

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

### **REGULAR MEETING**

**DECEMBER 17, 1997**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, December 17, 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. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. Daryl Gardner, County Controller; Ms. Mary Anne Nichols, Director, Personnel Department; Mr. John DuVall, Director, Operations; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Phil Hanes, Fiscal Intern, Bureau of Finance; Mr. Larry Weber, Administrator, Housing Authority; Mr. Phil Rippee, Risk Manager; Mr. Lyman Reese, Major, Sheriff's Department; Mr. Gerald C. Frantz, Sedgwick County Appraiser; Mr. John Nath, Director, Kansas Coliseum; Mr. Jim Weber, P.E., Director, Sewer Operations and Maintenance; 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**

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C.  
Mr. William J. Field, 15925 Stratford Row, Wichita, Kansas

### **INVOCATION**

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

### **FLAG SALUTE**

### **ANNOUNCEMENT BY CHAIRMAN WINTERS**

**Chairman Winters** said, "The Board of County Commissioners will not meet next Wednesday, December 24. There will be no meeting December 24. Our next Regular Meeting will be December 31. Madam Clerk, the next item."

### **ROLL CALL**

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

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**CONSIDERATION OF MINUTES: Regular Meeting, November 26, 1997**

The Clerk reported that all Commissioners were present at the Regular Meeting of November 26, 1997.

**Chairman Winters** said, "Commissioners, you've had an opportunity to review the Minutes, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to adopt the Minutes of November 26, 1997, as presented.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

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

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

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**RETIREMENTS**

**A. RETIREMENTS (TWO).**

**1. PRESENTATION OF RETIREMENT CLOCK TO MARY ANN LOWRY,  
FISCAL ASSISTANT, APPRAISER'S OFFICE.**

**Ms. Mary Anne Nichols**, Personnel Director, greeted the Commissioners and said, "I'm here and it is my pleasure this morning to present Retirement Certificates to two employees retiring from Sedgwick County. The first one is Mary Ann Lowry, Fiscal Assistant with the Appraiser's Office, who will retire January 1, 1998 after nine years of service.

"Mary Ann was hired on January 1, 1989 as an Office Assistant and became a Fiscal Assistant on January 1, 1992. Mary Ann says that she plans to spend time with her son and his family in Topeka, daughter and family in Lynchburg, Virginia. She and her husband plan to make more frequent trips to both places. They have two grandchildren at each place and she is looking forward to attending more school plays, et cetera. Mary Ann plans to devote more time to doing crafts and she has a room full of projects just waiting to be done when she retires. 'My husband hopes I'll get that room cleaned out,' she says. Since her husband also retired this year, they plan to do some traveling. She is also looking forward to attending some daytime functions at church, which she couldn't do before.

"Mary Ann has always worked in the Appraiser's Office. She describes her period of employment with Sedgwick County as, 'I started during the reappraisal time and have seen a lot of changes. I have seen hectic times and rewarding times. I am thankful for all the nice friends I have made at Sedgwick County. I plan to come down and have lunch with some of the girls from time to time and of course I wouldn't dream of mentioning the fact that I won't have to get back to work.' We wish her well in her retirement."

**Chairman Winters** said, "Mary Ann, on behalf of the Board of County Commissioners, I would like to present this clock to you as a token of the appreciation of the service to Sedgwick County over the past years. I do want to say that sometimes these folks who retire don't want to say anything so I do want to say that I visited with Mary Ann last week and she certainly commented about this clock that we present to employees who retire. You never know exactly what you can do for someone when they retire that is just right, but I think these clocks really are a token of appreciation and Mary Ann expressed to me, and I hope she says it again, but the appreciation for these symbols that we give for the service to citizens of Sedgwick County which is greatly appreciated. So on behalf of the Board of County Commissioners we wish you the best in your retirement."

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**Ms. Mary Ann Lowry** said, "I just want to say that I have admired these clocks for a long time. I can't believe today is here. Thank you very much. And about retirement, I just hope that I have signed all the right papers on all the right spots and they went to all the right places. I want to thank the girls in Personnel who did a great job, they made it real easy. I want to say thanks. I've made a lot of great friends since I've been working at the County. Thanks to all of you who came to support us here today along with my husband. I will be back to have lunch."

### **2. PRESENTATION OF RETIREMENT CLOCK TO WILLARD OCKER, FISCAL ASSISTANT, APPRAISER'S OFFICE.**

**Ms. Nichols** said, "Our second retiree is Willard Ocker. Willard is retiring from the Appraiser's Office also. He will retire January 1, 1998 after 13 years of service. Willard was hired on September 20, 1984, as a Senior Data Control Clerk, and became a Fiscal Assistant on August 15, 1986. Willard says he plans to spend time visiting his son and daughter-in-law in Oklahoma City. He frequently sees his daughter who lives in Valley Center, but knows that she will now think he has plenty of free time for numerous projects lined up for him.

"He plans to devote time to traveling. This is one aspect of retirement that he is looking forward to. He and his wife have several vacations planned. He also plans on completing several odd jobs that need to be done on his farm and on the house. He also plans on being actively involved in the church. Willard started working in the Assessors Office on a seasonal basis. He next worked in the Clerk's Office and then in the Treasurer's Office. He worked during the winter months and farmed during the summer. Finally he started working in the Appraiser's Office on a full time basis.

"He said, 'My employment with Sedgwick County has been rewarding and interesting. I have been privileged to work with many dedicated people. I feel like I have been blessed with many friends.' I know that Willard has a speech prepared to tell you. So we want to wish him well also in his retirement."

**Chairman Winters** said, "Willard, on behalf of the Board of County Commissioners, we'd like to present this clock to you as a token of appreciation for the work that you've done for the citizens of Sedgwick County. It has been appreciated, and we wish you the best in your retirement. I see you do have some notes, would you like to say a couple of things?"

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**Mr. Oker** said, "Yes. Well, working for Sedgwick County has been very interesting and meaningful to me. I've worked long enough to serve under 14 different elected and appointed officials. I've enjoyed my time with Sedgwick County and now I'm going to pursue new goals in my life. So it is time for me to take my clock and walk. Thank you very much for the gift and I want to wish you all a very Merry Christmas and a Happy New Year!"

**Chairman Winters** said, "Madam Clerk, call the next item."

**AWARD PRESENTATIONS**

**B. CAREER DEVELOPMENT CERTIFICATE PRESENTATIONS.**

**1. PROFESSIONAL DEVELOPMENT CERTIFICATE.**

- **JEANNE CVETNICH, CORRECTIONS**
- **JOHN HUMPHRIES, JR., CORRECTIONS**
- **MARJORIE MORTON-MCCLINTOCK, CORRECTIONS**
- **BARBARA PORTER, CORRECTIONS**
- **JOY SPILKER, CORRECTIONS**
- **LUCI WILLOUGHBY, CORRECTIONS**

**Ms. Nichols** said, "First of all, I want to say that this organization champions its employees and part of that issue is providing for them a comprehensive training program in Sedgwick County. It is my pleasure this morning to present certificates, Professional Development Certificates, for employees who have completed that program. This program is designed to provide employees the opportunity for professional training and to enhance their job skills. To receive the certificate, all required courses and a minimum of four electives must be completed. The following employees have done that process and we're here today to show our appreciation for that.

"The first one is Jeanne Cvetnich, Department of Corrections. John Humphries, Jr., Department of Corrections. Marjorie Morton-McClintock, Department of Corrections. Barbara Porter, Department of Corrections. Joy Spilker, Corrections. Luci Willoughby, Department of Corrections."

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**2. SUPERVISORY/MANAGEMENT CERTIFICATE.**

- **STEVE KALOCINSKI, CORRECTIONS**
- **TERRY MAULDIN, FIRE DEPARTMENT**
- **VICKY KAYETTA REA, TREASURER'S OFFICE**
- **LARRY RIEDLINGER, SHERIFF'S DEPARTMENT**

**Ms. Nichols** said, “The next set of certificates are Supervisory/Management Certificates. This program is designed to provide supervisory and management staff with the knowledge and skills necessary to perform their jobs as well as an opportunity for personal and professional development. To receive this certificate, all required courses and three electives must be completed. The following employees have completed this program: Steve Kalocinski, Department of Corrections; Terry Mauldin, Fire Department; Vicky Kayetta Rea, Treasurer’s Office; and Larry Riedliinger of the Sheriff’s Department. Thank you Commissioners.”

**Chairman Winters** said, “Thank you. I want to make one comment to all of those who have completed these courses. I think we’re all very appreciative of the fact when employees recognize that continued education, continued learning, is very valuable to the organization and to themselves. I think it is a real plus to see this many people have . . . I mean these really aren’t easy tasks. We’re very appreciative of all of you who have completed these courses and continuing your education. It will be a benefit to you and it will be a benefit to our organization. Thank you all for doing that. Next item please.”

**DONATIONS**

**C. DONATIONS.**

- 1. DONATION BY CHERYL RUNYAN IN THE AMOUNT OF \$1,000 TO BE USED IN COMCARE'S SUPPORTED EDUCATION SCHOLARSHIP FUND.**

**Mr. John Duvall**, COMCARE, greeted the Commissioners and said, “COMCARE has received a donation in the amount of \$1,000 from Cheryl Runyan. These particular monies are to be used in our Supported Education Scholarship Fund. This fund is primarily used to assist consumers of COMCARE who have a persistent mental illness to further educational efforts for them.

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“It primarily assists in our community support program, which is located up at the Twin Lakes Shopping Center. Cheryl Runyan is a project manager of psycho-social rehabilitation within our community support program. Cheryl is a strong advocate of the program of supported education and I think in this particular case you can truly say that she believes that actions speak louder than words. COMCARE is deeply grateful to Cheryl for her untiring efforts especially in this particular program. I would recommend the Commission accept the donation and authorize the Chairman to sign a letter of appreciation. Cheryl is in attendance at today’s meeting.”

**Chairman Winters** said, “Thank you. Commissioners, what’s the will of the Board on this issue?”

**MOTION**

Commissioner Hancock moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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, “I do see Cheryl. Cheryl, would you please stand? I share John’s words of being deeply grateful for this contribution. It certainly shows a great deal when one of our employees sees an opportunity to really make a commitment above and beyond what we all normally make. You have certainly done that with this contribution. I would suppose that for some folks who really are struggling with some issues of life, a chance to do some continued study and education would be greatly appreciated. Thank you very much. Commissioner Miller I believe has a comment too.”

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**Commissioner Miller** said, "I would simply like to echo your comments Mr. Chairman. To you Cheryl, my hat is tipped, because I know the pressure and sometimes stress that goes along with the position that you are in. The people related job that you do and obviously you are very committed to it, to take it one step further and actually . . . I was going to say put your money where your mouth is . . . or actions do speak louder than words. It is simply wonderful to see during this season of giving. I simply needed to say that to you. Thank you."

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

**2. DONATION BY CITY OF WICHITA EMPLOYEES' FRIENDSHIP FUND IN THE AMOUNT OF \$86.40 TO BE USED IN COMCARE'S CRISIS SUICIDE PREVENTION PROGRAM.**

**Mr. Duvall** said, "The second donation that COMCARE has received is in the amount of \$86.40 from the employees of the City of Wichita Friendship Fund. These particular funds are designated for the Crisis Suicide Prevention Program. This particular program provides a valuable service to the residents of Sedgwick County with the suicide prevention program and the stress trauma assistance team or what's called a STAT team. These funds will be used to further these particular programs. I'd recommend your acceptance of the donation and authorize the Chairman to sign a letter of appreciation."

**MOTION**

Commissioner Schroeder moved to accept the donation and authorize the Chairman to sign a letter of appreciation.

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

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**Chairman Winters** said, "Thank you John. It is a great day to accept some money for a change. Thank you. Next item."

### **PUBLIC HEARINGS**

#### **D. PUBLIC HEARINGS (TWO) AND RESOLUTIONS (TWO) CREATING LATERAL SEWER DISTRICTS.**

##### **1. PUBLIC HEARING AND RESOLUTION CREATING A LATERAL SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS AND AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS THEREIN (BROOKHAVEN ESTATES ADDITION).**

**Mr. Joe L. Norton**, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "For your consideration this morning, the Clerk has received a petition signed by the owners of 72% of the property within a proposed sewer improvement district in eastern Sedgwick County. You notice that Mr. Weber has some new improved information here on the screen to make it a little easier to read for you and the folks at home.

### **SLIDE PRESENTATION**

"On the screen before you, depicted in yellow, is the area of the County proposed to be included within this sewer district. It is right on 159th Street, which is the Sedgwick/Butler County line, right north of Central, known as the Brookhaven area. On this map, the County has done extensive sewer districts in this area. This is a Brookhaven main coming in this area as well as right south of Central is an extensive area of sewage for the Belle Terre Additions. This is just an extension north of Central.

"There are 18 lots in the proposed sewer district, all approximately the same size. The circles denote those property owners which have executed the petition requesting the improvements to be made in the sewer district to be created. This is an existing neighborhood as opposed to some that are newly developing in the area. The Bureau of Public Services has estimated the cost of the improvements. The line important there is the total bond issue line which is approximately \$127,000. There are 18 lots in the proposed benefit district, shared equally, would have a principal component of about \$7,000 or if spread over 15 years at 6%, an annual assessment of approximately \$726.

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“State statute provides that prior to consideration of creating the sewer district, the Board of County Commissioners must conduct a public hearing after notice has been published in the official County newspaper and mailed to each affected property owner. If there are no further questions of Mr. Weber or myself, it would be appropriate to open the public and receive any public comment.”

**Chairman Winters** said, “I see no questions at this time. We will open the public hearing. The public hearing is now open. Is there anyone here who would like to address the Board of County Commissioners regarding our Item D-1? Is there anyone? Yes, please come forward. Please state your name and address for the record and we try to limit our comments to five minutes.”

**Mr. William J. Field** said, “I live at 15925 Stratford Row. I have lived in this area for about 14 years. I was involved in circulating this petition. It is an unusual area because a lot of the homes in the area have been there 20 to 25 years, but there are a few that have only been there for 2 or 3 years and a couple of the land owners that weren't particularly interested is because they have recently paid for the lateral system and they really weren't interested and didn't see an immediate need for a sewer system. All of these homes have lateral septic tank systems. This is an area with a very high clay content and so the soil has a limited absorption capacity. I know of at least two homes that have had to redo their systems and my neighbor redid his probably three or four years ago and he told me he is already noticing problems with it at this time. Several of the other residents I'm aware of had to take certain actions to limit what goes into their system. Also, I believe that the engineering design for this project was essentially completed in the early 80s by PEC and so there is not a whole lot of design work remaining to be done. I'm sure Mr. Weber can comment further on that if the Commissioners have any questions. Other than that, I just wanted to let you know that I encourage you to approve the project. I'm available if there are any questions about this area.”

**Chairman Winters** said, “I see no questions Mr. Field, but we do appreciate your coming down and making those comments. It is good to know that. Is there anyone else here who would like to speak to the Commission on our Item D-1 concerning the Brookhaven Estates? Anyone else want to speak to the Commission? Seeing no one, we'll close the public hearing and reserve discussion to Commission and staff. Commissioners, do you have further questions of Mr. Norton, or what's the will of the Board?”

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**MOTION**

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

**Chairman Winters** said, "Mr. Norton, do you have anything else?"

**Mr. Norton** said, "I recommend you adopt the Resolution."

**Chairman Winters** said, "Is there any other discussion on this Motion? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "That Motion does pass. Next item please."

- 2. PUBLIC HEARING AND RESOLUTION CREATING A LATERAL SEWER DISTRICT WITHIN SEDGWICK COUNTY, KANSAS AND AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS THEREIN (SMITHMOOR 7TH ADDITION).**

**SLIDE PRESENTATION**

**Mr. Norton** said, "This is an extension of an area that has been developing in the County for a number of years as the 7th Addition Sewer Improvement District to be created. This is an area located south and west of the intersection of Harry and Greenwich Road, depicted by the yellow circle on the map. The proposed petition, signed by 100% of the area owners of property in this newly developing area is proposed to be done in two phases. The map before you depicts the plat area, Phase I to the left portion of the map, Phase II to the right. Again, lots of substantially equal size.

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“The estimate of cost by the Bureau of Public Services for Phase I are approximately \$98,000, 33 lots in the proposed benefit district divided equally, the cost is approximately \$2,967 per lot or about \$435 per year if spread over 15 years at 6%. Phase II has a total cost estimate of about \$43,500, 7 lots in Phase II, a principal component of about \$6,200 or about \$911 per year.

“Again, State statute requires that prior to considering the creation of this district, the Board of County Commissioners conduct a public hearing and receive comment. Notice of the public hearing has been published in accordance with State statutes.”

**Chairman Winters** said, “I see no questions Mr. Norton. At this time I will open the public hearing. Is there anyone here who would like to speak to the Commissioners concerning our Item D-2, lateral sewer district in the Smithmoor 7th Addition? Is there anyone who would like to speak to the Commission concerning our Item D-2? Seeing no one, we’ll close the public hearing. Discussion will be limited to staff and Commissioners. Commissioners, do you have other questions? Mr. Norton?”

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

**MOTION**

Commissioner Schroeder moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Mr. Norton** said, “Thank you very much and each of you have a very happy holiday season.”

**Chairman Winters** said, “Thank you. Same to you. Next item.”

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**PLANNING DEPARTMENT**

**E. CASE NUMBER V-2054 - REQUEST TO VACATE A UTILITY EASEMENT LOCATED ON WEST STREET AND I-235.**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "One item on your agenda. This is a public hearing item also. It concerns a platted lot that is on the east side of West Street, south of I-235, between I-235 and MacArthur Road. You may remember this lot, there was a request for rezoning for Commercial about a year ago. The intended use at the time was an auto sales lot and it was approved subject to platting and the lot was platted and recorded with a ten foot utility easement running along the south property line, along the side yard as required by the County Engineering Office and the private utilities. Since that time, the property owner to the south has contacted this property owner indicating an interest in expanding their existing self-storage facility onto this lot. His plans would require the vacation of this easement for buildings on the side lot line between these two lots. So the current property owner has required a vacation case. We took this to the subdivision committee, which includes a group that is called the Utility Advisory Committee, which includes the County Engineering Office and also all the private utilities who review the need for easements and utility extensions. They indicated that there were no public or private utilities in the easement and none that needed to be planned in the future at this location so they advised that the vacation could proceed. The subdivision committee and the Planning Commission have recommended that you vacate this easement. The City Council, because this is within three miles of the City of Wichita, have also reviewed this case and recommended approval. This is an advertised public hearing item, but if there are no objections, we would recommend you approve the vacation order."

**Chairman Winters** said, "Thank you. At this time, we will open the public hearing to receive comment from anyone here who would like to speak to the Commission concerning our Planning Department agenda Item E? Is there anyone here who would like to address the Board of County Commissioners on our Planning Department Item E? Seeing no one, we'll close the public hearing. Anything else Marvin? Commissioners, you've heard the report, what's the will of the Board?"

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**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**Mr. Krout** said, "Thank you. Happy Holidays!"

**Chairman Winters** said, "Same to you."

**NEW BUSINESS**

**F. RESOLUTION ADOPTING POLICY AND PROCEDURE REVISIONS FOR THE DEPARTMENT OF INFORMATION SERVICES.**

**Mr. Phil Hanes**, Fiscal Intern, Bureau of Finance, greeted the Commissioners and said, "I'm presenting today revisions to the Sedgwick County Policy and Procedures Manual, more affectionately known around here as the green book. As we all know, the trend in information technology is to do more things with smaller equipment. Today, we have palm top computers that are a hundred times more powerful than the desk tops we had 15 years ago. Unfortunately, our Information Services policies have not kept pace with that. We're still operating under policies that were adopted 11 years ago, 15 different policies comprising 19 pages of our policies and procedure manual.

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“Our County Manager decided a little over a year ago that we needed to do something about that and as part of a comprehensive review process of the green book, we started looking at that and Ken Keen of Information Services has worked very diligently with myself and my predecessor, Mike Pisciotte, as well as Jennifer Reschke of the County Counselor’s Office, and today we have before you one policy of six pages in length which contains all the information and policies and procedures that we feel are needed to take us into the 21st century. They contain policies not only have we revised and condensed the existing policies, we’ve also added new policies in areas such as electronic mail and voice mail. I would be happy to address any questions you have.”

**Chairman Winters** said, “Phil, can you tell us how many people worked on this project? Was this something that came out of just you or tell us about the people who worked on this.”

**Mr. Hanes** said, “As I said, it was begun under my predecessor, Mike Pisciotte, and then when he left I took it over. Ken Keen has worked very closely with us, the Director of Information Services. Jennifer Reschke from the County Counselor’s Office, and Bob Rogers, the Assistant County Manager. Then, as I understand it, I wasn’t involved at the time, but there was also a committee of people who initially reviewed the policies as well.”

**Chairman Winters** said, “So this has had a broad look by a lot of different people.”

**Mr. Hanes** said, “A lot of people have looked at this policy. That is correct.”

**Chairman Winters** said, “People that are working in the organization.”

**Mr. Hanes** said, “We’ve also done some research in comparable organizations here in the community and what other counties throughout the state are doing as well.”

**Chairman Winters** said, “Okay. Commissioner Miller has a question or comment.”

**Commissioner Miller** said, “Thank you Mr. Chairman. Good morning Phil. In a conversation that I had with Ken Keen, he felt that there was a significant change up under Item L, electronic and voice mail usage. It had to do with being able to actually access that information that comes across the electronic lines as property of Sedgwick County. Can you discuss that for just a moment? If you’re not familiar with it just say so and I’ll follow it up with Ken again.”

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**Mr. Hanes** said, "I know that Ken has been around to speak to each of the Commissioners. I'm not intimately familiar with that particular policy. I do understand that it is a new policy rather than a revision. We have not previously had voice mail here at the County but we're adding it in January and of course we've had electronic mail for some time now. But we just feel that this is a policy that will better protect the County from a legal standpoint as far as if . . . we don't want to access employee's E-mail. It is not our business to read what employees do, but we want to make sure that they are having a responsible use of the resources that we provide for them to use here in their County employment. So that is the intent of this policy."

**Commissioner Miller** said, "That question of E-mail and employees, what is the policy in terms of employees using their personal ID number here at a work station, do you know?"

**Mr. Hanes** said, "When I came into employment in the County and as I understand it for some time, people have been signing a consent form which says basically that I pledge on my honor that I will not do personal correspondence, that I will use this for County business."

**Commissioner Miller** said, "So there is a consent form signed."

**Mr. Hanes** said, "That has been incorporated into the policy under L-1, each employee/client, will sign a consent prior to be provided access to County electronic or voice mail systems."

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

**Chairman Winters** said, "Okay, thank you. Commissioners, are there other questions concerning this Resolution? Commissioner Gwin."

**Commissioner Gwin** said, "Question. Phil, how do we, since there have been changes in this policy and we want to remind the employees about the proper or improper use of these technologies and to remind them of what is right and wrong and what the result of that kind of behavior is, how do we let the employees know about these changes and modifications?"

**Mr. Hanes** said, "That is a very good question. I don't think it is one that has been addressed yet, but I will be sending copies of the policy if it is adopted out to all the department heads and I will encourage all of them at the time I do that to remind their employees of the proper use of E-mail."

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

**Chairman Winters** said, "Thank you. I think we're ready for the Motion now."

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**MOTION**

Commissioner Miller moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you very much Phil. Good job."

**Mr. William Buchanan**, County Manager, said, "Mr. Chairman."

**Chairman Winters** said, "Yes."

**Mr. Buchanan** said, "In response to the last question. I believe the plan is that now this policy has been adopted and when the voice mail system is set up, we'll certainly have people signing consent forms and because of the new policy, we'll have them resign the existing ones and hand them the new policies."

**Chairman Winters** said, "Okay, very good. Next item Madam Clerk."

**G. DELEGATE AGENCY FUNDING AGREEMENTS (FOUR) FOR 1998.**

- 1. SEDGWICK COUNTY FAIR ASSOCIATION, INC.: \$21,500**
- 2. WICHITA-SEDGWICK COUNTY HISTORICAL MUSEUM ASSOCIATION: \$107,303**
- 3. FIRST NATIONAL BLACK HISTORICAL SOCIETY OF KANSAS, INC.: \$91,726**

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**4. ARTS AND HUMANITIES COUNCIL: \$3,420**

**Mr. Jarold D. Harrison**, Assistant County Manager, greeted the Commissioners and said, "These four delegate agency contracts are agencies that we funded in the Finance General portion of the budget for 1998. The amounts specified are the amounts for which they were funded. Each of the associations and groups are required to enter into a funding agreement with us whereby they specify services that will be provided for those funds. I would recommend that you approve the agreements and authorize the Chairman to sign. However, I must note that due to an oversight on my part, we had to make a correction to the dates on the Sedgwick County Fair Association Contract and the Arts and Humanities Contract and we will also have to have those agencies sign those."

**Chairman Winters** said, "So do we still need to take the recommended action then?"

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

**Chairman Winters** said, "Commissioners, you've heard the report, what's the will of the Board?"

**MOTION**

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

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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

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**H. BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE).**

**1. AGREEMENT WITH BREAKTHROUGH CLUB OF SEDGWICK COUNTY, KANSAS (BTC) ALLOWING BTC TO DELIVER SERVICES AND BILL MEDICAID FOR PSYCHOSOCIAL TREATMENT GROUPS AND CASE MANAGEMENT.**

**Mr. Duvall** said, "This particular Contract is a renewal of an existing agreement with the Breakthrough Club of Sedgwick County. It has been an affiliate agency of ours for several years. This particular agreement simply allows them to bill Medicaid for psychosocial treatment and case management and receive reimbursement from Medicaid for those particular services. I would recommend your approval of the Contract."

**MOTION**

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

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

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

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**2. GRANT APPLICATION IN THE AMOUNT OF \$675,000 TO THE CENTER FOR MENTAL HEALTH SERVICES (CMHS) FOR CONTINUATION OF A CMHS CHILD MENTAL HEALTH SERVICES GRANT.**

**Mr. Duvall** said, "This particular grant application is for COMCARE's child mental health services grant to the federal government. This application is for the fifth year and the final year of this particular grant which runs from February of '98 through January 31, 1999. The amount of the grant application is for \$675,000. The total program for that particular year will be \$2,025,000. I would recommend your approval of the grant application."

**MOTION**

Commissioner Schroeder moved to approve the Grant Application and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

**Commissioner Gwin** said, "John, this has been a real important program and one that I think has been a real success. I do have concerns though and would like to know how the department plans on continuing the program without the benefit of the federal funds that have been coming for years. Have you all started talking about the transition or what happens when all this goes away?"

**Mr. Duvall** said, "We actually started talking about it a couple of years ago in terms of making some of the transition. The State SRS is still funding the program through Mental Health Reform, hospital closure, plus, there is some degree of program income still remaining. We will continue to carry that program income over. During this particular last year, we'll begin to do some additional planning of exactly how we're going to keep the service alive. I don't see the service going away. It may be somewhat reduced. In addition to that, the SRS is now funding what we call the children's waiver, which will really incorporate most of the principles of what this grant has already started. That funding, plus the other sources of funding from the State, I anticipated that the program obviously will remain. It may look a little bit different and slightly smaller, but it will continue."

**Commissioner Gwin** said, "Good. Thank you John. I'm glad you all are working on that. Thank you Mr. Chairman."

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

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**Commissioner Miller** said, "Thank you Mr. Chairman. Just to follow up with that line of questions. John, when we talk about SRS being able to possibly pick up some of this tab, is that primarily due to the push to privatize these types of programming and if yes, can you describe for the public just what types of services are encompassed in this \$2,000,000 budget line item?"

**Mr. Duvall** said, "I think the answer to this is yes. There is sort of a move to begin privatizing toward this. We have been very active. If SRS makes that decision to move ahead in privatization, we want to be a key player in being able to provide those particular services. The services that are offered, what the federal grant has allowed us to develop is what we call wrap around services, where we look at the individual and the child in this particular case and the entire family. We begin to wrap around various services, case management, attended care, those kinds of services to assist the family in moving forward. The wrap around concept has been sort of sparsely funded by SRS due to their rules and regulations. The federal grant has sort of supplemented that now. Now with the addition of the children's waiver, we are confident that the wrap around services can continue."

**Commissioner Miller** said, "Very good. Another spin off and a tag on to what Commissioner Gwin was saying, that's the very reason why this program is so successful, because of the wrap around concept."

**Mr. Duvall** said, "Right."

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

**Chairman Winters** said, "Thank you. Commissioners, we have a Motion and a second, is there further discussion on the Motion? Seeing none, call the vote."

**VOTE**

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

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

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**I. CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT WITH UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO PROVIDE FUNDING FOR SECTION 8 RENTAL ASSISTANCE.**

**Mr. Larry Weber**, Housing Authority, greeted the Commissioners and said, “You have before you today a consideration for execution of a consolidated annual contributions contract. This is our actual contract with HUD, Housing Urban Development, for funding. This is just a 15 month renewal for one of our projects and it does take us through January of 1998. Probably over the next few months, either myself or Irene Hart will be in here renewing almost all of our projects because they all come up for renewal in the next few months. I do recommend that you approve and sign both copies of this so that we can keep our contract with HUD. I will be happy to answer any questions.”

**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.

**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, “Commissioner Miller, do you have a question about this issue?”

**Commissioner Miller** said, “Just a follow up. Mr. Weber, what is the total amount of Section 8 funding that we’re reimbursed by the HUD department?”

**Mr. Weber** asked, “Total amount or just for this project?”

**Commissioner Miller** said, “Just for this project.”

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**Mr. Weber** asked, "The renewal will be \$165,098. That covers a 15 month period. It comes out to be \$11,000 a month."

**Commissioner Miller** said, "That is exactly what I wanted to know. Thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you Larry. Like the necktie too. Next item."

**J. DEPARTMENT OF RISK MANAGEMENT.**

- 1. AGREEMENT WITH BLUE CROSS/BLUE SHIELD OF KANSAS TO PROVIDE ADMINISTRATIVE SERVICES FOR SEDGWICK COUNTY'S SELF-FUNDED HEALTH AND LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE COVERAGES FOR SEDGWICK COUNTY EMPLOYEES DURING CALENDAR YEAR 1998.**

**Mr. Phil Rippee**, Risk Manager, greeted the Commissioners and said, "Item J-1 is an agreement with Blue Cross/Blue Shield of Kansas, which allows them to continue as our third party administrator for health and life insurance coverages. The period of this contract is for January 1 through December 31, 1998. I would recommend that you approve the agreement and authorize the Chairman to sign. There are no major changes to this contract."

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**Commissioner Schroeder** said, "Phil, how long have we been with Blue Cross/Blue Shield of Kansas?"

**Mr. Rippee** said, "We've been with them since 1992."

**Commissioner Schroeder** said, "Okay. And is this an every year agreement to renew?"

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**Mr. Rippee** said, "No, we renew it every year in front of the Commission. This is actually what we are doing this year."

**Commissioner Schroeder** said, "I mean we have to renew this every year. It is not like a two year contract?"

**Mr. Rippee** said, "No sir, it is on an annual basis."

**Commissioner Schroeder** said, "Okay. Would the Preferred Plus and the Dental Plan be the same way?"

**Mr. Rippee** said, "The same way."

**Commissioner Schroeder** said, "Annual?"

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

**Chairman Winters** said, "Okay, thank you. Commissioners, we have a Motion and a second. Is there further discussion? Seeing none, call the vote."

**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

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

**2. CONTRACT WITH PREFERRED PLUS OF KANSAS, INC. TO PROVIDE GROUP HEALTH INSURANCE FOR SEDGWICK COUNTY EMPLOYEES DURING CALENDAR YEAR 1998.**

**Mr. Rippee** said, "Item J-2 is a Contract with Preferred Plus of Kansas to provide a coexisting health insurance plan for Sedgwick County employees during the period of January 1 through December 31, 1998. I would also recommend that approve the agreement and authorize the Chairman to sign."

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**MOTION**

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

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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

- 3. AGREEMENT (THREE-YEAR, INCLUDING ANNUAL RENEWAL OPTIONS) WITH DELTA DENTAL TO PROVIDE ADMINISTRATIVE SERVICES FOR SEDGWICK COUNTY'S SELF-FUNDED DENTAL PLAN FOR SEDGWICK COUNTY EMPLOYEES DURING CALENDAR YEAR 1998.**

**Mr. Rippee** said, "Item J-3 approves the first year of a three-year agreement with Sedgwick County and Delta Dental to administer a self funded dental plan. This initial agreement period would be January 1 through December 31, 1998. We also have a 30 day out clause on this so we can get out of this at any time. I would recommend that you approve the agreement and authorize the Chairman to sign."

**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, "Thank you Phil."

**Mr. Rippee** said, "Thank you sir."

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

**K. AGREEMENT WITH PREFERRED MEDICAL ASSOCIATES, INC. TO PROVIDE A FULL LINE OF MEDICAL SERVICES TO DETAINEES OF THE SEDGWICK COUNTY ADULT LOCAL DETENTION FACILITY.**

**Mr. Lyman Reese**, Major, Sheriff's Department, greeted the Commissioners and said, "This contract is the third and final year of a three year contract whereas we set out parameters to be met each year to provide medical services for detainees currently housed in Sedgwick County and in 31 other counties. The first two years were very progressive. All the parameters that we've set down have been met. All the medical personnel have been hired, trained, and are on board. We've went from an on-call medical service to a three shift. They are there all the time. We have greatly reduced manpower and cost by not having to run people back and forth to local hospitals. This third year includes the cost for the employee benefits and the insurance coverages they are required to carry. I think it is working very well. They are seeing an average of about 1,000 patients per month, plus coordinating the medical services in 31 other counties with our inmates. I believe this is working well. It is sometimes tough to see with the amount of money that is spent on medical, see a reduction, but we are seeing that reduction and I think it is a great benefit to the County. I would recommend that we approve this."

**MOTION**

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

Commissioner Gwin seconded the Motion.

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**Chairman Winters** said, "Lyman, I'm going to ask a question I know the answer to but for those who might be listening, you all do go through a process to make sure that these individuals that receive medical attention at the expense of the taxpayers actually need it. It is not something that someone can just cry wolf and automatically gets a whole lot of attention. Am I correct in saying that?"

**Major Reese** said, "That's correct Mr. Chairman. This hiring also includes, besides the medical staff, we now have a triage station in booking. They are the first medical people that see everyone that comes in the building. They make a medical decision as to what needs to be treated and what doesn't need to be treated. They are very stringent on this and kind of stingy sometimes. It is not just a cry wolf and get services."

**Chairman Winters** said, "Have we instituted the plan yet where on some medications, detainees are actually required to pay, I mean if they just want an aspirin or a pill, they need to go through some procedures to get that, is that correct?"

**Major Reese** said, "That program has come on line. As far as medication, we use generic medication at all times that the doctors can. They don't prescribe anything but generic unless they can't get it in generic. As far as the medical co-pay, that's on line. It is functional. The inmates pay \$5 for a visit to the doctors if they initiate the call. If somebody is sick and they are treating them, the first time up it is \$5 and if the doctor calls them back to review their progress, they don't have to pay for that. They pay for aspirin off the commissary. The inmate co-pay I believe at this point, the last time I looked at it, is about an \$18,000 return."

**Chairman Winters** said, "I know this is one of those issues that none of us like, but I think we all appreciate the efforts you all go through to make sure that only valid medical needs are attended to in this program."

**Major Reese** said, "Commissioner Schroeder."

**Commissioner Schroeder** said, "Lyman, we've talked about this before but a lot of these people do have medical insurance when they enter the jail but we still have to take care of them at our expense, is that correct?"

**Major Reese** said, "That's correct. In custody, we fought several legal battles attempting to get the insurance to pay for it and State law requires us to take care of it."

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**Commissioner Schroeder** said, “Is there some way that we could open that process by our legislative action? I mean we have a plan that we present every year to the State Legislature, maybe that is one that we need to work on. I mean it just makes sense to me, why in the world should I be paying for somebody who broke into my neighbor’s house, for their medical because they broke their arm getting in or getting out. It is just ridiculous. I’m serious, this is silly that a lot of these people do have insurance and yet we have to pay for it.”

**Major Reese** said, “I agree with you on that. We’ve discussed it with County Legal. I would assume that any help you could give us on a legislative scale of changing that would be greatly appreciated.”

**Commissioner Schroeder** said, “I guess we could start. I know it isn’t something we could accomplish over night, but at least we could start and maybe add it to next year’s program and set some seeds this year with the State Legislature that we’re interested in it.”

**Major Reese** said, “I think that would be a very good plan.”

**Chairman Winters** said, “I think that would be a good idea. Commissioners, we have a Motion and a second. Is there any other discussion? Seeing none, call the vote.”

**VOTE**

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

**Chairman Winters** said, “Thank you Lyman. Next item.”

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

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

**Mr. Richard A. Euson**, County Counselor, greeted the Commissioners and said, "These agreements were on your agenda a couple of months ago and at that time there was some question about the cost and expenses under the flood control contract. We have been looking into those and at the current time have not received all the information that was requested. However, we decided to go ahead and put these items back on the agenda since we're getting to the end of the year and the funding does need to be approved. It would seem to me that it may appropriate to take these one at time for discussion. They are in the standard format and I will be available to answer any questions you have."

**Chairman Winters** said, "Commissioners, would you like to address these one at a time or make general comments?"

**Commissioner Schroeder** said, "Just right off the bat, the Wichita-Sedgwick County flood control. Rich, does the verbiage in that still maintain that the City or Flood Control will take care of flood control, I guess you call it the Wichita-Valley Center Floodway. Does it mention other streams or tributaries such as the canal route, et cetera, do you know? I don't think my backup has that."

**Mr. Euson** said, "The Agreement on the backup is just the continuation agreement. I believe it references the original agreement. The original agreement, as I recall, speaks to flood control projects regarding the Wichita-Valley Center flood control project and no others to my recollection."

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**Commissioner Schroeder** said, "That's fine. I'm going to go ahead and vote for this but I think we need to look at changing the verbiage in here and getting more specific in the contract. I think there is a misunderstanding between myself and the City as to what is flood control. I thought it was the Wichita-Valley Center floodway and now I'm getting conflicting reports from Mitch Mitchell that it includes the canal route and then there are some in the City that say no, it does not include the canal route and nowhere in the agreement is the canal route mentioned. I think they need to understand what it is that they're supposed to be working on. So maybe we can get that information as we go on through this research process and come to some conclusion after that. That's really beginning to concern me as to whether we are in agreement as to what flood control should be doing. I'm not going to hold it up any further, but just want to let the Commissioners know we are working on it. We discovered some issues and some problems that we'll be addressing later on with them and hopefully we can resolve this in a calm, cool, and collected manner and come to some resolution."

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

**Commissioner Miller** said, "Thank you Mr. Chairman. My concerns, and I have expressed them with the Commission and I believe with the County Manager, is regarding how is it we do business with the City of Wichita and the auspice holding position that we the County have with the Health Department? When you look at the contributions it is clear that the split is 60-40. When you look at the actual contract we are being asked to sign, it states that 'whereas it is necessary that agreement on the joint funding and management of the Wichita-Sedgwick County', key comment, agreement on the joint funding and management of the Wichita-Sedgwick County Department of Health becomes effective . . . . and then moving on down to the fourth paragraph, 'All revenues, fees, charges or assessments collected by Wichita-Sedgwick County Department of Community Health shall be credited to the County and City in the same percentages as their respective annual operations contributions.' A case in point that I have is the Healthy Start grant or any grant that comes through by way of Sedgwick County and the City of Wichita. It is not credited in our line item budget. It is not credited to Sedgwick County Department. It is credited fully within the coffers of the City of Wichita. And in terms of personnel, the questions will always rise, well who do these individuals work for. I have consistently said that Sedgwick County funds to the Health Department to the tune of 40% of its total budget and the City of Wichita 60%. Both of us jointly govern or auspice hold over this department. But it is very clear that personnel goes through the City of Wichita. This has been confirmed. They manage, they administer, the monies stay within the City of Wichita's budget department. So I question what is it, how is it, that Sedgwick County has any control over, besides a diplomatic comment, that is going to come by way of the Health Department, what other method do we have to ensure that we have some control over particular funding that comes through by way of the City of Wichita-Sedgwick County Health Department?"

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“A case in point that I was getting to earlier is the Healthy Start grant. That grant is over \$2,000,000, a federal grant that was basically written on the backs of zip codes that include County and City zip codes. It is being administered now without I would say as much input from the County as should be given. So my question is, do we need to look at, and it has been asked about the Flood Control Department, do we need to look at the agreement that we signed with the City of Wichita concerning the Health Department?”

**Commissioner Hancock** said, “Since no one is going to respond right away, I’ll jump in here. The only handle that we have on the Health Department is through our appointment on the Board. It hasn’t always been satisfactory or even enough. It sometimes is very difficult to get the Health Department, well not difficult for them to respond to some of my calls that I’ve made over the years.

“Jack Brown and his staff and others have been very responsive. However, ongoing policy changes though and deep seated attitudes, some concerns about public service have been very difficult for us to change. I haven’t found any satisfaction of doing that through the Board at all. Our only other handle on that is to get the attention of the Board and the attention of those folks who work at the Wichita-Sedgwick County Health Department is to withhold funding. I guarantee you, that will get their attention.”

**Commissioner Miller** said, “Certainly.”

**Commissioner Hancock** said, “But Melody, I think that is the only handle we have on it is our Board appointments and to carry our wishes and desires as members of that Board.”

**Mr. Buchanan** said, “Commissioner, there is nothing that would prohibit us or as a matter of fact, it would probably be in our best interest to, we do require monthly reports and we receive a written copy of the monthly report. There is no reason that we shouldn’t expect to receive an accountability of an accounting of the grants, where they are being spent, what the outcomes are expected, how that is functioning. We can begin looking at those with Jack Brown so that we have the information that we need. It makes it a lot cleaner if one organization handles the finances of the grant rather than trying to split it up and send checks around. But we need to be assured that and to assure you and others that the funds being used by the Department of Health in their grants are being spent to accomplish specific goals. We can do that.”

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**Commissioner Miller** said, "I appreciate that. I have had conversations with Jack Brown and he is extremely accommodating and will give us whatever information is requested. I'm just looking at . . . to me, the larger picture is and from a legal perspective is if indeed we're signing a contract that says the agreement is of joint funding and management and that all revenues, fees, charges and or assessments collected by the Wichita-Sedgwick County Department of Community Health shall be credited and the fact is that it is not. When you look at the actual budget document, it is not. So to me that is discrepant and I'm wondering why we continue under that vale?"

**Mr. Euson** said, "Commissioners, certainly another thing that you could look at is adding some provisions to these agreements. These agreements are very bare bone, standard form agreements that we have used for years and years and years, and their purpose is to provide for the joint funding and that is really about it. They say in them that they are intended to supplement any previous agreements, but in fact, many of those previous agreements are by their own terms expired.

"So perhaps we need to take a look at these agreements and go through them and put any provisions in them that will satisfy the goals that the Commission has in regard to them. They've been used for years and years and years in the same format. Perhaps we need to look at doing them differently. That is certainly an option for you too."

**Commissioner Miller** said, "I just felt that it needed to be stated and it is not intended to pick another fight. I mean we've got enough battles that we're waging right now. It is just simply one that I think needs our attention. Thank you."

**Commissioner Gwin** said, "I think your point is well taken. Why sign a contract that isn't being honored."

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

**Commissioner Schroeder** said, "Just to follow up on that conversation. I think it is a wonderful idea. I have a copy of an old agreement, a flood control agreement, when Commissioner Gwin was Chairman. In that agreement, the City sent it over and said Wichita Flood Control, or whatever they call it, the name even changes, would include all streams and tributaries within the City limits of Wichita."

**Commissioner Gwin** said, "You didn't think I should sign that?"

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**Commissioner Schroeder** said, "It was a good idea that you didn't. We struck that out. We need to sit down with them and decide what it is that we're supposed to be doing in these departments. Obviously, they administer them and we fund a portion of them. But I think we have every right to say how we think they need to be administered. Even though they administer them, we need to sit down some basic guidelines and rules. I think it is only fair. I know that could be a cumbersome process but we need to get to that point now. We're talking about a lot of money. If we've got problems, the only way that Commissioner Hancock was discussing, you've got two forums, either you go through your appointments to the Boards or you do it through the funding aspect. Speaking of the Health Department, somebody is talking about changing how that is administered over there without my input, trying to find somebody that is not a doctor to run it. First of all, they're not paying them enough. They're not looking for the right person with the right kind of pay. It has been suggested that KU Med Center oversee that department. I don't know if I want the State of Kansas overseeing the County Health Department.

"So there needs to be a lot of discussion. It is going way beyond administration, getting into policy, and some of us are not totally aware of what the manager over there is trying to do. If I only knew, maybe I would be more understanding. But I think Jack Brown has been interim for life. We need to get on with it and maybe if we get some stability in there with a good doctor, maybe they can get on with their business and get some of these problems resolved. We just need to be more aware of what's going on. I'm not trying to fault them. They need to allow us to participate in the process is all I'm saying. Give us a hand in the process, not just handing them a check. I think that is only fair and I think they'll understand that. If they don't, we need to sit down and talk immediately. Anyway, for what it's worth. Thank you."

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

**Commissioner Gwin** said, "Thank you Mr. Chairman. Some of the issues that you are offering up I think should or could be addressed in a meeting with the City Council like we used to. In the last several years, we have not met together to approve these budgets. I really do think that without getting together, we don't have the opportunity to say what things may be troubling us. For you to bring that issue up and for them to hear our concerns I think we've had some breakdown in the communication process because we no longer meet en banc to talk about these jointly funded departments. I would suggest to you that maybe we ought to go back and suggest doing that again and if we must bring them kicking and screaming to the table because they are jointly funded and not jointly administered, but jointly funded departments. If the contracts don't meet, if we're not following the letter of the law in the contracts, then we need to amend the contracts. If we are not getting the answers we need to question, then we need to be able to say that out loud to our colleagues and to staff and make sure that we get the questions answered that we're asking.

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“So I see that as an ongoing problem and as long as we have jointly funded departments approved separately we’ll never have the opportunity to share our thoughts or concerns as a group.”

**Commissioner Schroeder** said, “I think if you look at some of the agreements, they say that the two bodies will meet in en banc for approval and we have not done that and maybe it is our fault for allowing that to keep happening. I think the first time was a scheduling problem and then it became easy.”

**Commissioner Gwin** said, “I suggest we get back to that because I really do think that gives us the opportunity to ask the questions that we need to get answers to.”

Commissioner Miller said, “I would certainly agree with you Betsy. And just a side bar though, that I haven’t really seen significant accomplishments come out of these en banc. That was putting it nicely, but I think you are right that we have to be able to communicate with one another. What my concerns are, what your concerns are, especially on the joint departments and I think just by doing this publicly, that was my reason for placing it on the table, that their awareness level is up and hopefully when we come at them and who is going to be the happy person that takes that long leap over there, that they hopefully will be receptive and we can actually set something.”

**Commissioner Gwin** said, “Thank you, and I agree with what you’re saying.”

**Chairman Winters** said, “All right, Commissioners.”

**Commissioner Hancock** said, “I think we should probably be aware that a lot of this is the responsiveness of the department themselves. Certainly there is some confusion about who the boss is, who their allegiance is to. I can’t say that it is anyone’s fault. The City of Wichita is not at fault on this, none of the departments are even at fault. It is very difficult to have two masters in the framework of these departments and still operate them satisfactorily for both. So I think that we need to be aware that maybe the arrangement needs to be discussed a little bit and maybe even changed. I think we should be aware that this is a problem that is almost inherit in the way we’ve set up the system over the years. Maybe we need to examine that.”

**Commissioner Schroeder** said, “Good idea.”

**Chairman Winters** said, “All right. Commissioners, unless somebody would like to take these individually . . .”

**Commissioner Schroeder** said, “Mr. Chairman, can I make a Motion?”

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**Chairman Winters** said, "Yes, you can."

**MOTION**

Commissioner Schroeder moved to approve all three Agreements 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."

**M. ADJUSTMENT OF THE APPRAISER'S OFFICE STAFFING TABLE TO REALLOCATE TWO REAL PROPERTY APPRAISER AND ONE PERSONAL PROPERTY APPRAISER POSITIONS, RANGE 21, TO THREE NEWLY-CREATED POSITIONS OF APPRAISAL DIVISION DIRECTOR, RESIDENTIAL; APPRAISAL DIVISION DIRECTOR, COMMERCIAL; AND APPRAISAL DIVISION DIRECTOR, PERSONAL PROPERTY, RANGE 24.**

**Mr. Gerald C. Frantz**, Sedgwick County Appraiser, greeted the Commissioners and said, "1998 is the fourth year of the Appraisal Office five-year plan. As you know, our goals, consistent with the goals and objectives of the County's Mission Statement, include to train, encourage, and recognize employees for hard work, creativity and innovation in delivering quality public service, and to allocate and use resources for basic and essential services that are responsive to the changing needs of our community. For 1998, the Appraisal Office will, as reflected in our business plan and in the approved 1998 budget, reallocate three existing positions to create division director positions for our three appraisal divisions. This continues our goal of creating a level of management administration that is consistent across the board for equal responsibility.

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“These reallocations will be funded in the 1998 budget under salaries and we ask that you approve the reallocations as they were approved in the 1998 budget within the Appraiser’s Office staffing table.”

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

**MOTION**

Commissioner Schroeder moved to approve the reallocations within the Appraiser's Office Staffing Table.

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 Jerry. Next item.”

**N. CONTRACTED CAREER DEVELOPMENT PROGRAM FOR 1998.**

**Ms. Nichols** said, “I’m here to request your approval for the Contracted Career Development Program for 1998. The training catalog is in the print shop and we expect that to be out next week. As you well know, the training program is a joint partnership with the City of Wichita. We have gone out and looked at what courses to make available, the Supervisory/Management and those kinds of things. I would like to say that I really appreciate the hard work that Jo Templin has put into this project. I think the County can be very proud of its training program and especially the support that the Commission gives to providing those kinds of programs to the employees of Sedgwick County. The total County portion for these contracted training is \$41,325 and we request your approval.”

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**MOTION**

Commissioner Gwin moved to approve the contracted training.

Commissioner Schroeder seconded the Motion.

**Chairman Winters** said, "I also, Mary Anne, want to thank you and Jo and all the people in your department that work on these training programs. I think Sedgwick County is getting a reputation for providing training. Again, I think is one of the programs that we work in conjunction with the City of Wichita that as people see all the negatives out there, this training that we do jointly with them is very important and Jo and you both put a great deal of effort into that and we greatly appreciate that. We have a Motion and a second, is there any other discussion? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "Thank you Mary Anne. Next item."

**O. KANSAS COLISEUM.**

**1. AGREEMENT WITH CHISHOLM TRAIL STATE BANK FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "The Agreement before you is a good agreement with all parties concerned. It is good for the bank because they are getting a very high profile, a showcase in which to show new customers their banking services. It is good for our customers because they get the convenience of an ATM machine should they need the service of it. It is good for us because we get another marketing partner out at the Coliseum. We have received many many requests for ATM services and now we'll be able to provide those. We certainly recommend approval."

**Chairman Winters** said, "Commissioners, questions or comments?"

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**Commissioner Schroeder** said, "Just one questions. Are we going to open up a tie shop at the Coliseum?"

**Commissioner Gwin** said, "It might work."

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

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

**MOTION**

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

Commissioner Miller seconded the Motion.

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

**Commissioner Miller** said, "With the ATM for the public's sake. Even though it is . . . so it is just an ATM, you can just enter in your number?"

**Mr. Nath** said, "As long as you have an ATM card."

**Commissioner Miller** said, "Sometimes individuals think it is associated with the bank only."

**Mr. Nath** said, "Now there may be some fees, but generally in our experience, people don't mind paying for convenience. If they need it right then and there, then convenience is not a problem."

**Commissioner Miller** said, "Excellent. That'll work. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Any other discussion?"

**Commissioner Gwin** said, "So the ATM that is in there now goes away?"

**Mr. Nath** said, "That was only in there on a temporary basis for the Garth Brooks concert on a trial."

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**Commissioner Gwin** said, "Okay. Thank you."

**Chairman Winters** said, "Any other discussion? Seeing none, call the vote."

**VOTE**

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

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

**2. KANSAS COLISEUM MONTHLY REPORT.**

**Mr. Nath** said, "In the month of November, we had 18 events which is really not a great deal, 20 separate performances. However, our net revenues were in excess of \$433,000. That was definitely a record month revenue wise for the Coliseum, which may lead into a record year revenue wise. If you recall, in the beginning of January, I think we talked about '97 being the year of the country concert, and it certainly turned out that way. Between Alan Jackson and Leann Rimes, Vince Gill, Reba McEntire, Brooks and Dunn, and Garth Brooks, we totaled over \$2,000,000 in tickets just for country shows alone. Looks like we're going to end the year very well with rock and roll with Aerosmith who is tracking very well to go clean. It is going to perform next Sunday. I think we'll probably get another boost in the trades. We got a real good shot at having that one finishing in the top ten again.

"Just to give you an idea about the Garth Brooks revenues meant to us. Year to date, that is 15% of our total revenue for the year, just for that one event, five concerts, five performances, 15%. That is quite the turn out. Some of the things that we did in the month of November, we presented 7 concerts and that did include the five Garth Brooks dates. We did a farm trade expo, which was the third year of existence out in the building. It has become so successful we just entered into a five year agreement with them. We also had some very strong attendance with the Thunder. They are doing very well this year. I'm certainly willing to answer any questions you might have."

**Chairman Winters** said, "Thanks John. Commissioners, are there questions or comments about the report?"

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**MOTION**

Commissioner Gwin moved to receive and file.

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, "We realize that November was a busy month and you all did a great job. I think from our standpoint sometimes getting the complaints, I think things went smoothly."

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

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

**P. BUREAU OF PUBLIC SERVICES.**

- 1. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER TWO, WITH SHEARS CONSTRUCTION L.P., DBA ASPHALT CONSTRUCTION CO., ON SEDGWICK COUNTY PROJECT - SAVANNA AT CASTLE ROCK RANCH 8TH ADDITION; GRADING, PAVING AND DRAINAGE IMPROVEMENTS. DISTRICT #1.**

**Mr. Jim Weber**, P.E., Director, Sewer Operations and Maintenance, greeted the Commissioners and said, "In Item P-1, we are requesting your approval of modification of plans and construction, number two, on Savanna at Castle Rock Ranch 8th Addition street paving project. The modification will result in a net increase in our contract with Asphalt Construction Company of \$5,656.80 for a total contract price of \$216,006.65. All costs of the project are to be paid by the benefited properties through special assessments. We recommend your approval of the modification."

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**MOTION**

Commissioner Gwin moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

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

- 2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH UTILITY CONTRACTORS, INC. ON SEDGWICK COUNTY PROJECT NOS. 610-9-3255 (B-284), 803-D-3960 (B-285), 610-12-2472 (B-286), 797-K-1025 (B-287) AND 600-12-2415 (B-289). DISTRICT #3.**

**Mr. David C. Spears**, P.E., Director/County Engineer, Bureau of Public Services, greeted the Commissioners and said, "Item P-2 is a modification of plans and construction for five bridges included in one contract. This includes the bridge project on 37th Street North between 263rd and 279th Street West, designated as B-284; the bridge on 135th Street West between 93rd and 101st Streets North, designated as B-285; the bridge on 37th Street North between 215th and 231st Street West, designated as B-286; the bridge on 183rd Street West between 37th and 45th Streets North, designated as B-287; and finally the bridge on 77th Street North between 215th and 231st Streets West designated as B-289. All of these projects are in accordance with the Capital Improvement Program. These projects have been constructed and are ready to be finalized out. There will be a net increase of \$2,244.65 due to variations in planning quantities from actual field measurements. Recommend that you approve the modification and authorize the Chairman to sign."

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**MOTION**

Commissioner Hancock moved to approve the Modification of Plans and Construction 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."

**Mr. Spears** said, "I'd like to go to Item P-4 and then come back to P-3."

- 4. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH REECE CONSTRUCTION CO., INC. ON SEDGWICK COUNTY PROJECT NOS. 773-M-2164 (B-280), 620-5-1528 (B-281), 618-5-2061 (B-282), 785-L-1933 (B-283) AND 797-0-3132 (B-288). DISTRICT #3.**

**Mr. Spears** said, "Item P-4 is a modification of plans and construction for five bridges also included in one contract. This includes the bridge project on 375th Street West between 21st and 29th Streets North, designated as B-280; the bridge on 6th Street South between 327th and 343rd Street West, designated as B-281; the bridge on 4th Street North between 327th and 343rd Street West, designated as B-282; the bridge on 279th Street West between 29th and 37th Street North, designated as B-283; and finally the bridge on 183rd Street West between 4th and 13th Streets North, designated as B-288. All of these projects are in accordance with the Capital Improvement Program. These projects have been constructed and are ready to be finalized. There will be a net decrease of \$25,234.20 due to variations in planning quantities from actual field measurement. Recommend that you approve the modification and authorize the Chairman to sign."

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**Commissioner Schroeder** said, "I just have one question. Are there any streams and tributaries in southeast Sedgwick County?"

**Commissioner Gwin** said, "No."

**Commissioner Schroeder** said, "I didn't think so."

**Commissioner Gwin** said, "And we don't have bridges over them if there are."

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

**Commissioner Hancock** said, "And if there were, nobody would want to cross them."

**Chairman Winters** said, "Any other questions?"

**MOTION**

Commissioner Gwin moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Before we go to the next item as David is going to make his presentation with a slide show that we commonly refer to as the road show depicting significant projects that the Bureau of Public Services has done. Before we start that, we're going to take a five minute break. We need to make this kind of short because we still have lots of things to do. We're going to take a five minute break."

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**The Board of Sedgwick County Commissioners recessed at 10:35 a.m. and returned at 10:40 a.m.**

**Chairman Winters** said, “We’re back from a short recess. Madam Clerk, would you please call our Item P-3?”

**3. PRESENTATION DEPICTING ROAD, INTERSECTION AND BRIDGE CONSTRUCTION PROJECTS COMPLETED DURING 1997. ALL DISTRICTS.**

**SLIDE PRESENTATION**

**Mr. Spears** said, “Would like to report to you on the projects which were constructed in 1997, including roads, bridges, and intersections. The map to my left shows all projects which were funded in 1997, also all of the skim coating and chat sealing projects completed by our road crews are shown on the map. This year, we completed 19 miles of skim coating and 14 miles of chat sealing. Funds for these projects come directly from the highway budget. The roads were selected by our staff in January and you are notified by memorandum accordingly. Also, 10 miles of road were constructed by contract this year. Twenty-six miles of road were overlaid with one each of BM1. One intersection was improved with signalization and turn lanes. Thirty-nine miles of road were treated with a latex modified slurry seal. Twenty bridges were constructed or are under construction by contract. Eleven bridges were constructed by our crews. Thirty-five and three quarter miles of shoulders on both sides were constructed by our crews. All of the projects are in accordance with Sedgwick County’s Capital Improvement Program.

“In regard to the budget, the sales tax fund budget has a balance now of \$4,000,000. This will be used on projects in the Capital Improvement Program designated as LSTC, which is local sales tax carry-over. Road bond projects, we were under budget by a little over \$1,000,000. Bridge bond projects, under budget by \$920,000. I sent you a memorandum depicting the expenditures on each project on December 4 of this year. In general, the expenditures for 1997 were \$8,800,000 in sales tax, \$2,200,000 in general obligation bonds for roads, \$2,000,000 in general obligation bonds for bridges, and our highway budget is about \$8,100,000.

“Also, I would like to mention the special assessment projects. We constructed or are in the process of constructing, 13 sewer projects, at a total of \$3,500,000. We constructed or are in the process of constructing, 10 street projects, at a total of \$3,300,000. This keeps Mr. Weber and his staff extremely busy. The specific projects are attached to your backup material. Now we’re ready for the slides.

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“On almost all these slides, we’ll show before and after pictures so you can see the effect. This is Webb Road looking north from 53rd Street North. Just going to give you an example. This is BM1 overlay, R175 in the CIP, and we did 26 miles of this this year. The contractor was Cornejo and this project was about \$765,000 for all 26 miles. There is another before and there is after.

“Okay. Next is the slurry seal. We did 39 miles of this. This is the before picture on selected roads and Beachner Construction was the contractor on this, \$749,000 plus or minus. This is for our preventive maintenance program which lets our roads last many years longer than normally. We do something to 20% of our roads every year. So sort of preventive maintenance, either BM1 or latex or chat seal by our crews.

“The Kansas Coliseum, this is the before picture and we’re not responsible for the parking lots. This is an after. Before. We put in a new entrance over there at the request of the Coliseum. This is before, after. All of this was about a \$250,000 project, Kansas Paving. This is a before picture. We put a right hand turn lane on this. There you can see it going into the new entrance. There is the entrance before, you will note the tree. The tree is gone.

“This is miscellaneous hot mix. This on Rock Road down by 95th Street South. This is before. What we did here was extend the left-hand turn lane. That’s a before. There’s the after picture.

“This is a project on 47th Street South down by Boeing, between Rock Road and Oliver. Asphalt Construction, \$1,900,000. This is before. The bridge was done last year. You can see it is relatively new. This project isn’t finished. It will be finished within three weeks of good construction weather in the spring. Everything is on but the final lip. This is a before picture. This is during construction. This is going to four lane. Here again, before, during.

“This is down on Rock Road, it is just about started at Derby between 79th and 87th. This is almost a \$2,500,000 project because there is a bridge there also in that mile. Derby is also contributing to that \$603,000. Not much to show yet, that is just during.

“This project is Pawnee relocation. That is the field before and that is what it looks like now. This was a state job where we received 80% of the funds, \$1,500,000. KDOT’s contribution was \$1,200,000 and our match was \$313,000. Cessna has a new entrance there now. That is a before picture. There’s an after. That’s a pretty big improvement for that area.

“This is Meridian at 53rd and of course this is one of our largest projects that we started last year and it is almost finished, \$6,500,000, Wildcat Construction. This is a before of Meridian and 53rd. This is what it looks like now. There is the bridge before, after, a picture from the side.

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“This is where the Tyler relocate is. This is a before picture of course. That is what it looks like now. This is a \$634,000 project. Kind of go down the road to the north. That is it for that.

“This is 21st and Greenwich. We’re going 21st Street to four lanes from the Wichita city limits, which is ½ mile east of Webb Road over to K-96. It is about a mile long job. It just got started, not much to show there now. We’ll show these again next year. Not these, but the final product.

“Intersections, one that was talked about for quite a few years and finally was justified to do, Kellogg and 143rd Street East. This is an after picture. The nice thing about this project was that it was \$295,000 of which we only had to pay \$15,000. There is a before, after. That is an after picture.

“This is at 13th and Webb Road and Cornejo did this project, \$1,800,000, sales tax. That is a before picture, here’s after. That’s a big improvement. A lot of Raytheon traffic through here. This is on 13th itself, put in a new bridge and widened it at the intersection. This is on 13th just east of Webb Road, Klaver Construction. I want to give you a little impact here of what these looked like before. We put in culverts on this one, not a big thing.

“This is on 37th Street North, between 143rd and 159th, \$61,000, Klaver. This is only an after picture on this one, \$92,000, Klaver. This is on 127th between 93rd and 101st. This is a before picture. This is a strange set up with two culverts, one on each side of the small box. That is on 117th North between 127th and 143rd East, Klaver Construction, \$67,000. Picture from above. That’s what it looks like now. This is on Webb between 101st and 109th North, Klaver Construction, \$99,000. That is a before picture. That’s what it looks like now. This is a before picture, four ton bridge, also before, during construction, almost finished, Klaver, \$124,000. This is a before picture, 327th West between 55th and 63rd, Klaver. After.”

**Commissioner Miller** said, “It seems as though you widened it, dredged it.”

**Mr. Spears** said, “Yes, cleaned it out. About an \$83,000 project. Before, a five ton bridge. This is on 311th Street West between 55th Street South and 63rd Street South. Now that’s what it looks like. This is a bridge on 55th South between 295th and 311th West. See the handrail down in the bottom laying there. That’s in progress, \$155,000, Klaver Construction. That is a before picture, 47th Street South between 311th and 327th. That’s what it looks like now. Klaver, \$82,000.”

**Commissioner Miller** said, “Are these bridges closed before we redo them?”

**Mr. Spears** said, “No.”

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**Commissioner Miller** said, "They're still taking traffic?"

**Mr. Spears** said, "Yes. Like you see the sign, it may be a three ton or four ton bridge and that warns people that if they are over that they shouldn't go across it. Before picture, Utility Contractor. This is on 135th West between 93rd North and 101st North. That's what it looks like now. The guard rail in there."

**Commissioner Schroeder** said, "Dave, what is the life expectancy of these new bridges they build today?"

**Mr. Spears** said, "Fifty years plus or minus."

**Commissioner Schroeder** said, "Some of those have probably been there longer than that. I bet it will last 100 years."

**Mr. Spears** said, "Some of the ones we're replacing were built in the thirties. This is 183rd Street West between 37th North and 45th Street North, \$72,000, Utility Contractors. This shows you the narrowness of the bridge. This is an after picture and you can see the slope stabilization on the ditches that we put in."

**Commissioner Gwin** said, "Did we plant that or seed it?"

**Mr. Spears** said, "And there is a mesh on there. Then a blend of grasses. This is the same place. That's after, \$66,000, Utility. This is on 279th Street West between 29th and 37th Streets North, \$86,000, Reece Construction. This is 375th Street between 21st North and 29th Street North."

**Commissioner Miller** said, "What are the cattle guards for?"

**Mr. Spears** said, "Yes, that's what they are."

**Commissioner Schroeder** said, "We hoped you would go a little deeper rather than saying it is sort of self explanatory."

**Mr. Spears** said, "A lot of times the road is the boundary between one property owner and the next property owner and so some of them have cattle guards."

**Commissioner Miller** said, "It literally does."

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**Mr. Spears** said, "Yes. It is a real problem if they get their cows mixed up. This is during, \$191,000, Reece Construction."

**Commissioner Gwin** said, "I don't see a cow in sight."

**Mr. Spears** said, "This is on 4th Street North between 327th and 343rd. This one almost has a tree in the road. This is on 6th Street South between 327th and 343rd, \$114,000, Reece Construction. That is the same place. This is a before picture at 183rd West between 4th Street North and 13th Street North. There is the result, Reece Construction, \$213,000. That is a real dandy."

"Bridges by County personnel now. All the rest of these. That was of course before, that's after. That is on 95th Street South between 135th and 151st West. That cost us about \$21,000. This is before, 199th between 95th South and 103rd South."

**Commissioner Miller** said, "Nice."

**Chairman Winters** said, "That's timber construction?"

**Mr. Spears** said, "Timber construction, \$37,000."

**Chairman Winters** said, "How many people do you have on your bridge crew?"

**Mr. Spears** said, "Six."

**Commissioner Miller** said, "\$37,000?"

**Mr. Spears** said, "That is labor and materials. That is a before picture. Maize Road between 71st and 79th South. That is before, after. This is just after pictures now, 151st Street between 21st and 29th, these are just small structures, 231st Street West between 63rd and 71st, 79th South between 231st and 247th, and that is the eleven bridge jobs that the County crews did. Now we'll go through this real quickly about four slides of our shoulder process."

**Commissioner Hancock** said, "The wood structure bridges, are they weight limited?"

**Mr. Spears** said, "They're open."

**Commissioner Hancock** said, "Okay."

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**Mr. Spears** said, "This is a process. You can see the machine rebuilding shoulders. When you put an overlay on it, it raises up the pavement so you have to rebuild the shoulders, then the sweeper, the orange vehicle behind, sweeps the rock off the pavement. Then the lime green machine behind that is a compactor. They came back and get all of that off. There is after the compactor has been over it. That's the final product. That was on 45th Street North east of Hillside."

**Commissioner Miller** said, "Did you say that was chat? What is that?"

**Mr. Spears** said, "It is AS1 rock."

**Commissioner Miller** said, "Rock."

**Mr. Spears** said, "Yes, that's just rock."

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

**Mr. Spears** said, "We spent \$164,000 on that this year. This is just a chat seal that our County crews did. We did 14 miles of this this year. This is a coal mix. You can really appreciate the skills of our people because this is put down with a motor grater, we do not have a lay down machine. It is amazing how smooth these really are and we did 19 miles of skim coat. This is a coal mix that we make in our west yard. This is on 231st."

**Commissioner Miller** said, "Did you show us the plastic slurry seal?"

**Mr. Spears** said, "Yes, the latex. I don't think you were here yet, it was the second slide today."

**Commissioner Hancock** said, "It looks just like that."

**Mr. Spears** said, "This is our pride and joy, the engineering building going up down at Stillwell and Seneca. There you can see some steel."

**Chairman Winters** said, "What's your projection date on that building?"

**Mr. Spears** said, "July 31."

**Chairman Winters** said, "Of this next year?"

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**Mr. Spears** said, "Yes. We purchased the houses over there and put a parking lot over there. You see where the guys are busy taking out the houses and apartments and that is what it looks like now, it is completely different than what it has all these years. That is the end of the program."

**Chairman Winters** said, "Good job David. Do we have a Motion to receive and file this report?"

**MOTION**

Commissioner Schroeder moved to receive and file.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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

**Q. REPORT OF THE BOARD OF BIDS AND CONTRACTS' DECEMBER 11, 1997  
REGULAR AND SPECIAL MEETINGS.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have minutes from two meetings held by the Board of Bids and Contracts on December 11, a special meeting and a regular meeting. First, the regular meeting. There are eight items for consideration.

**(1) KITCHEN FURNITURE & EQUIPMENT - CAPITAL PROJECTS  
FUNDING: DETENTION FACILITY ADDITION**

"Item one is kitchen furniture and equipment. If you'd please, I'd like to hold off for consideration on this item until I read the minutes from the special meeting if that would be acceptable."

**Chairman Winters** said, "All right."

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**(2) PUG MILL - BUREAU/PUBLIC SERVICES**  
**FUNDING: BUREAU/PUBLIC SERVICES**

“Item two is a pug mill for the Bureau of Public Services. It was recommended to accept the complete proposal meeting specifications of Berry Tractor & Equipment, in the amount of \$149,979. There is a memo attached from David Spears outlining the process.

**(3) PERSONAL COMPUTER HARDWARE & SOFTWARE - DEPARTMENT OF CORRECTIONS**  
**FUNDING: DEPARTMENT OF CORRECTIONS**

“Item three, personal computer hardware and software from the Department of Corrections. It was recommended to accept the low individual bids meeting specifications of: Business Computer Center for printers and software items, Computerland East for the personal computers, and Alexander Open Systems for some additional software items. The grand total is \$27,224.93.

**(4) GAS CHROMATOGRAPH/MASS SPECTROMETER SYSTEM - REGIONAL FORENSIC SCIENCE CENTER**  
**FUNDING: REGIONAL FORENSIC SCIENCE CENTER**

“Item four is a gas chromatograph/mass spectrometer system for the Coroner. Again, Commissioners, I’d like to defer action on this until I read you minutes from the special meeting.

**(5) SOFTWARE LICENSES - INFORMATION SERVICES**  
**FUNDING: INFORMATION SERVICES**

“Item five, software licenses for Information Services. It was recommended to accept the sole source bid of Candle Corporation, in the amount of \$19,700. These are software licenses maintenance agreements for the 1998 fiscal year.

**(6) INTERLINK TIE MAINTENANCE - INFORMATION SERVICES**  
**FUNDING: INFORMATION SERVICES**

“Item six is the interlink tie maintenance for Information Services between Sedgwick County and the City of Wichita. It was recommended to accept the sole source bid of Interlink Computer Sciences, in the amount of \$59,547.60. Again, that is for the 1998 fiscal year.

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**(7) INSURANCE RENEWALS - RISK MANAGEMENT**  
**FUNDING: RISK MANAGEMENT**

“Item seven are various insurance renewals for the Risk Management Department. The grand total for these services is \$360,425 from the vendors that you see listed. Our Risk Manager, Phil Rippee is in the room and he can provide answers to any questions that you may have.

**(8) HARDWARE & SOFTWARE MAINTENANCE - EMERGENCY COMMUNICATIONS**  
**FUNDING: EMERGENCY TELEPHONE SERVICES**

“Item eight, hardware and software maintenance for Emergency Communications. It was recommended to accept the sole source bid of PRC Public Management Services, in the amount of \$70,258.31. This is hardware and software maintenance for the 1998 fiscal year.

**ITEMS NOT REQUIRING BOCC ACTION**

**(9) UNINTERRUPTIBLE POWER SUPPLY - INFORMATION SERVICES**  
**FUNDING: INFORMATION SERVICES**

**(10) COPY MACHINE CONTRACT - VARIOUS DEPARTMENTS**  
**FUNDING: VARIOUS DEPARTMENT**

“There are two items that do not require action at this particular time, they were tabled for review, an uninterruptible power supply for Information Services and the copy machine contract for various departments conducted by the Purchasing Department. There are two items of tabulation there. I will be happy to take questions on those items and if you please, I’ll move forward to the special meeting.

“There are just two items for consideration.

**(1) GAS CHROMATOGRAPH/MASS SPECTROMETER SYSTEM - REGIONAL FORENSIC SCIENCE CENTER**  
**FUNDING: REGIONAL FORENSIC SCIENCE CENTER**

“Item one is the gas chromatograph/mass spectrometer system for the Regional Forensic Science Center. It was recommended to accept the low bid of Linc Quantum Analytics, in the amount of \$56,112.

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**(2) KITCHEN FURNITURE & EQUIPMENT - CAPITAL PROJECTS  
FUNDING: DETENTION FACILITY ADDITION**

“The other item is kitchen furniture and equipment for Capital Projects and for the expansion of the Detention Facility. We would recommend that you table that item for review. Commissioners, thank you. I would be happy to take questions on any of these items and would recommend approval of the recommendations provided by the Board of Bids and Contracts.”

**MOTION**

Commissioner Schroeder moved to approve the recommendations of the Board of Bids and Contracts for both Meeting Minutes.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**CONSENT AGENDA**

**R. CONSENT AGENDA.**

**1. Right-of-Way Easement.**

The following tract of land has been granted by Easement for Right-of-Way at no cost to the County. This Easement was requested by the Director, Bureau of Public Services, as a condition of receiving a Platting Exemption on an unplatted tract.

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Road No. 769-O, Owners: Donald G. Pinkley and Ann M. Pinkley, located in the Northwest Quarter of Section 18, Township 27 South, Range 4 West, more specifically located east of 407th Street West and south of 13th Street North. Grand River Township. District #3.

**2. Right-of-Way Instrument.**

Temporary Construction Easement for Sedgwick County Project No. 835-N½ P; Greenwich Road from Central to Douglas. CIP #R-240. District #1.

**3. Retention in the Motor Pool Fleet of one 1995 Chevy Pickup Truck for the Bureau of Public Services' security and maintenance operations.**

**4. Section 8 Housing Assistance Payment Contract.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>Landlord</u>
C97068	\$203.00	Sunflower Apartments of Andover

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V93005	\$463.00	\$422.00
V95147	\$346.00	\$430.00
V96030	\$319.00	\$307.00
V95016	\$298.00	\$303.00
V95048	\$230.00	\$389.00
V96061	\$215.00	\$405.00

**6. Agreements (two) with Topeka Independent Living Resource Center and SCCS Home Health and Hospice, P.A. to provide Developmental Disability Registered Status.**

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

<u>Applicant Name</u>	<u>d/b/a</u>
Bernard J. Berning	Pizza Villa

**8. Transfer of excess 96" x 48" pull-type "sheepsfoot" roller to Gypsum Township.**

**9. Order dated December 10, 1997 to correct tax roll for change of assessment.**

**10. Consideration of the Check Register of December 12, 1997.**

**11. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970739	Register of Deeds	Transfer
970740	Central Services	Transfer
970741	Legal	Transfer
970742	District Attorney	Transfer
970743	Sheriff	Transfer
970744	Election Commission	Transfer
970745	Code Enforcement	
	Environ. Resources	Transfer
970746	Lake Afton Park	Transfer
970747	County Mgr's. Office	Transfer
970748	District Court	Transfer
970749	District Court	Transfer
970750	District Court	Transfer
970751	Capital Projects	Supplemental Appropriation
970752	Capital Projects	Supplemental Appropriation
970753	Coroner	Transfer
970754	Emergency	
	Communications	Transfer
970755	Public Services	Transfer
970756	Road and Bridge	
	Sales Tax	Transfer

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<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970757	Savanna at Castle Rock 8th - Street	Supplemental Appropriation
970758	Auto License	Transfer
970759	Housing Authority-HUD Certificates/Vouchers	Supplemental Appropriation

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

**MOTION**

Commissioner Schroeder moved to approve the Consent Agenda as presented.

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, "Is there other business to come before this Board at this time? Seeing none, we will recess the Regular Meeting of December 17, 1997."

**The Board of Sedgwick County Commissioners recessed to the Fire District Meeting at 11:10 a.m. and returned at 11:30 a.m.**

**S. OTHER**

**Chairman Winters** said, "At this time, I'll call back to order the Board of County Commissioners Regular Meeting December 17, 1997. Is there other business?"

**Regular Meeting, December 17, 1997**

**MOTION**

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for ten minutes to consider consultation with Legal Council on matters privileged in the attorney client relationship relating to pending claims and litigation and legal advice, and that the Board of County Commissioners return from Executive Session no sooner than 11:40 a.m.

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 are recessed into Executive Session."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 11:31 a.m. and returned at 11:50 a.m.**

**Chairman Winters** said, "We're back in session, the Regular Meeting of December 17. Let the record show that there was no binding action taken in Executive Session. Is there other business to come before this Board? Mr. Euson?"

**Mr. Rich Euson**, County Counselor said, "Thank you Mr. Chairman. While in Executive Session, we discussed continuation of several discussions we've had over the past months regarding the claims of the Bowmaker and Burford families that were filed in regard to a tragic accident that occurred on Christmas Eve, 1996. For the record and by the way of background, I might state that this is a matter that involved an accident at the intersection of Viola Road, which is 263rd Street West and 71st Street South and it occurred involving two vehicles. There were three fatalities involved. Both Mr. & Mrs. Burford died. Mr. Bowmaker died at the scene and there were injuries to the Bowmaker's children and to Mrs. Bowmaker. The claims were filed earlier this year.

### **Regular Meeting, December 17, 1997**

“The claims alleged, and we did determine in fact, that the stop sign was missing at 71st Street South and was therefore not available to warn the Bowmaker car to stop at Viola Road. We investigated this occurrence during this year and have had several conversations with you. The Tort Claims Act provides that there is no liability for incidents of this car unless there is a report made of the stop sign being down. We did determine that a report was made to 911 and that no action was taken. Therefore, we believe that we have some liability under the Tort Claims Act and we have been in ongoing discussions for settlement of this case with the attorneys for the families and we’ve reached a settlement with them. The settlement with the Burfords will be for the amount of \$55,000 each to the estate of each of Peggy Burford and Glen Burford. The settlement amount for the estate of Robert Bowmaker and his family is in the total amount of \$315,000.

“I might note that we are self funded for this kind of thing through the tort claims fund and so the first thing I would like to ask the Commission to do is to approve a budget adjustment to transfer funds to the settlement fund of the Legal Department and that budget adjustment number is 970737.”

#### **MOTION**

Commissioner Schroeder moved to approve the budget adjustment 970737 into the Legal Department settlement fund.

Commissioner Miller seconded the Motion.

**Chairman Winters** said, “Commissioner Schroeder.”

**Commissioner Schroeder** said, “Where does that funding come from that is being transferred into the Legal Fund?”

**Mr. Euson** said, “That comes from a reserve fund that is held at Risk Management.”

**Commissioner Schroeder** said, “Okay, thank you.”

**Chairman Winters** said, “That amount is \$425,000?”

**Mr. Euson** said, “That amount is \$325,000 with the rest of the funding coming from our department.”

**Chairman Winters** said, “Okay, so this budget adjustment is for \$325,000.”

**Regular Meeting, December 17, 1997**

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

**Chairman Winters** said, "All right, Commissioners you've heard the Motion and second, is there any other question on this budget adjustment? Seeing none, call the vote."

**VOTE**

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

**Mr. Euson** said, "The next item I'd like to ask the Commissioners to approve is a settlement for the estate and family of Robert Bowmaker in the amount of \$315,000."

**MOTION**

Commissioner Gwin moved to approve the settlement amount of \$315,000 for the estate and family of Robert Bowmaker.

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

**Mr. Euson** said, "Then Commissioners, finally I'd like you to approve the settlements to each of the estates of Glen and Peggy Burford, each in the amount of \$55,000."

**Regular Meeting, December 17, 1997**

**MOTION**

Commissioner Schroeder moved to approve the settlement to the estates of Glen and Peggy Burford, in the amount of \$55,000 each for a total of \$110,000.

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

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

**Chairman Winters** said, "Thank you Rich. Is there any other business to come before this meeting? Seeing none, this meeting is adjourned."

**T. ADJOURNMENT**

**Regular Meeting, December 17, 1997**

There being no other business to come before the Board, the Meeting was adjourned at 11:50 a.m.

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

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

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**PAUL W. HANCOCK**, Chairman Pro Tem  
Second District

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**BETSY GWIN**, Commissioner  
First District

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**MELODY C. MILLER**, Commissioner  
Fourth District

---

**MARK F. SCHROEDER**, Commissioner  
Fifth District

ATTEST:

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**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1998