the existing lake and land east of that lake on the proposed multi-family tract has been officially proposed for protection as part of the tract wetlands complex and the entire portion of the tract shall be platted as reserves."

Mr. Krout said, "When we prepared the staff report we weren't sure yet. When we had to send it out to the Planning Commission, we weren't sure how the conservation district was looking at this area. After we sent this report out and before the Planning Commission hearing, we did make contact with them and they did indicate to us that no this lake is not part of the wetlands complex."

Commissioner Miller said, "But they are going to attempt to keep it as a preserve?"

Mr. Krout said, "I think as it goes through the platting process it will be maintained as a reserve. The applicant's agent is here to tell you more about that."

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

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Thank you Mr. Chairman. Marvin, the second lake that backs up into commercial, it will have to be excavated out, is that what they are planning?"

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Mr. Krout said, “Yes, they can probably tell you more details about that. It is a very large lake that is going to have to be excavated out.”

Commissioner Hancock said, “I didn’t know if that was a low area already or not.”

Mr. Krout said, “It is pretty flat out there. If there is a low area out there it is pretty subtle. I think they will have to do quite a bit of excavation but there is a lot of run-off with this development that is going to occur and it needs to go someplace.”

Commissioner Hancock said, “Thank you Marvin.”

Chairman Winters said, “Thank you. Just to follow up once more on what Commissioner Miller was talking about, the wetlands. The people, who do you visit with about finding out what is wetland and what is not and who have you checked with that this is not going to be any encroachment on that wetlands?”

Mr. Krout said, “We contacted the County’s Conservation District, who is involved with this large scale committee and I think it was Monty Munyon from the district office who indicated to us that this was not part of the area to be protected.”

Chairman Winters said, “Okay, thank you. I see no other questions Marvin. At this time we will open to comments from the public. If there is anyone here who would like to speak in support of this application please come forward and give your name and address for the record please. Try to limit your comments to five minutes.”

Mr. Gary Wiley, Professional Engineering Consultants, greeted the Commissioners and said, “I’m here on behalf of the applicant. Marvin has pretty well covered everything. I would just add the contract purchase and co-applicant is now the owner of the property. It was closed on in late August. The applicant is here if you have any questions of him. I would comment on Commissioner Miller’s comments about the two existing lakes out there. We do plan on saving those and perhaps even expanding upon those. The reason for the large almost 15 acre lake is so that we can detain the 100 year storm totally so that we will not be taxing any existing storm sewer system throughout the system. By doing so we not only detain it but we create an amenity to the residential and a good buffer between them and the commercial. Be happy to answer any of your questions you might have.”

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Chairman Winters said, “Okay. I see no questions Mr. Wiley. Thank you very much. Is there anyone else who would like to speak in support of this? Is there anyone else who would like to speak in opposition or in support? Is there anyone here who would like to address the Board of County Commissioners on this zoning change?”

MOTION

Commissioner Hancock moved to adopt the findings of fact of the MAPC and approve the zone change subject to the additional provisions of a Protective Overlay (P-Committee) district and subject to platting within one year; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until all conditions have been complied with.

Chairman Winters seconded the Motion.

Chairman Winters said, “I didn’t really cut off the public part. I wanted to make sure that everyone had a chance to speak? Is there anyone who wants to speak? I see no one who has come forward to speak on this zone case. We do have a Motion for approval. I’m certainly supportive of it. I think it looks like a quality project that is going to complement what is already happening out there. Commissioners, any other comments? Seeing no other questions, please call the vote.”

VOTE

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

Chairman Winters said, “Thank you Mr. Wiley and thank you Marvin. Next item.”

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PUBLIC HEARING

C. PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION CREATING A LATERAL SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (LIND PROPERTY-TRACT A).

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "The County Clerk has received a petition from the owners of 100% of a tract of land in the western part of the County requesting the creation of a lateral sewer district and the expansion of the boundaries of the west Sedgwick County main sewer district and joint sewer district to include this property. This particular item addresses only the creation of the lateral district, on the sewer district agenda later on this morning will address the other two items.

SLIDE PRESENTATION

"Before you on the screen is a map depicting the general area of the County where this proposed improvement is made. The line across here is U.S. 54 Highway. This is Maple coming across here and the north south street is 151st Street West. The property outlined in red is the existing boundaries of the west Sedgwick County main sewer district and those areas plus the areas outlined in yellow comprise the joint district.

"The subject property is where the star is which abuts the area of the main sewer district. This is a more detailed description of the property in question. This platted area here and here is part of the main sewer district. The subject property with the creation of the lateral district is here described as Lind property. It is about 2 ½ acres in size. The main line for the sewer district comes along here so it is almost adjacent to the existing sewer.

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“On the screen before you now is the estimate of cost prepared by the Bureau of Public Services. The cost to extend this particular sewer service to the affected property owner, the line in green, total bond issue of about \$12,117, all of which will be assessed to the property in question, which spread over 15 years at 8% would have an annual cost of about \$1,777. Since the construction is already underway for a single residential unit, there would be no letter of credit appropriate for this transaction. In addition, although it is not pertinent for this hearing, there would be in essence a buy-in provision. This property would also, in conjunction with action taken later in the sewer district agenda, be required in essence to buy into the cost that was already paid by affected property owners in the main and joint districts at roughly a thousand dollars. Mr. Weber and I would be available to answer any questions you might have. State statutes require that we do conduct a public hearing prior to consideration of the Resolution to create the district and authorizing approval.”

Chairman Winters said, “Thank you Mr. Norton. I see no questions at this time. We would open the public hearing and ask if there is anyone here in the meeting room who would like to address the Board of County Commissioners on our Item C on today’s agenda, which is a creation of a lateral sewer district in the west Sedgwick County sewer district. Is there anyone here who would like to address the Board of County Commissioners on this issue? I see no one. We’ll close the public hearing and limit discussion to Commission and staff. Anything else Mr. Norton?”

Mr. Norton said, “If not, we’d recommend you adopt the Resolution.”

MOTION

Commissioner Gwin moved to adopt the Resolution.

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	Aye

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

DEFERRED ITEM

D. REVISION OF PERSONNEL POLICY 4.607 EXIT INTERVIEW.

This item was deferred at the September 17, 1997 Commission Meeting.

Mr. Jarold Harrison, Assistant County Manager, said, "Mr. Chairman, we've been reviewing this Personnel Policy and we've found some other items that need to be corrected in the language in that Policy. We would request that this deferred item continue to be deferred for another week."

MOTION

Commissioner Schroeder moved to defer Item D for one week.

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

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Chairman Winters said, "Next item."

NEW BUSINESS

E. PRESENTATION OF THE PREVENTION FUND TASK FORCE PROGRESS REPORT.

Ms. Shelley Duncan, Director, Children and Family Services, Bureau of Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "I'm here today as a representative of the Prevention Fund Task Force. The task force was developed earlier this summer as we were planning for the Community Planning Day that was going to go to focus on prevention. After that Community Planning Day, the task force continued and then after your generous allocation of funds for prevention services, we continued to meet on a weekly basis to talk about prevention funds and to work as a representative of the community and different people in the community, to offer suggestions about prevention funding. So that has been what we've been doing for the past several months. Again, we have been meeting weekly. What I would like to present to you today is the latest in what we would recommend as funding priorities and ask for your endorsement of these priorities so that we may move ahead, the County may move ahead, with establishing a request for proposal and then eventually awarding those funds.

"I'll just go through the list of the funding priorities. The first one is that priority for the funding would be given to agencies that hold a non-profit status and area an existing service provider in Sedgwick County. We would recommend that preference be given to agencies who are actually based in Sedgwick County.

"The next one is that the targeted population that would be served include school age youth and may of course include their family members or care givers. The identified youth should be at risk of entering or becoming further involved in the juvenile correctional system so that we would not exclude youth who are already involved in the system.

"The next item is that the proposed services should address early intervention and prevention relative to one or more of the following problem areas. Those are gang related problems, curfew, truancy, shoplifting, youth domestic violence, substance abuse prevention, and alternate levels of care.

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“The next item is that the proposed services would be culturally proficient and include bilingual services, bilingual staff, bicultural staff, culturally sensitive services, cross cultural capacity, and translation services. I might just say that those two items came directly from that Community Planning Day, so the task force really took the information that the community gave during that day as far as needs relative to prevention services. We just pulled those off the document and are recommending that those be included as priorities.

“Then the last piece we would recommend is that the proposed services would be goal directed and outcome based so that applicants that are applying for these monies, these services would have to show outcomes as they relate to prevention or early intervention. That’s what I have. I am open to answer any questions that you may have about the task force or these funding priorities.”

Chairman Winters said, “Commissioner Miller.”

Commissioner Miller said, “Thank you Mr. Chairman. Thank you Shelley for the overview. For the individuals who are watching this broadcast and you are basically laying out the key targeted areas that we are going to be looking at, is that correct? And for the public sake again you were saying gang related? Do you want to repeat them?”

Ms. Duncan said, “Certainly. Gang related problems, curfew, truancy, shoplifting, youth domestic violence, substance abuse prevention, and alternate levels of care are the problem areas that we are looking at.”

Commissioner Miller said, “Problem areas as they relate to intervention or prevention.”

Ms. Duncan said, “Right. Again, the intent is to try to impact the number of youth that are going into the juvenile correctional system ultimately.”

Commissioner Miller said, “Ultimately. Once again, as you were saying, that actually these observations were gaps that were identified by the individuals who participated in that very well attended Community Planning Day.”

Ms. Duncan said, “Correct. I believe there were over 200 people in attendance that day and again this information was lifted directly off the documents that described what happened during that day.”

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

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

Commissioner Hancock said, "Thank you Mr. Chairman. Shelley, one of the other aspects for proposed services on the paper you gave us yesterday should be culturally efficient, and they include bilingual services, bilingual staff, bicultural staff, culturally sensitive services and so forth. When we look at the proposals given to us, will we ask in those proposals how they will attempt to meet that criteria?"

Ms. Duncan said, "That would be our recommendation, yes. That would be included in the document."

Commissioner Hancock said, "In your experience, having dealt with these kinds of things before, will that be one that will be difficult for these agencies to meet?"

Ms. Duncan said, "I don't believe that it will be. I think really what we are looking at and asking for is that agencies are striving towards cultural competence. So I think if they can just identify how they are addressing that issue within their agency that would suffice, so they are cognizant. That is an important area."

Commissioner Hancock said, "Okay. I appreciate that. Thank you."

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

Commissioner Gwin said, "Shelley, one of the important pieces of this is obviously the evaluation to make sure that agencies that are funded are doing what they say they are going to be doing and that we can mark that. Have you gotten to the evaluation piece and how that is going to be handled or who is going to be doing that?"

Ms. Duncan said, "Well, what we would suggest as far as involvement of the task force is that they would continue and perhaps act as an advisory council to help with the evaluation and monitoring of that. Personally, I believe there needs to be someone that is actually monitoring the costs and the outcomes, the qualitative outcomes. So we have talked about that and it is a very important part because the services and the agencies that are applying need to be very accountable for those dollars."

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Commissioner Gwin said, "Right. I just wanted to point out that I think that is real important and the task force may not be there yet but it certainly is a key piece to the whole program is that as we have done in so many of the other agencies or departments, with contractual obligations, that way we have a way to assure that the money is spent as is said and it is being used in an effective manner. That is very important to me. Thank you."

Chairman Winters said, "Thank you. Commissioner Hancock did you have another comment?"

Commissioner Hancock said, "Yes, thank you Mr. Chairman. When we begin this during the budget process. I believe this idea, I think the seed was planted when the Manager came to us and proposed about a million dollars for us to consider contracting with agencies. Then as time went on, we developed some kind of group thinking that because of the problems we are encountering with juvenile offenders and adult offenders that maybe this would be a method by which we can create a system to make it unnecessary to keep folks in our various detention facilities around the County. I never dreamed that it would take the turn that it has. I presumed the agencies would come before us and present their programs to us and I never thought we would develop a community planning committee and a Community Planning Day for all this. I guess I'm wondering is as we go forward, we haven't always been aware of what the next step was. As we go forward, I'd certainly like to know, we are going to have recommendations from the committee obviously, that's in the mill. I'd certainly like to hear the recommendations from those who don't make the final cut according to the committee also. We have continued to do business with a number of agencies through the years and I expect they will be there making their pitch along with everyone else. I'd like to know the reasons why not also as the reasons why we should work with various agencies to develop a system that hopefully will meet our goal. That's all I have. Thank you."

Chairman Winters said, "Thank you. Shelley."

Ms. Duncan said, "I was just going to say that one of the issues that we are going to address in the task force is looking at review criteria. What we would suggest is review criteria as agencies make proposals. We would certainly be sharing that with the Commission."

Commissioner Hancock said, "Thank you Shelley."

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Chairman Winters said, "All right, thank you. I would certainly appreciate the opportunity for us to discuss it today. I know I certainly want to thank Commissioner Miller for the work she's put it on this. She has been working with this task force for some time and has gathered together an abled group of folks to look at this and I certainly appreciate Commissioner Miller's work and the task force. I'm going to be supportive of this recommendation today to kind of target in on these particular areas. One of the things that I'm going to be looking at, I think that this is a long list for limited funds. I think there are a lot of cross overs, but a couple of weeks ago I had an opportunity to really review some of the statistics from intake and assessment. Looking at where we are getting in contact with juveniles at a first instance and shoplifting is an area that is just way high. We know because of lack of resources in a lot of places, we really don't take much action against a shop lifter until they have done it at least more than once and maybe several times. So that really kind of started a thought process that I'd like for the task force to continue to look at. Do we really have an opportunity to take one area and target it. I'm not saying that it should be shoplifting, maybe it has something to do with substance abuse, but take one area and really target our resources and not try to solve the world's problems, but try to make an impact in one area. If you look at, if we've got let's say \$700,000 of additional monies that we were going to be distributing, would we be better off to give 70 agencies \$1,000 or even 7 agencies \$100,000 or would we be better off to give one or two agencies significant resources to really attack a problem and try to make a dent? I see that as a possibility in the shop lifting area because if the Police or the Sheriff brings in an individual who has had a minor infraction, if we had the resources, the case manager or an agency who would say all right, we will follow up with this individual to see what the problem is here, I think that is what I get excited about thinking about this program, is really going out and making an impact in one area. Maybe it is curfew, maybe it is gang problems, but sometimes they all get interconnected, but I just hope we don't spread our resources out so we give a lot of people a little money and expect results. I would really like to explore this of really focusing. Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Your point is well taken and it is well stated. But what I believe we are attempting to do is address what I consider a very pervasive problem. By doing that, you need to be able to look at root causes. Those root causes are not going to be symptomatic, which is what a shoplifter is going to exhibit.

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“They are going to exhibit a behavior that is systemic of things that are going on and occurring within a family structure that is simply not working right and they are probably also going to be exhibiting other deviant behaviors such as breaking a curfew, being a truant, and coming from a substance abuse background and possibly even being an instigator and maybe even a recipient of adult physical abuse, sexual or emotional and then doing it themselves or acting it out. So that’s why in looking at this list, these were gaps of services that service providers identified that we’ve got some good things going on in this County and here are some areas that are deficient areas that we know could possibly be able to impact positively that profiled juvenile offender. Your points are well taken but that is simply an explanation of why it is that we came out with a laundry list that we did. I understand.”

Chairman Winters said, “Thank you. I think the laundry list is a good beginning spot and I’m going to be supportive of the task force’s work up to this point. Again, as we go on, I think with the task force’s help we can analyze each one of those and see how best to tackle them. I think the task force does realize that we’re kind of in a new way of thinking and I think we have all thought about that because with really being goal oriented and outcome based I think we really mean that and I think we put some dollars behind that to hopefully let an outcome be reached that is good. People are going to be accountable for what kind of plans they submit. Commissioners, are there other questions or comments?”

Commissioner Gwin said, “Just a clarification Mr. Chairman. When you talk about the bilingual services and bilingual staff, it may be nit-picky, but I certainly would like to see that be expanded to multi-lingual. We know that there is more than one other language spoken in this community besides English. I certainly think if they can show us multi-lingual capacity I would rather see that expanded than just bi-lingual.”

Ms. Duncan said, “Certainly.”

Commissioner Gwin said, “Thank you.”

Chairman Winters said, “Okay. Commissioners, any other questions or comments? If not, what’s the will of the Board?”

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MOTION

Commissioner Miller moved to receive and file, and endorse the priorities by which funds will be awarded.

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 Shelley. Next item."

F. LAKE AFTON AND SEDGWICK COUNTY PARKS.

- 1. AMENDMENT TO AGREEMENT WITH WICHITA RADIO CONTROL CLUB FOR USE OF LAKE AFTON PARK TWO ADDITIONAL DATES, OCTOBER 4 AND NOVEMBER 1, 1997, DURING THE 1997 EVENT SEASON.**

Mr. Harrison said, "As the Clerk stated, this is a request for two additional event days for the Wichita Radio Control Club at Lake Afton Park. This would not modify any terms or conditions of the existing agreement other than the addition of these two days. The insurance that they provided to us for this season would include these particular events. We would recommend your approval."

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MOTION

Commissioner Schroeder moved to approve the Amendment to 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, "Next item."

2. AGREEMENT WITH AMERICAN DIABETES ASSOCIATION, KANSAS AFFILIATE, INC. FOR USE OF SEDGWICK COUNTY PARK SEPTEMBER 28, 1997 TO HOLD A WALK FOR DIABETES.

Mr. Harrison said, "This will be the fifth year for this event at Sedgwick County Park. It has been a fairly successful event at the park and it is our standard form agreement. We have received a certificate of insurance covering this event and we would recommend your approval."

MOTION

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

Commissioner Miller seconded the Motion.

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

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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 Jerry. Next item."

G. COMCARE.

- 1. CONTRACT WITH HUNTER HEALTH CLINIC, INC. WHEREBY COMCARE WILL PROVIDE OUTPATIENT PSYCHIATRIC/SOCIAL WORK SERVICES TO ITS PATIENTS.**

Ms. Deborah Donaldson, Director, COMCARE, greeted the Commissioners and said, "This first contract involves an arrangement we have with Hunter Health Clinic where they have received a grant and they provide us with the dollars to hire a social worker that in turn provides services within their clinic. I would recommend your approval."

MOTION

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

Commissioner Gwin seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

2. AGREEMENT WITH HORIZON'S MENTAL HEALTH CENTER INC. WHEREBY COMCARE WILL PROVIDE PSYCHIATRIC SERVICES TO ITS PATIENTS.

Ms. Donaldson said, "Commissioners, this particular agreement involves our child psychiatrist providing some services to the Community Mental Health Center in Hutchinson. They will pay us for those services. This is a particularly exciting contract because this will be the first time we have actually sold our services through the use of tele-psychiatry which seems to be really a move to the future. We will probably see more and more of this. I would be glad to answer any questions and would recommend your approval."

Chairman Winters said, "Thank you. Commissioners, what's the will of the Board?"

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.

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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, "Next item."

3. AGREEMENT WITH SUPERIOR SERVICES, INC. AND VIA CHRISTI REGIONAL MEDICAL CENTER, INC. TO PROVIDE TRANSPORTATION SERVICES TO STATE HOSPITALS FOR VIA CHRISTI AND COMCARE'S PSYCHIATRIC PATIENTS.

Ms. Donaldson said, "This is the contract by which we provide transportation to the State Hospital. This was a very progressive move on Sedgwick County's part to provide more humane services for individuals who are mentally ill rather than having to be transported by law enforcement and often cuffed or restrained in some way. I'd be glad to answer any questions."

Chairman Winters said, "Thank you. Commissioners, what's the will of the Board?"

MOTION

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

Commissioner Miller seconded the Motion.

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

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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, "Next item."

4. CONTRACT WITH HICKOK & ASSOCIATES, INC. TO PROVIDE CONSULTING SERVICES RELATED TO DEVELOPMENT OF A PHYSICIAN LABORATORY.

Ms. Donaldson said, "Commissioners, this will be a new service for us. We are developing a laboratory for work with individuals who are on clozaralph, which is a relatively new psychiatric medication but an extremely effective one. It has really made some significant differences for some individuals in terms of their response to that. This laboratory allows for monitoring of a very serious potential side effect and it is less evasive than what we have been doing. We believe it will also increase compliance. This is also a laboratory which initial projects say that probably the worst case scenario is that we will break even in terms of the revenues on this and in fact may provide some support for other services. I'd be glad to answer any questions."

Chairman Winters said, "Commissioner Miller has a question."

Commissioner Miller said, "Thank you Mr. Chairman. Debbie, we're going to utilize employees that normally do this testing within a laboratory? We're simply bringing in supplies and equipment."

Ms. Donaldson said, "Yes."

Commissioner Miller said, "Thank you."

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

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MOTION

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

Commissioner Gwin seconded the Motion.

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

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."

5. AMENDMENT TO CONTRACT WITH TOPP CONSULTING CORPORATION ADJUSTING LEVEL OF SERVICES AND ASSOCIATED COMPENSATION.

Ms. Donaldson said, "Commissioners, Topp Consulting has provided the ongoing evaluation of our children's program, which is required through our federal grant. Through some reorganization and some changes in his business, we are reducing that level of compensation and the number of services that he provides and we will be making up for that by hiring an individual who will provide more of those services and in fact has been the person we've been working with locally. I'd be glad to answer any questions."

Chairman Winters said, "Thank you. Commissioners, are there questions or comments? Seeing none, what's the will of the Board?"

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MOTION

Commissioner Schroeder moved to approve the Amendment to Contract and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

6. AGREEMENT WITH HUNTER CARE CENTERS, INC. D/B/A CHOICES, PROVIDING DEVELOPMENTAL DISABILITIES COMMUNITY SERVICE PROVIDER STATUS.

Ms. Donaldson said, "Commissioners, this is another provider agreement for developmental disabilities and I have brought a number of these to you. This has gone through the process and now we're recommending that you approve them as a provider. I'd be glad to answer any questions."

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.

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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, "Next item."

7. ADDITION OF ONE QUALITY ASSURANCE COORDINATOR, RANGE 24, TO THE COMCARE STAFFING TABLE.

Ms. Donaldson said, "Commissioners, this is the position that is making up the difference on the evaluation on the previous item on Topp Consulting. It appears at this point with those changes in the contract and actually hiring the individual to do this, we will realize some savings, which is very important as we have a federal grant that is diminishing over the next several years. I'd be glad to answer any questions and would recommend the addition."

Chairman Winters said, "Thank you. Commissioners, questions, comments?"

Commissioner Gwin said, "Chairman, if we can add a person and save money, I think that is innovative."

MOTION

Commissioner Gwin moved to approve the addition to the COMCARE Staffing Table.

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	Aye

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

H. DEPARTMENT ON AGING.

1. AGREEMENT WITH AILEEN VAUGHN TO PROVIDE CLIENT ASSESSMENT, REFERRAL AND EVALUATION.

Mr. Doug Russell, Director, Department on Aging, greeted the Commissioners and said, "This Agreement is an additional agreement. We have approved several others in the past to do what they call care assessments for people who are considering entering a nursing home. This particular one is for Level II, which is mentally retarded mentally ill people. The other piece of that we do is for elderly folks. Basically, this person is a registered nurse who is qualified to do these and we recommend your approval of the Agreement."

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

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.

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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, "Next item."

2. APPLICATION TO KANSAS DEPARTMENT OF TRANSPORTATION FOR OPERATING FUNDS IN THE AMOUNT OF \$20,520.00 FOR FISCAL YEAR 1999 TO OPERATE TWO TRANSPORTATION VANS.

Mr. Russell said, "Commissioners, this again is a long standing program in Sedgwick County. Part of our transportation system is two vans, one that is operated out of Haysville out of the Haysville Senior Center to offer general public transportation. The other is out of the Park City Senior Center for the same program for northern and southern Sedgwick County. Then they cooperate with each other as needed. We fund this in a like amount, a little less in this actually with mill levy and this is the State share of our program. Recommend approval."

MOTION

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

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Discussion? Commissioner Gwin."

Commissioner Gwin said, "Doug, for clarification, it says in the back that the vans transport the elderly and the general public, so they are not used for specific persons but anyone who needs transportation from the outlying areas can use this?"

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Mr. Russell said, "That's correct. There is a donation. We could charge a fee, but there is a donation, I believe it is \$3.00 round trip recommended."

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

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

I. POSITION RECLASSIFICATIONS (EIGHT) AND REALLOCATIONS (FOUR).

1. RECLASSIFICATIONS.

- a. REAL PROPERTY APPRAISAL MANAGER, RANGE 25, APPRAISER'S OFFICE, TO REAL PROPERTY APPRAISER, RANGE 21.**
- b. PRINCIPAL DATA CONTROL CLERK, RANGE 15, APPRAISER'S OFFICE, TO TELEPHONE INFORMATION SPECIALIST, RANGE 16.**
- c. PRODUCT SUPPORT ANALYST I, RANGE 19, APPRAISER'S OFFICE, TO PRODUCT SUPPORT ANALYST III, RANGE 21.**

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- d. **OFFICE SPECIALIST, RANGE 15, COMCARE, TO PRODUCT SUPPORT ANALYST I, RANGE 19.**
 - e. **ADMINISTRATIVE ASSISTANT, RANGE 18, COMCARE, TO ADMINISTRATIVE SPECIALIST, RANGE 19.**
 - f. **BUILDING INSPECTOR I, RANGE 20, CODE ENFORCEMENT, TO ZONING INSPECTOR, RANGE 18.**
 - g. **BUILDING INSPECTOR SUPERVISOR, RANGE 22, CODE ENFORCEMENT, TO ASSISTANT DIRECTOR OF CODE ENFORCEMENT, RANGE 24.**
 - h. **SENIOR LEGAL ASSISTANT, RANGE 19, COURT TRUSTEE, TO ADMINISTRATIVE ASSISTANT, RANGE 18.**
- 2. REALLOCATIONS.**
- a. **DIRECTOR OF CODE ENFORCEMENT, RANGE 25, DEPARTMENT OF CODE ENFORCEMENT, TO RANGE 26.**
 - b. **DIRECTOR OF AGING, RANGE 27, DEPARTMENT ON AGING, TO RANGE 28.**
 - c. **ANIMAL CONTROL SUPERVISOR, RANGE 20, ANIMAL CONTROL, TO ANIMAL CONTROL DIRECTOR, RANGE 23.**
 - d. **ELECTRONICS TECHNICIAN, RANGE 19, EMERGENCY COMMUNICATIONS, TO RANGE 20.**

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Mr. Harry J. Hayes, Director, Bureau of Human Resources, greeted the Commissioners and said, “You have before you as the Clerk has indicated reclassifications and reallocations. Rather than going through these individually I would suggest and recommend that the Board approve these in one group. The positions are in six departments, a total of 12 reclassifications. I want to point out that the budget impact which you see in your back-up, these funds have been identified for this budget year and the next budget year and they do not impact the operating budgets of the effective departments. If there are any questions, I’d be prepared to answer those.”

Chairman Winters said, “Commissioners, would be opening to taking a motion on the reclassifications and reallocations. If anybody has any of these they’d like to talk about specifically, we could do that. If not, what’s the will of the Board?”

MOTION

Commissioner Miller moved to approve the reclassifications and reallocations

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 Harry, that was pretty easy. Next item.”

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J. 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, "I have a report that I would like to distribute to you before we begin. As was stated here this morning we need to ask your approval to file this preliminary report with Kansas Department of Health and Environment who licenses our juvenile detention facility. In the report, I outlined possible alternatives to address the projected growth in juvenile detention. It is a work in progress, a study of alternatives, not a plan or a commitment at this time to any action. The problem we face as a community is that we are using more juvenile detention beds than we have available. Our facility is licensed, as you know, for 33 with temporary approval to house 45 as one of the terms of this consent agreement, but we are using 72 beds a day. We deal with that overflow by contracting for beds around the State in other juvenile detention facilities. We provide transportation back and forth for court hearings. We have a projected need for 130 beds by the year 2005. The decision on how we are going to address that as a community is looming and coming. Phase three of the consent agreement that we will owe KDHE a report on approved actions will be next August, 1998.

"Factors driving the growth are kind of the same factors that you see and read about in the school systems. There are demographics at work here. There are more 10 to 17 year olds now and there is projected to be a growth in that age range through 2005 for 10 to 15 year olds and for 16 and 17 year olds, that population will continue to grow from 2005 to 2010. That is our highest group of numbers in juvenile detention, 16 and 17 year olds. So we have demographics at work that is probably the most compelling factor driving the growth needs. Second are crime trends with the increase in seriousness of weapons violations and in the community. Thirdly we have an underdeveloped juvenile justice system that is in transition from a foster care system that is going to be the subject with the new juvenile justice agency of a planning process, downloading the system from the State to local communities. That planning process will begin later this year and go on for two years. The information contained in this report should be helpful to us in looking at and identifying further the gaps not only on the front end that we can address as you have heard earlier with prevention and early intervention, but post-dispositional placement needs as well.

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“The problem currently is that kids stack up in juvenile detention waiting for court hearings and waiting for transfers to placement. Over the last year our facility was used 60% of the beds are occupied by kids waiting for placements. Those placements can take as long as six months to occur. Thirty percent are waiting for docketed court hearings. Nine percent are waiting for a judge to decide whether they need to be held. One percent are waiting to be released, either runaways or the court has decided to release them but nobody has come to pick them up yet.

“In 1996, we entered the consent agreement with KDHE due to the chronic crowding in our facility. As part of that agreement we agreed to a three phase planning process to develop a long term solution to operate the facility in compliance with our license. We are in phase two of the planning process identifying and examining alternatives. What we’ve done is bring in consultants with expertise in court process, detention process, front end alternatives that work around the country, and have helped to develop broader systems than we have to make recommendations to us on things we could change to impact the growth and to not rely so much on juvenile detention.

“The results of this work are a proposed continuum of secure and non-secure services that work in other places as detention alternatives and pre-adjudication programs. We have identified some policies and some practices which could be changed and might impact the future growth of juvenile detention. What we have not been able to do yet, and we will start working on with our detention utilization committee, is to assess which ones of these suggestions could make the most difference, could have the most impact, are feasible to implement, and we start that work now. We provided a list in this report of possible alternatives which might reduce the growth in juvenile detention.

“The second part of the report deals with a facility planning study of options to satisfy the projected growth and demand to meet 130 beds by 2005. We are presently working on four options. The options fall into two categories. We can basically contract for beds or we can expand and build additional beds. Of course, there would be combinations that we’ll continue to examine alternatives as we continue the planning process. We have provided in this report an examination of continuing to contract in other jurisdictions, the advantages and disadvantages, the option of putting out an RFP and identifying a provider who might come in and establish a facility locally that we could contract with to provide this service, expanding at the current site or expanding at a new site. Thus far, we have developed a partial list of advantages and disadvantages which are in this report.

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“Our next step, the point we are in the process is to develop detailed cost figures for comparison of contracting beds versus expansion and operating a larger facility. Second will involve working with our detention utilization committee and our stakeholders to review the list of possible alternatives and prioritize those that we can do to do everything we can to be more efficient and to develop a broader continuum of services. We’ll also recommend that we update our population projections. There is a tremendous change in the juvenile justice system and we need as good of information as we can get about what those projections are going to look like, what the growth is going to look like in the future. We need to incorporate this information into the upcoming planning process as far as the community planning teams. We also continue identifying and examining new alternatives as they become available. That is what is contained in this preliminary report and we ask that you approve that we submit it to KDHE.”

Chairman Winters said, “Thank you Mark. Commissioner Schroeder.”

Commissioner Schroeder said, “Mark, I’m looking through this report and I recall in our workshop that we held a while back there was a lot of discussion about the State’s responsibility to move those people out of our facility and place them in a prudent manner and in a prudent time. I don’t see anything which addresses that problem to any detail in here and I’m going to have a real hard time supporting this if we’re talking about spending \$11,000,000 to \$13,000,000 because the State had 78 kids projected to be in our facility out of 130, who have been adjudicated and are awaiting placement. I don’t think we’re solving our problem. All we’re doing is chasing our tail because the State isn’t getting these people out of the system. That’s what I was hoping when we talked to the consultant that we had here, that we might get some feedback from her and absolutely nothing. So I am looking for suggestions and I’ve got a couple and that is that we set a cap on how many we’ll take and any over and above that the State will come down and get themselves or they will be released into a parent’s custody or something to that effect. For them to just simply sit and wait us out and let us spend the money to solve their problem I don’t think is good government. The other is that we could start charging the City of Wichita for individuals who are arrested and put into that facility by their people. I’m looking for ways to help ourselves through this process and I don’t see any help from the City and I sure don’t see any help from the State. About all the State is helping us with is saying you’ve got to do this and you’ve got to do that and if you don’t we’re going to fine you, either on the SRS side or the KDHE side and we’re close you down and we’re going to cause you all kinds of headaches.”

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“I think the process is to back you into the corner. That’s what they are trying to do to us and make us spend our tax payers money for a problem for the most part that is caused by their systems failure. I won’t support this today unless we have some kind of verbiage in there that explains our concerns and our ideas regarding their backed up system. This will never go away if we don’t address it. If we think 130 is the projection for 2005, which is just around the corner, I can’t imagine what is going to happen in 2005, but it is also suggesting to our community that juvenile crime is running rampant through our community because of these numbers. I don’t think it is. We’ve got some problems, we’re no different than anybody else, but 60% of these kids are already adjudicated and awaiting placement. I think we need to address that problem. Thank you.”

Chairman Winters said, “Mark, what kind of time frame are we on here in needing to submit this report?”

Mr. Masterson said, “By October 1.”

Chairman Winters said, “By October 1, so we’ve got a week. I wouldn’t have a problem of deferring this for a week while we try to add some language in there about the problems that we have and how that is pressuring our population. On the plus side though, again, I’m not going to stand up and try to defend the action of the State of Kansas today in this process because Commissioner Schroeder explained it. I mean, these kids need to be in a State facility, that’s the way the system works. But the Legislature did work very hard last year to create this new juvenile justice system so I think the State has taken a very progressive step. It hasn’t solved any of our problems yet, but by moving the responsibility for juvenile justice from SRS to this new juvenile justice authority and bringing in a new commissioner, Commissioner Albert Murray, who I have had an opportunity to visit with on a very informal basis. I think he has a lot of plans and ideas and I think he is going to be pressing forward in a number of areas because that is going to be his full focus of looking at this juvenile justice system and how we’ll develop something that will work. If it calls for more beds at the State level I hope that now we’ve got a real voice and a mechanism to move forward with that. So I guess I hopefully see a light at the end of the tunnel by what the State Legislature has done so far. The next step is will they put the money there to solve this problem?”

Commissioner Schroeder said, “Can I follow up on that?”

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Chairman Winters said, "Yes."

Commissioner Schroeder said, "That's what concerns me a little bit is that it is a situation where maybe somebody is waiting on someone else to see what they do to determine what they need to do and I'm talking about the State. If we solve our problem I don't think we're going to see a lot of money come rolling down the hill to us if we go ahead and solve our problem with our own funding. That's why I would like to get out front and suggest to them that this is your problem, it is a community problem for us, but it is one that you can help us solve if you choose to do so. I think we need to put a little pressure in that arena and see if they can help us."

Chairman Winters said, "I agree and I think one of the things that I don't see as an answer though is reduced admissions into the system and shorter times. The public doesn't want criminals, whether they are juveniles or whether they are adults out on the street. They want them doing some kind of time for whatever crimes that they've been involved in. I think that just turning folks loose and giving shorter sentences for us and for the State I don't see as a good solution. Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Commissioner Schroeder, you have hit it on the head when you state that we are basically having to plan around an inept system. It is as simple as that. I will confirm and agree with what Commissioner Winters is stating that things are in flux right now. We are in the process of change. With the mandate from the State to create the juvenile justice authority with the planning board council that is the process of being put into place, it will be their job to look at this inept system and to figure out how it is that we can do this better. How it is that we can do this differently. That is the very reason why we've got 16 or 17 jurisdictions that will actually have a convener in place that will name the individuals who will make up that council and I do believe that there will be obviously very competent representation on the council that will actually make that plan for us. So I'm not coming to the rescue of the State of Kansas either. We've had a problem for a long time. But I don't think that this particular proposal and that is all this is, is necessarily the place where we need to vent our discontent with it."

Commissioner Schroeder said, "It is the only avenue I have right now."

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Commissioner Miller said, "I understand. I'm saying you hit it on the nail but now we need to put our words into action because we're going to make up that council. You've got representatives right here on this bench and we can do some things that will create a better system for our County."

Chairman Winters said, "Well, let me ask the Commission then, is it the will of the Commission for Mark and Jerry Harrison to come up with some language, a paragraph to put in this report . . ."

Commissioner Schroeder said, "Maybe a page or two?"

Chairman Winters said, "Stating our frustration with the backup of juveniles in our system?"

Commissioner Gwin said, "Mr. Chairman, on page six there are some sentences that talk about it that the findings illustrate the current lack of capacity in the criminal justice system and so on and so forth to provide programs and placements. It says this lack of system capacity severely impacts County juvenile detention resources. If we need to tag on something that makes it stronger than that does that says this County fully intends to work with State and juvenile justice authorities and others to assure that the State has the capacity to move these 60% or free up this 60% of beds, I think we could tag it onto there without having to rewrite the entire report. Maybe to put some oomph to those. Those are statements of fact. If we want to get a little oomph in there then I think we could add it right there."

Commissioner Schroeder said, "I wouldn't suggest to rewrite it. All I'm saying is we're not demanding enough in this. We're simply, as Betsy says, stating a fact that we have a problem but we're not giving any solutions and we're not stating how important this is to us and how much it effects us and to what capacity. There is no mention in here that if we have to go to 130 beds and 60% of those are kids awaiting adjudication, what that cost is to the County when it comes to construction, when it comes to keeping those kids there, when it comes to the security, teaching them, feeding them, their health issues, all of that. I think it would be astounding to see some of those numbers and I think they need to see that impact upon our community and so does the community. That's what I'm saying. We need to be a little bit more verbal about how we feel about this problem, because it is the major problem we're having over there as 60% are awaiting adjudication. It is a serious problem."

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Mr. Masterson said, "May I make a suggestion for your consideration?"

Commissioner Gwin said, "Sure."

Mr. Masterson said, "What we owe the State as part of this consent decree is a report that shows them where they are in the planning process. With the state of transition that the juvenile justice system is in we could compose a cover letter to submit to the State and request to defer a decision on the actions to take until the conclusion of the planning process so that we can incorporate our findings and our position into the community planning process."

Chairman Winters said, "I just have a quick comment and then Commissioner Miller wants to make a comment. I think we need to send something to them by October 1 to let them know we have been at work on this problem and we have been fully engaged. I think you are right in the fact that a final solution may not be able for us or for them to fully evaluate until we really see what the juvenile justice authority, what part they are going to play. I think we need to get them something."

Commissioner Miller said, "I was just going to echo that that this report is going to KDHE and then listening to Commissioner Schroeder when we need to be able to lobby very strongly and make this point very clear that dollars need to follow. We can't just continue to talk about where the problems are and inadequately fund it. The joint legislative committee was here. We made those very statements to them personally. That is who holds the purse strings of the State of Kansas. Those are the individuals that we as a Commission need to be lobbying, telling them exactly what it is that we are having to deal with on a County level and putting the dollars to it and requesting that the funding follow. We're in the process of doing that and we will continue to do that."

Chairman Winters said, "I agree with that. Commissioner Schroeder."

Commissioner Schroeder said, "One more comment and Commissioner Winters had alluded to this that the State, some of their solutions were less time being spent for the crime and I don't think that sends the right signal. I don't think that would be the right thing to do for adult detention in this County either and I sure don't think it is the right thing to do for juvenile detention. They need to commit dollars to this problem."

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“We don’t need to find way a way through the law to make it easier to have things occur and to get these people in and out. It is not the only solution. We need to commit dollars to do. I say we, the State needs to commit dollars to this problem. Unless they want us to fully take care of juveniles at our level, we can do that, but I don’t think it is in the best interest of us, the community, or juveniles, and if they are a part of the system, they need to be a part of the solution. If this committee that has been formed is going to do anything, I think one of the biggest headaches is deciding how much money they are going to have to put into the process. It is just too bad that we’re on the push right now, ahead of where they are at in trying to solve our problems. If we could put these two together as we are talking about, it would sure make our job a lot easier. I’m with the others. I’m not willing to wait and not send them something October 1. I think we need to follow up on our commitment to provide them the information they need and want and should have. All I am saying is we need to be a lot more concerned in this report with the cause and effect the State is having on our system. That is what I am looking for is some guts to that. If we could sit down and talk about that over the next week and come up with some good wordage I would really appreciate that.”

Chairman Winters said, “Mr. Harrison.”

Mr. Harrison said, “I would recommend that you consider deferring this for a week and during that week we’ll see if we can’t work up some language options on the impact to the State on our system and what that means to our juvenile justice efforts in Sedgwick County.”

Commissioner Schroeder said, “Would you guys come and see me?”

Chairman Winters said, “Yes, if you could let us all see that wording you come up with and how you plan to do that before next week because we do need to approve it next week so we can get it up there by October 1.”

Commissioner Miller said, “Which is next Wednesday.”

Chairman Winters said, “Well late in the day it will arrive up there.”

Commissioner Schroeder said, “Fax it.”

Mr. Harrison said, “Somebody may drive.”

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Chairman Winters said, "Somebody may drive up there. All right, can you and Mark understand by our conversations where we are headed on that?"

Mr. Harrison said, "I believe we do."

Chairman Winters said, "All right. Commissioners, could I have a Motion to defer for one week?"

MOTION

Commissioner Schroeder moved to defer Item J for one week.

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, "I would just make one quick comment Mark. We thank you for the work of putting this report together. As Interim Director, you have stepped in at a very challenging time and I want you to know as we go through this and we make our comments we appreciate the work that you have done putting this report together. We realize this is kind of a tough issue but I think a lot of us on this Commission are excited about this time because juvenile justice reform is upon us. We have put money together to do some prevention front end things. Again, we just want to say thanks to you for what we know is a tough job. Commissioner Schroeder."

Commissioner Schroeder said, "I would be amiss Mark if I didn't say thank you. I know this is not an easy task and you stepped into a difficult position and I appreciate all that you are doing. Keep it up."

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Mr. Masterson said, "Thank you."

Chairman Winters said, "All right, next item."

K. KANSAS COLISEUM MONTHLY REPORT.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "For the month of August we had 11 events, 24 performances, and a total attendance of over 58,000 people. Right now, for the month, we had \$22,484 in net revenue, which is a 27% increase over the same period as last year. So far this year we are ahead by 23% of what we did last year.

"Two highlights for the month of course were the T-95 Oz Fest, which set the single event ticket record for the Coliseum. We actually got national media attention from both Amusement Business, which is a weekly trade newspaper, and Performance magazine. They both featured articles on the Oz Fest and the success we had here. T-95 has already told us they found a permanent home for the event so we're working on next year's show. The second big event was the Ringling Brothers Circus. Good event despite the fact that we had the Labor Day weekend. We were real close, within 5% of what we did the year before, which was not bad. It is difficult on a holiday weekend because it was the last blast of summer and a lot of people take off, but it was really good. It was very good.

"We really noticed with the circus and this year with the Kansas State Fair, the marketing efforts that we put forth with Select-A-Seat and publicizing the ease and the availability of tickets. Fully 75% of the tickets for the circus were sold through the system, either at the outlets or over the phone. In fact, our phone sales are up 5% over what we did the year before. But what is really telling is the way the tickets went for the Kansas State Fair this year. As you know, in our advertising, the yellow page ad and the mailer we sent out, we list all the other facilities. Mostly Select-A-Seat is associated with the Kansas Coliseum but we also do seven other facilities in the state. The State Fair, of course, was prominently featured. We doubled the ticket sales for the State Fair. We went from \$19,000 last year to \$40,000 this year, which I think really shows that that is paying off for us.

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“Both the Oz Fest and the Circus allowed us to implement some of our ideas with traffic management. As you know, it has been a concern. We certainly are concerned about traffic baking up into the highway during times when we are loading in the crowd to see the event. We’ve got a new system where we put a team on every gate. We also worked with Mr. Spears and we have another entrance. We extended the road with the park entrance and that gives us another access point into the grounds. There were no backups at all, for the Oz Fest or for the circus on the highways. We put a team of a traffic officer outside direct the traffic and three people in the inside loading the parking lots. It has worked out very well for us. We’re also going to employee that for the Franklin Graham Crusade where we expect to have quite a few folks coming out to see us in October. If there are any questions I’d be happy to answer them at this time.”

Chairman Winters said, “Commissioner Miller.”

Commissioner Miller said, “I just have one question. Are the Rolling Stones going to get here?”

Mr. Nath said, “The Rolling Stones? I think the closest they are going to get to us is Norman.”

Commissioner Miller said, “Are they going to get to Norman?”

Commissioner Schroeder said, “Are they still alive?”

Commissioner Miller said, “Fifty-five and kicking.”

Commissioner Gwin said, “Can we sell tickets to that?”

Mr. Nath said, “That is on a ticket master system, I don’t think we’re going to have that opportunity.”

Commissioner Gwin said, “Too bad.”

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Chairman Winters said, "I've got one question and I don't know if it is for you or Jerry Harrison. Have we got everybody lined up on the Amphitheater study project and has that started or what's the time frame on that? If you don't know off the top of your head we can talk about that later."

Mr. Nath said, "I just happen to know that. September 30 will be the kick-off meeting. The group that did the interviews, the participants in that study will have a noon meeting with the consultant and we have already begun scheduling individual interviews with venues and collecting data from the Coliseum, Century II, and others. They will be here the 30th, 1st, and 2nd collecting data and doing interviews with people in this community about what the arena and the amphitheater."

Chairman Winters said, "Okay. So that is about to get started then. What is the time frame on that, do you know, or will the meeting kind of help determine that?"

Mr. Nath said, "The original time frame was December 1. I think that is probably going to slip just a little bit from the original."

Chairman Winters said, "It has been expanded quite a little bit from that original."

Mr. Nath said, "We're a little later getting started than we anticipated."

Chairman Winters said, "All right. Commissioners, any other questions or comments?"

MOTION

Commissioner Gwin moved to receive and file.

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	Aye

Chairman Winters said, "Thank you, John."

Mr. Nath said, "Thank you."

Chairman Winters said, "Next item."

L. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Jack Brown, RS, MPA, Acting Director, Community Health Department, greeted the Commissioners and said, "The first item I'd like to talk to you about this morning is some of our pollution prevention efforts in our Environmental Health Program. We have been talking about small business and small quantity hazardous waste generators and the next couple of weeks we'll actually be doing some collection of waste from those particular businesses that qualified under our program. It is a pilot program to see what type of hazardous materials they have and provide an environmentally safe method for them to dispose of those hazardous materials. That particular project is under way and has the potential of expanding to the small business community throughout the City and the County.

"One item that we have dealt with for a number of years. The west street tire site, there was I think over a million tires at the particular location. Through efforts by our office, by the owner of that property, recycling activities, KDHE, I think we're down to a very small number of tires at that particular location. That site is almost entirely cleaned up and KDHE has pretty much signed off on the compliance of the owner with the requirements on managing that particular site. That is good news. That site has been there for I don't know how many years, but it is now pretty well taken care of.

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“In regard to solid waste, some activities we have been doing is on November 18, 8:30 to 3:00 at the Extension Agency, the Chamber, the Extension Agency and the Health Department are working on a collaborative effort to have a seminar on reducing waste at commercial facilities. Another one of our pollution prevention efforts and our staff has been working with the various participants and they will be looking at success stories and ways that businesses can reduce their solid waste generation a their particular facility.

“The 55th to 63rd, between Meridian and Hydraulic area in southwest Sedgwick County. There are some citizens down there that have been concerned about water quality. Everything that we have seen to date on the water quality in that particular area has indicated poor quality in terms of taste and those types of things but we have not found any contaminants but in response to those citizens concerns we have partnered up with KDHE and will be doing a testing of a number of wells down there to get a better idea of the ground water quality in that particular area. I think there is an effort down there to get a public water supply and from our perspective we certainly want to see if there are contaminants that could cause health problems and that is the purpose of our work with KDHE in that particular area.”

Commissioner Miller said, “Jack, would you say that the majority of individuals in that area are still on well water?”

Mr. Brown said, “Yes.”

Commissioner Miller said, “There is in Park City.”

Mr. Brown said, “This is south, I’m sorry. I apologize. This is 55th Street South.”

Commissioner Miller said, “Okay, thank you.”

Mr. Brown said, “The area we are talking about is all on domestic water wells, the area that we’ll be looking at.

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“Good news. I think I’ve talked to you a little bit about what appeared to be a grant that we would receive from the Healthy Start Initiative to deal with infant mortality in zip codes in north central Wichita. We did receive that grant. We asked for \$900,000 some. Our grant is for \$630,821. So we got a little less money than we anticipated but \$630,000 is certainly sufficient to get the program going and I think there are indications of a potential of four Wichita Sedgwick County area of \$2,600,000 over a four year period for that particular project. That was one of the area identified in the CHAP report and one that we pursued through this particular grant and it looks like a four year program.”

Commissioner Miller said, “I have some follow-up questions on that also Jack and \$630,000 now is that basically going to target those three zip codes?”

Mr. Brown said, “Yes.”

Commissioner Miller said, “So that amount will target those.”

Mr. Brown said, “That amount will target those zip codes.”

Commissioner Miller said, “But the Wichita Sedgwick County area is in line for an additional . . .”

Mr. Brown said, “I’d have to look at that. What we have is a meeting with the project manager out of the headquarters in Washington, Health and Human Services, and we’ll get more definitive information in on that which I will provide to you. I’m sure you are interested and I will follow up on that.”

Commissioner Miller said, “Could you delineate the authority, the auspice when you talk about Sedgwick County and the City of Wichita. There was someone that was saying to me that the individuals who work within this area work for the City of Wichita. Could you for the public’s sake tell how it is that Sedgwick County and the City of Wichita jointly . . .”

Mr. Brown said, “If they work for the Health Department they are City County employees.”

Commissioner Miller said, “So it is City County and not either or, is that what you’re saying?”

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Mr. Brown said, "We always identify ourselves as a City County agency."

Commissioner Miller said, "Okay. I'm simply reiterating what an individual said to me was that they felt that individuals who work in this area work for the City of Wichita. I'm telling them I don't think so. Health Department employees are dually funded. Okay. Thank you. Thank you, Mr. Chairman."

Chairman Winters said, "Jack, did you have anything else that you want to conclude with?"

Mr. Brown said, "The only thing I was going to conclude with was that it was a very busy month due to school starting up and immunizations and that type of thing. We always put a plug in for flu immunizations will be available to the public starting next month. That concludes my report. I'd be happy to answer any questions."

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

Commissioner Schroeder said, "Are we going to do that flu immunization down in the lobby of the courthouse like we did last year for County employees? I'd forgotten, it was at Century II."

Mr. Brown said, "There are plans and I think we're going to discuss that next week in our staff meeting and we will provide the proper notification but I know that is a big program planned again as there is every year."

Commissioner Schroeder said, "I think that is a wonderful idea?"

Commissioner Gwin said, "Will you get one this year?"

Commissioner Schroeder said, "Didn't everybody enjoy having it last year?"

Chairman Winters said, "Any other questions or comments? Do I have a Motion?"

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MOTION

Commissioner Schroeder moved to receive and file.

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 Jack. Next item."

M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' SEPTEMBER 18, 1997 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have minutes from the September 18 meeting of the Board of Bids and Contracts. There are five items for consideration.

**(1) SANITARY SEWER LATERALS - BUREAU/PUBLIC SERVICES
FUNDING: SPECIAL ASSESSMENTS**

"Item one, sanitary sewer laterals for the Bureau of Public Services Rocky Creek, Phase 2. It was recommended to accept the low bid of Utility Contractors in the amount of \$293,017.

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(2) DISPOSITION OF BURSTER - DISTRICT COURT
FUNDING: DISTRICT COURT

“Item two is the disposition of a burster for the District Court. You will note that no bids were received for this solicitation. The Purchasing Department was directed to declare this item as surplus and find a good home for it.

(3) TWIN ENGINE TURBO AIRCRAFT - SHERIFF
FUNDING: SHERIFF/MOTOR POOL

“Item three, twin engine turbo aircraft for the Sheriff’s Department and the Central Motor Pool. It was recommended to accept the low and best proposal of Eagle Creek Aviation Services in the amount of \$359,000 which includes the trade-in of the County’s current Cessna 340A and an additional \$9,970 for the GPS avionics/navigation component. That new total is \$368,970.

(4) AUDIO/VISUAL SYSTEM - CAPITAL PROJECTS
FUNDING: CAPITAL PROJECT

“Item four, audio/visual system for Capital Projects. It was recommended to accept the low bid of Davis Audio Visual in the amount of \$64,136.60.

(5) PERSONAL COMPUTER HARDWARE & SOFTWARE - DISTRICT COURT
FUNDING: DISTRICT COURT

“Item five, personal computer hardware and software for the District Court. There were four recommendations. First, Gateway 2000 for personal computers and token rings for \$64,566. ASAP Software Express for software items totaling \$4,683.20. Computer land East for peripheral items and licenses for \$1,616.79. Alexander Open Systems for additional software items and licenses for \$5,852. That is a grand total of \$76,717.99. A complete tabulation is attached.

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ITEMS NOT REQUIRING BOCC ACTION

- (6) LANDSCAPING & SPRINKLING SYSTEM - CAPITAL PROJECTS
FUNDING: PARKING GARAGE EXPANSION**

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

“There are two items that do not require action at this time. No bids were received for a landscaping and sprinkling system for Capital Projects. We will revisit those specifications. Also an Internet server service for Information Services that was tabled for review. I’d be happy to take questions and recommend approval of the minutes as provided by the Board of Bids and Contracts.”

Chairman Winters said, “Commissioners, are there questions or comments? If not, what’s the will of the Board?”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, “Thank you Darren. Next item.”

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CONSENT AGENDA

N. CONSENT AGENDA.

1. 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, Bureau of Public Services, as a condition of receiving a Platting Exemption on an unplatted tract.

- a. Road Number 793-H, Owners: M. Torey Shackelford and Michelle M. Shackelford, located in the Southeast Quarter of Section 12, Township 26 South, Range 4 West, more specifically located on the west side of 215th Street West and north of 61st Street North. Sherman Township. District #3.
- b. Road Number 620-4, Owners: Thomas G. Smarsh and Karen J. R. Smarsh, located in the Southwest Quarter of Section 5, Township 27 South, Range 2 West, more specifically located on the east side of 199th Street West and north of 21st Street North. Attica Township. District #3.

2. Floodway Reserve Easements.

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

- a. Owner: Ron A. Meyer, dba Wildcat Developers, Inc., located in the Northeast Quarter of Section 32, Township 29 South, Range 1 East, more specifically located south of 111th Street South and west of 2nd Street East (Broadway). Salem Township. District #2.

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- b. Owners: Billy T. McDaniel and Elaine A. McDaniel, located in the Northeast Quarter of Section 1, Township 25 South, Range 1 West, more specifically located south of 119th Street North and west of 24th Street West (Meridian). Valley Center Township. District #4.

3. Dedication Deed.

The following tract of land was granted by Dedication Deed at no cost to the County to divide land into 10-acre tracts. This Dedication Deed was requested by the Director, Bureau of Public Services, as a condition of dividing property into tracts.

- a. Owner: Ron A. Meyer, dba Wildcat Developers, Inc., located in the Northeast Quarter of Section 32, Township 29 South, Range 1 West, more specifically located on the south side of 111th Street South and on the west side of 2nd Street East (Broadway). Salem Township. District #2.

4. Right-of-Way Agreement.

One Tenant Release for Damages for Sedgwick County Project No. 618-5-2061; Bridge on 4th Street North between 327th and 343rd Streets West. CIP #B-282. District #3.

5. Section 8 Housing Assistance Payment Contract.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V97054	\$380.00	3	Curtis Whitted

Regular Meeting, September 24, 1997

- 6. 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>
V94101	\$189.00	\$185.00
V96099	\$396.00	\$171.00
V93118	\$117.00	\$125.00
V94111	\$345.00	\$347.00
V94066	\$454.00	\$448.00
V892040	\$13.00	\$67.00
C95037	\$270.00	\$325.00
V95096	\$449.00	\$434.00

- 7. Contract with Kansas Foundation for Managed Care, Inc. to provide payment of Alcohol and Drug Abuse Services monies to COMCARE.**
- 8. Contracts (four) with Prime Health LLC, Steve Mallernee, Inc., March, Inc., d/b/a Assisted Healthcare and Craig HomeCare providing Developmental Disability Registered Community Service Provider status.**
- 9. Real Estate Purchase Contract with Joseph E. Linscott and Joyce A. Linscott in the amount of \$50,000 for acquisition of property located at 1120 South Walnut, Wichita, Kansas.**
- 10. Out-of-cycle salary adjustment from Range 30, Step 7 to Range 30, Step 10 for Chief Administrative Attorney in the District Attorney's Office.**
- 11. Waiver of Step one to hire a Senior Attorney in the District Attorney's Office at Range 27, Step 6.**
- 12. Order dated September 17, 1997 to correct tax roll for change of assessment.**

Regular Meeting, September 24, 1997

13. Consideration of the Check Register of September 19, 1997.

14. Budget Adjustment Requests.

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970554	County Clerk	Transfer
970555	Finance General	
	Sheriff	Transfer
970556	District Attorney	Transfer
970557	Purchasing	Transfer
970558	Information Services	Transfer
970559	COMCARE-Crisis Svcs.	Transfer
970560	Aging	Supplemental Appropriation
970561	District Court	Supplemental Appropriation
970562	Sheriff	Supplemental Appropriation
970563	Capital Projects	Transfer
970564	Kansas Coliseum	Transfer
970565	1997 Bridge Projects	Supplemental Appropriation
970566	Various-Streets	Supplemental Appropriation

Mr. Harrison said, "You have the Consent Agenda before you and I would recommend you approve it as presented."

MOTION

Commissioner Gwin moved to approve the Consent Agenda as presented.

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	Aye

Chairman Winters said, "Is there other business to come before this Board? I believe we do not need an Executive Session today. Was there any other business to come before the Regular Meeting of the Board of County Commissioners? Seeing none, this meeting is adjourned."

O. OTHER

P. ADJOURNMENT

Regular Meeting, September 24, 1997

There being no other business to come before the Board, the Meeting was adjourned at 10:56 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