

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

### **REGULAR MEETING**

**JANUARY 7, 1998**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, January 7, 1998, 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. Jarold D. Harrison, Assistant County Manager; Mr. Rich Euson, County Counselor; Ms. Mary Anne Nichols, Director, Personnel Department; Mr. Tom Pollan, Director, EMS; Mr. John Nath, Director, Kansas Coliseum; Mr. Mark Masterson, Interim Director, Department of Corrections; Ms. Becky Allen-Bouska, Mr. Jack Brown, RS, MPA, Acting Director, Community Health Department; Director, Bureau of Finance; 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. Ben T. Huie, Ph.D., 12011 Rolling Hills Dr., Wichita, Kansas

### **INVOCATION**

The Invocation was given by Mr. Pete Morris of the Christian Businessmen's Committee.

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES: Regular Meeting, December 10, 1997**

The Clerk reported that all Commissioners were present at the Regular Meeting of December 10, 1997.

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

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**MOTION**

Commissioner Hancock moved to approve the Minutes of December 10, 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	Absent
Chairman Thomas G. Winters	Aye

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

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

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

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

**CITIZEN INQUIRY**

**A. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SOLID WASTE MANAGEMENT.**

**Chairman Winters** said, "Dr. Ben Huie is here. Ben, if you'd come forward. This is the time on our agenda when we receive comments from the public. If anyone who would like to address the Board of County commissioners, if they would either notify a Commissioner or the Manager's Office at least a week before our meeting, you can get a spot on this agenda. Please give your name and address for the record and please try to limit your comments to five minutes."

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**Mr. Ben T. Huie**, Ph.D., said, "Thank you Mr. Chairman. My name is Dr. Ben Huie. I'm an environmental scientist here in Wichita, with over ten years experience in solid waste management. My address is 12011 Rolling Hills Drive, Wichita. For the record, I just obtained the phone number you all were looking for. For the viewers, it is 722-7721 for tree cycle and I commend the County for picking up that program. I also have here the list of locations. I'll leave it with you all if you want it, which was also provided by the County.

"In recent months, we have unfortunately seen solid waste management programs, especially solid waste reduction programs again becoming a political football as they get bounced back and forth across Central. It looked for a while like in fact we might not have tree cycle this year and recently we've also seen the recycling bins at the Dillons stores in jeopardy. The County fortunately did pick up tree cycle at least for the current year and the City has for at least one month grudgingly agree to continue the recycling bins. But there is a great deal of uncertainty as to the future of these and other solid waste management programs. We need to have some kind of continuity, some kind of stability if we're going to have people getting in the habit of recycling. We've seen phone comments in the Wichita Eagle that people are saying if this thing goes away we're not going to start again kind of a problem. We cannot let this thing drop and then try to pick it back up in the year 2001. We need to have a consistent, reliable program of waste reduction, hazardous waste management, integrated solid waste management, to move us toward the next century.

"City leaders across the street have made it clear that they do not want the responsibility for implementing any kind of solid waste management program other than running their cash generating Brooks Landfill. They have made it clear they believe that Sedgwick County, because you're now in charge of planning, should also be responsible for implementation. I have come to agree with the City, the time has come for Sedgwick County to take over implementation of integrated solid waste management for the citizens of Wichita and Sedgwick County, keeping in mind of course that I, as a citizen of Wichita, I'm in Commissioner Winter's District, I'm also a citizen of Sedgwick County. The County, however, has no revenues dedicated to this program and that has been a problem, this is part of the political football. The City, of course, has Brooks Landfill with the revenues it generates. The time has therefore come for Sedgwick County to do something similar to that which has been done by the State of Kansas with KDHE (Kansas Department of Health and Environment) and that is to assess a tax or a fee on all solid waste disposed of at any TSD facility within the boarders of Sedgwick County. This is strictly for disposal of solid waste. This would not cover materials going to a recycling facility, would not cover materials going into a composting facility, strictly materials going to a treatment and disposal facility anywhere between the boundaries of Sedgwick County. One dollar per ton would generate approximately a half a million dollars a year.

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“These revenues then should be dedicated solely and exclusively to solid waste management programs. This is in contrast to what has happened in the City, where revenues from Brooks Landfill have been diverted for other City purposes. Any revenues that you generate should be dedicated strictly to recycling, hazardous waste management, public education. This is one the City talks about continuing the public education program, sorry but there is no public education program going on. It is like me telling my doctor I'm going to continue my low fat low salt diet. I think you will see right through that one too. We need to have these programs coming on line now, before we move forward to building a transfer station or any other solid waste management ultimate disposal option. For one thing, we need to know how much we are going to have to handle. We don't know that right now. We know how much is being handled today, it is about 1,500 tons a day. We hope we can get that number down. I think we can get that number down to under 800 tons. We are not going to know until we go out and do it.

"We need to have stability. We need to be able to do long term planning. Anybody in business knows that it is a lot easier to negotiate a long term contract with a vendor. You want BFI, Weirhauser, or Waste Management, to handle the bins, to pick them up every day to take them down and sort them and such. They don't want to do this on a month to month basis, they want some kind of business stability so that they can move forward and they can make their plans around our plans. Many of these programs, especially hazardous waste, are going to require personnel within the County, probably the Health Department, as well as vendors such as Kamen in order to hire personnel, in order to build staff needed. Again, we need to have the stability.

"As the County establishes itself as the lead in waste reduction management, the County can move forward with other initiatives, initiatives that have been discussed in this body, a yard waste ban, construction demolition ban. As these things become the responsibility of the County, then the County has the right and responsibility to move forward with the necessary regulations. It is becoming clear that the only place that citizens can look for leadership in this area is this County Commission. I believe that it is time for you to show the courage that you've shown before and step into the breach and provide us leadership. Thank you very much."

**Chairman Winters** said, “Thank you very much. We appreciate your being here today Ben. As a point of information, I might say that last Tuesday, Mayor Knight, held a news conference and invited me to participate with him, which I did, talking about the drop-off site locations and the bins.

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"I can tell you from conversations with Mayor Knight that he is very committed to that program. He believes it needs to continue and I think that all of the Board of County Commissioners believe that the program needs to continue. So the biggest plus that came out of that conversation is that during this month, our staff is going to meet together to begin to determine how this transition stage is going to develop between now and October of 2001, because I agree with Mr. Huie, there needs to be some stability in a number of ongoing workable programs. I am pleased to say and I think we visited about this a little bit yesterday, that I think our staff is ready to get about that task of deciding and determining what these issues are so we won't have this continual disruption on how certain these processes are going to be done.

"Again, the City of Wichita and Sedgwick County continue to do a lot of things well together. We have not perhaps communicated entirely well in the past couple of months on this issue, but after last week's conversations, I am confident we're on the track to getting these issues resolved, so these clutches will not happen as we transition. Commissioner Hancock, did you have something you wanted to say?"

**Commissioner Hancock** said, "I had a question for Ben if he doesn't mind. I just wanted to understand completely what you were saying. Ben, you were suggesting some kind of a fee or tax associated with the disposal of solid waste, but not recycled waste."

**Dr. Huie** said, "That's correct. I believe this is the pattern being used by the KDHE, that solid waste as defined would be strictly that which is being disposed of being by incinerator, landfill, as distinct from a Weirhauser, Kamen Metal, or the tree cycle is not solid waste by that definition, because you are recycling it into another use."

**Commissioner Hancock** said, "I thought so. I just wanted to make sure I understood. Thank you."

**Chairman Winters** said, "Thank you. Any other questions or comments? Seeing none, Madam Clerk call the next item."

### **AWARD PRESENTATIONS**

#### **B. EXECUTIVE DEVELOPMENT INSTITUTE CERTIFICATE PRESENTATIONS.**

- **JAMES ALFORD, COUNTY CLERK**
- **NICK ARD, COMCARE**

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- **KEN ARNOLD, CAPITAL PROJECTS**
- **SHERDEILL BREATHETT, SR., ANIMAL CONTROL**
- **MARILYN CHAPMAN, ELECTION COMMISSION**
- **FRED ERVIN, PUBLIC AFFAIRS**
- **DIANE GAGE, EMERGENCY COMMUNICATIONS**
- **STEVE GILBERT, CORONER**
- **DELIA LOPEZ, APPRAISER**
- **DENNIS MAUK, EMERGENCY MEDICAL SERVICE**
- **SCOTT MCBRIDE, GEOGRAPHIC  
INFORMATION SYSTEM**
- **JOHN NATH, KANSAS COLISEUM**
- **MICHAEL PULICE, SHERIFF**
- **PHIL RIPPEE, RISK MANAGEMENT**
- **DOUG RUSSELL, AGING**
- **LUCRETIA TAYLOR, DIVERSITY AND EMPLOYEE RELATIONS**
- **CURTIS WILSON, FIRE**

**Ms. Mary Anne Nichols**, Personnel Director, greeted the Commissioners and said, “Happy New Year! I am honored this morning to present certificates to 17 of the County’s finest employees. These employees, as Fred said, have gone through an intensive one year program. It is called EDI, Executive Development. This institute is designed for management personnel employed by Sedgwick County or the City of Wichita. The purpose is to provide an opportunity for professional learning and for interaction with other public managers.

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“The program is open to all City of Wichita division and department directors and elected officials, bureau directors, and department heads employed by Sedgwick County. There are six courses with 19 sessions over a year period. Approximately 76 hours of instruction are provided in the program. Participants must attend all six courses missing no more than one session of each course. In conjunction with the City of Wichita, and is taught by Wichita State University and training choices. I want to give a special thanks of course to Jo Templin, who is our Career Development Officer and Jo makes sure that this program meets all the criteria and that the participants are there. She sets up the rooms and those kinds of things and puts forth a really good effort in this arena, and to you for funding this program. Also, I would like to give a special thanks to Lloyd Gilbreath and Mike Kerr and the carpenter shop. They made our plaques this year and I think they are as professional as we could have done outside, so we’re effective and efficient also.

“The first certificate goes to James Alford, County Clerk. Second certificate is to Nick Ard with COMCARE. Ken Arnold with Capital Projects. Sherdeill H. Breathett, Sr., and he’s with Animal Control. Marilyn K. Chapman, Election Commissioner. Fred Ervin, Jr. with our Public Affairs Office. Diane Gage with Emergency Communications, better known as 911. Steven V. Gilbert with the Coroner’s Office. Delia Lopez with the Appraiser’s Office. Dennis L. Mauk with EMS. Scott McBride and he is with GIS. John W. Nath with Kansas Coliseum. Michael J. Pulice with the Sheriff’s Department. Phil J. Rippee, Risk Management. Doug Russell with Aging. Lucretia L. Taylor, she’s with our Employee Relations Department and Diversity. Last but not least, Curtis W. Wilson with the Fire Department. Thank you very much.”

**Chairman Winters** said, “Thank you Mary Ann. Commissioner Hancock.”

**Commissioner Hancock** said, “I just wanted to say congratulations. I don’t know if they still do this, but on the last day of your training, but did they do the plane survival? How many lived? I died. Congratulations and nice work. Thank you very much.”

**Chairman Winters** said, “I think all of the Board of County Commissioners would share that. We all think continued education, whether it is for those working above or below us is extremely important and I think all of the Commissioners are extremely proud of the training system that Jo and others have put together. Again, this is an area where we work in close harmony with the City of Wichita in making these kinds of programs work. It is an area that I think we do have good exchange and we’re extremely pleased when we see this many of our senior staff level people involved in continuing education and really life long learning situations. We’re very appreciative. Thank you to everyone who participated in that program and those who made it happen.”

**Commissioner Hancock** said, “It is quite an accomplishment.”

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**Chairman Winters** said, “Yes. Thank you very much. Madam Clerk, call the next item please.”

### **DEFERRED ITEM**

#### **C. LETTER OF INTENT AND JUSTIFICATION TO CITY OF WICHITA REGARDING REVISED EMERGENCY MEDICAL SERVICE (EMS) USER FEE SCHEDULE.**

**Mr. Tom Pollan**, Director, EMS, greeted the Commissioners and said, “This was a deferred item from last week and there were questions that arose and I have some information to address that. I’d also like an opportunity to give you a hand out of that information as well as address what the issue was. Again, the issue is sending a letter of intent and justification to the City of Wichita regarding our user fee schedules.

### **SLIDE PRESENTATION**

“Just to review a little bit, the red line here is our expenditures, and we have projected that out per the next five years over the next five years. We also have on here our revenues and how those look given the current user fee schedule. I would like to emphasize on this particular area here, that one of three things will happen if we do not do something to correct. One, if we want to correct that deficit, it could be done with taxation. Two, we could increase user fees and the increased revenue from that to offset that deficit. Third, would simply allow it to occur and reduce services. The third and the last would be detrimental to the community, would not seek to provide the level of service that we have in the past. An interesting piece of information that I ran into lately and what we are focused at today would be the user fees. What I found was that in the information released about the City of Wichita survey in September of 1997, it stated that nearly 81 percent of the respondents indicated that they would rather pay a fee for services than higher taxes. This is what you have recognized in the middle of the 1980s and have utilized and what I am asking today is to again use user fees to pay for our increased services and to maintain services. Again, the only two that we're really increasing that are base rate fees are right here. This is a non-emergency transfer, taking it from \$100 to \$170. The other one is an emergency call in which we do not provide any ALS care, meaning IVs, EKGs and that type of equipment, taking it to \$350. That would balance with the original emergency call that requires ALS and the non-emergency call. So essentially what we have is two levels of charges based on four codes that Medicare has asked us to use.

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"Addressing one of the questions that you addressed to me was to look at and say who does this impact when we apply these user fees, this new schedule. What I have done here again, this is the \$100 charge going to a \$170 charge. You can see there that 15% of the patients that are currently using that level of service, and this is typically people over the age of 65, 14% will see an \$11.20 increase. Going up from there is a total impact of \$70. That is only 1% of our total population patient volume would see that increase. I must remind you also that this is patient increase or any insurance increase. What we found in this particular group is that only about .9 or 1% have no insurance. They don't have any way of paying for this service. The other charge that we're going up again was the \$285 charge to \$350. The effect here is \$1.60 to 12% and up to \$65 at 16%. Only 44.2% will be effected by the increase in our user fee base rate. I would also look here at this particular area that 26% of that 44% would see less than a \$12 increase.

"Then I was asked to take a look and say what is increasing. What types of calls are increasing? I have broken this down into three levels and this is our transfers which are red and our trauma related calls. This is auto accidents, shooting, falls, those types of calls. Then our medical, this is asthma, cardiac patients, that type of predisposed medical conditions. These are accidents that happen and not necessarily predisposed to it. You can see that the increases really have come in our medical emergency calls. You can see that over 1991 through 1997. I have projected that out to say what is this going to look like and the next seven years or next five years as well. I started in 1995 and can see that we are projecting, and if you can recall there the last three years have been pretty flat, indicating that we may be in a mature market, that it is not going to grow a lot over the next few years, and these remaining pretty flat in our projections as well.

"What does that look like when you say what is our total call volume over a period of time? Let's look at it from 1975 when we began. You can see that we have had a staggering increase in call volume over that period of time. Emergency call volumes are growing. Non-emergencies are staying rather stabilized at this point. Next slide.

"This is the number of crews that we have had, and you can see, and I've marked here with the number mark here, that each year that we've increased crews due to increased call volume. You can see an increase in 1986, but that was to address the FLSA issue and add had nothing to do necessarily with the increase in call volume. So these that you see here, '83, '85, '87, '89, we added crews, that's two people and a unit available for 12 hours a day after 1986. You can see what I am projecting on again with that increase in call volume. With that information, also looking ahead toward a number of crews, maybe it should like and this is certainly what we are looking at to try to offset some of this impact of growth because our response time average is growing and when our response time average grows we are providing less quality service to the community. Response time is important for the cardiac critical patient. Every minute without care is muscle lost.

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"In a trauma patient, every minute without care is oxygen loss to the brain which means the person is not returning to the community as a full functioning individual. We had an incident of that just the other day in the young lady that was shot over on 13th Street. Fire Department quick response, we had a quick response, the patient was resuscitated, surgeons were able to save this young ladies life. Had we not been quick, had Fire not been quick, different outcome. So it is important, our response time.

"This is what we're looking at here, if we would add in '99, this would be one crew, two crews in the year 2000, and two crews to meet the increase of the projected new station coming on for the northwest. That would fill that station out by the year 2001. Those are just some projections. This is certainly not final recommendations but just some ideas of what we could do to impact the increasing response time. If you have any questions, I'd be glad to answer them."

**Chairman Winters** said, "Okay. Tom, I appreciate the deferring this for one week. I'm the one that requested that and this as given me some time to gather additional information that I needed for my reckoning on this issue. I'm going to be supportive of us proceeding ahead. I think we've got the letter prepared to send over to the City for their review. One of the things that we did add to that letter is the comparison of Wichita with the other surrounding cities in the Midwest of similar size or larger than we are, showing that Sedgwick County is still significantly under the amount of out of pocket expense for individual occurrence for the citizens. We are still well below Oklahoma City, Kansas City, Tulsa, and Topeka. So with the addition of that letter, I'm prepared to support this letter of intent and justification to the City regarding the EMS user fee schedule. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you Mr. Chairman. Tom, I asked for some information on what numbers you'd used for the projections over time and you brought me the nature of the calls and this detailed sheet when you and I visited the other day. This indicates an average annual percentage of increase in your calls of 2% and that is what you've used as you've looked out or have you added to that a little bit?"

**Mr. Pollan** said, "Actually I looked at the last three years because of the flattening growth and said what has been the increase there. It is right at 1% rather than 2% so I modified my projections based upon that information."

**Commissioner Gwin** said, "Okay. Then one of the things you mentioned when you and I were talking, you mentioned again today, had to do with the response time. Can you tell me, can you see a lengthening in the response time that it takes our equipment get to calls nowadays as opposed to a few years ago?"

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**Mr. Pollan** said, "Yes. In the '80s we were basically under 5 minutes, 5.7 minutes or five minutes forty seconds. Right now, in the '90s, we've only done that twice in '91 and '92. Every other time we've been above 5.8 minute response time. We have crept up in 1997 to almost 6 minutes and maybe, we haven't finished our report for 1997, but it appears that it is going to be right at 6 minutes."

**Commissioner Gwin** said, "Now, when you and I were talking about that, I made the statement that I think a lot of people would make, that that is an infinitesimal amount, that is fractions of seconds. Do you consider those fractions of seconds to be important?"

**Mr. Pollan** said, "In studies that we have looked at, and these are certainly not scientific, we just went through our cardiac arrests, which cardiac arrests and trauma are our primary purpose for being here. Those particular patients take between 4 1/2 to 5 minutes response time. Over six minutes, our survivability rates have been very low. In fact, you can see a staggering decline past 5 1/2 minutes. That is what we are concerned about. It is not only the response time, but it is and actually the predictability of how quickly we can get there. We need to be at 90% or better and right now we're running about 84% to 86% in eight minutes or less. That is a concern because it is proven across the United States in scientific studies that BLS first response needs to arrive within four minutes because brain cells die starting at 2 minutes after collapse and after inhalation has stopped. We need to be there with advanced life support within eight minutes. So we need to improve that predictability if we are going to have better outcomes for cardiac arrest patients. Trauma is simply getting there quickly, recognizing and transporting quickly. Not just recognizing, but transporting quickly. The young lady I talked about, it was 17 minutes from the time if the call was initiated to 911 that she was in the hospital. That is very fast."

**Commissioner Gwin** said, "You and I talked a little bit about our response time is also important because we don't know the length of time between the onset of this emergency or trauma and the time the call is made, so you have to kind of go back and count from that point too, do you not? I appreciate the additional information. A, I think it is important for us to understand and B, I think it is important for the public to understand why you are asking for the change and what the history of this department has been and what you hope it will be in the future. Thank you Mr. Chairman."

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

**Commissioner Miller** said, "Thank you Mr. Chairman. Tom, first of all, what is the actual date that the increase in fees will take place?"

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**Mr. Pollan** said, "The actual date will be set as this letter goes, because we have to give 30 days notice to the City and at this point we're probably looking at February 15 or March 1. We would like to do it on a reasonably easy date to remember so that it is not so hard to remember three years from there when we made that change."

**Commissioner Miller** said, "In looking at the last page with recommended crews by year, it looks as though you'll begin your increase in staff this year?"

**Mr. Pollan** said, "In 1999."

**Commissioner Miller** said, "Okay. So for the public then, we're increasing the fees as of let's say March 1, 1998, we'll start to accumulate revenues or an excess of revenues that are earmarked expressly, or not expressly, but majorily (sic) for bringing on . . ."

**Mr. Pollan** said, "In last week's meeting we discussed more of the issues. We have technology that is available out there that will help us perform better, more efficient, more effective, but we also need people. It is not just technology. It takes two people to transport that patient. That is what we measure is our quality of outcome is how quickly we can treat and transport that patient. That takes people. Now how quickly we get there takes extra technology and that is out there and available and already being put into this community in the form of mobile digital computers that law enforcement's receiving and the other that is looking at is the AVL system of GPS system for vehicle location system. Meaning that we can pinpoint where the unit is, where the call is, measure who is the closest and respond the closest unit appropriately. That is very difficult under the current system."

**Commissioner Miller** said, "Should we see an increase in the response time due to the increase in user fee that is going to be used for the technological avenues that are out there that will hopefully increase our response time or bring down the time that it takes for us to transport or get to someone and transport them somewhere."

**Mr. Pollan** said, "I believe the technology will help us in that response to the patient. People are going to be key to transporting and treating that patient."

**Commissioner Miller** said, "So I'm just trying to make the connection of placing the user fee in effect prior to actually bringing on the projected crews. That's all I'm doing here."

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**Mr. Pollan** said, "One, it will give us, because there are some capital improvements that have to occur as well, it gives us the ability to bank or put into the capital reserve fund, getting prepared for those capital improvements that will occur in later years which we have one in 2001 and one is set at 2002 right now. What we need to do is begin now because the insurances don't always respond immediately to any increases that we develop and increased user fees. So what we need to do now is set the platform, be able to see if what we are projecting currently right now is what we're going to see. That's really important, because we don't have the revenue we know what happens and it occurred to us this year."

**Commissioner Miller** said, "Okay. You are projecting for the most part, you will actually see what is collected and what is necessary and it is a possibility that we'll adapt or change from there. So this is not necessarily built in factual data that will tell us if maybe there won't be another user fee increase is what I'm saying."

**Mr. Pollan** said, "I certainly couldn't make any promises about no increased user fees in the future. I think obviously we're going to have more people in the community. The community is expanding. It makes it much more difficult to support and to respond to it quickly and costs are going to go up. That is what we're trying to address now in this business plan, it has got to be flexible too. It is not fixed in granite. There is nothing in that which is fixed in granite. We may have a surprising increase as we saw in some of the years of 2, 3, 4% increase in call column. What we are saying right now, based upon the recent past and what we see coming in the future, there will be modest increases in call volume. Given that, and we can get the staff, then of course the thing that is going to drive cost will be the cost of human resources."

**Commissioner Miller** said, "Okay, thank you very much. I will be supportive. Thank you Mr. Chairman."

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

**Commissioner Gwin** said, "I'm sorry Mr. Chairman, but I have a couple more questions. One of the issues we dealt with last year had to do with collecting collections and how EMS was doing with those. How are we doing now? Are we doing better? I mean fees are nice but if you can't collect them they're not worth very much. How are we doing?"

**Mr. Pollan** said, "I believe we are doing very well now. We have projected that they collect on the

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average about 70 percent of our bail outs and they are doing 69.4 as of last month. That is a vast improvement. But what happened in 1997 was that we basically had two people working on those accounts which cost us extra money in order to generate. But what we've seen in the last few months and no other organization has been working except for Healthcare Billing Consultants, which is currently doing it, the performance has been very high. We will expect, with the user fee increases, to see a reduction of that percentage of collections. We can expect that. But we will still see more revenue. That is what we're looking at and we'll be watching it very closely to see how those counter as we make these changes. That is what takes time."

**Commissioner Gwin** said, "When you propose some of these changes, you run this by the Wichita - Sedgwick County Board of Health?"

**Mr. Pollan** said, "Yes, I did. I forgot to say that. I had this on the last of my list. Yes, I took it before the subcommittee and the full board in review of this information and they voted unanimously to support the new schedule."

**Commissioner Gwin** said, "I wanted to bring that out. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Tom, I would like to maybe visit with you later today or tomorrow. I had a call from a constituent who had a suggestion and idea on billing. I would just like to share that with you. We don't know need to go into that today but I'd like to talk to you about that perhaps later. Commissioners, you've heard Tom's report. What's the will of the Board?"

### **MOTION**

Commissioner Gwin moved to approve the Letter of Intent and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

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

### **VOTE**

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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 Tom. We appreciate you coming back this week and retelling the story. Next item please."

**NEW BUSINESS**

**D. AGREEMENT WITH MID-CONTINENT R/C COMPETITION SPECIALISTS MODEL BOAT CLUB FOR USE OF SEDGWICK COUNTY PARK MAY 9-10, 1998 TO HOLD A DISTRICT 17 REGATTA, JUNE 15-19, 1998 TO HOLD A NATIONAL REGATTA AND AT OTHER TIMES FOR PRACTICE AND HOBBY RUNS.**

**Mr. Jarold D. Harrison**, Assistant County Manager, greeted the Commissioners and said, "This is Agreement we've had for several years with the Mid-Continent R/C Competition Specialists for model boat races, practice and hobby runs at the Sedgwick County Park at Tom Scott Lake. They are particularly proud of the fact that they were again selected as the site for the national regatta. This is the second time in I think the past four or five years that this particular organization and this particular site has been selected for the national regatta. This is a standard form contract we've used with the group. It does have provisions in it so that when they do have the regional and national regattas they do have overnight privileges in the park so that they can provide security for their equipment. It is subject to receipt of a Certificate of Insurance and the dates and uses have been coordinated with the Park Superintendent. We would recommend your approval."

**MOTION**

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

Commissioner Miller seconded the Motion.

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

**VOTE**

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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."

**E. AGREEMENTS (THREE) WITH COWLEY COUNTY COMMUNITY COLLEGE, PRATT COMMUNITY COLLEGE AND INDEPENDENCE COMMUNITY COLLEGE ALLOWING SEDGWICK COUNTY EMERGENCY MEDICAL SERVICE TO PROVIDE FIELD INTERNSHIPS FOR STUDENTS OF THE COLLEGE TRAINING PROGRAMS.**

**Mr. Pollan** said, "I do have three in front of you. Do we need to take these one at a time or vote on all three at one time?"

**Chairman Winters** said, "We can take them all three at once."

**Mr. Pollan** said, "I would go over this in brief. The Cowley County Community College agreement is for five students. The Pratt County Community College is for 30 and that is for EMTs. That is one twelve hour period. Two MICT students are with Independence Community College so the longer effect of this is seven people in a paramedic class. I would recommend your approval."

**MOTION**

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

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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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 Tom. Next item."

**F. KANSAS COLISEUM.**

**1. AGREEMENT WITH SUPERTEL HOSPITALITY FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "The Agreement before you is with Supertel Hospitality, which is the company that operates the Super 8 Motel properties in our area, the one on I-135 and the other one on the east side of town. It calls for an advertising panel in the concourse area of the Coliseum. In return, we will put a coupon or brochure in those ticket envelopes for out of town ticket buyers which we mail. Some families want to spend the weekend so now they have an opportunity to get a first contact with a motel property. We'll also include some of their information in some of the show contracts that go out, those shows that have a big casting crew, if they would like to stay at the property there is another first contact for them. We recommend the Agreement."

**MOTION**

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

Commissioner Miller seconded the Motion.

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

**Commissioner Miller** said, "John, are we printing the coupons?"

**Mr. Nath** said, "No, those will be supplied by the advertiser."

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

**Chairman Winters** said, "Okay, thank you. Are there questions or comments on this item? Seeing

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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. AGREEMENT WITH THE WICHITA EAGLE FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.**

**Mr. Nath** said, “This Agreement with the Wichita Eagle calls for again an advertising panel in the concourse area. The Eagle will use that to sell subscriptions to the newspaper. People who come to events that sign up for a subscription will receive a gift certificate to our concession stands which the Eagle will buy from us depending upon the size of the certificate of course and will depend upon the length of the subscription that is purchased. They will also be selling single copy newspapers at all our events. This is a trade agreement. In return, we will receive dollar for dollar amount of column inch space in the Eagle this year.”

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Commissioner Miller** said, "I just want to know, are we going to get positive editorials out of this?"

**Commissioner Gwin** said, "Be nice would you."

**Mr. Buchanan** said, "The Easter bunny is coming too."

**Commissioner Miller** said, "Right."

**Commissioner Schroeder** said, "Way to go Melody."

**Chairman Winters** said, "Thank you very much John. Keep up the good work. Next item."

**G. AGREEMENT WITH JUVENILE JUSTICE AUTHORITY TO PROVIDE CASE MANAGEMENT SERVICES FOR JUVENILE OFFENDERS.**

**Mr. Mark Masterson**, Interim Director, Department of Corrections, greeted the Commissioners and said, "Last July the new State agency to administer juvenile justice began operations. As you know, that is the Kansas Juvenile Justice Authority which hereafter I will refer to as JJA in this presentation, their task with implementing juvenile justice reformed in Kansas. The Agreement for your consideration today is a stop in the process. JJA has responsibility for juveniles placed into State's custody by the juvenile court system. The responsibility has been performed by SRS and is now transitioning to the new agency. JJA has invited Community Correction agencies statewide to enter into agreements to provide these case management services for juvenile offenders over the next 18 months.

"This is referred to as the transition period in the reform plan. They refer to it this way because communities will be engaged, as you know, in strategic planning during this time which will result in juvenile justice services tailored to each areas local needs. Basically, the system is transitioning from a State operated system down to more local control.

"The Agreement we have been offered and how it plays out locally involves case management responsibilities for an average case load 575 juveniles. And with responsibility for juveniles where

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it is a little different than adults, you also have the responsibility to work with their parents as well. The responsibilities include and are displayed on the screen, they are a part of this Agreement and includes assessment and case planning services which we call the intake function, service delivery, which is individual and family guidance, crisis management, supervision and monitoring of offenders in the community, purchasing necessary services from providers, for instance purchasing services for day report sanctions, purchasing services for the Boys Ranch or Sedgwick County Youth Program, transportation of offenders to placements and to court when necessary, and administration of service delivery.

"This case load is a little bit different than other case loads in the corrections area. It is really a blend of some social work with corrections, which is really what the direction is with juvenile offenders, more to a correctional mission toward the countability and responsibility. The way the case load works is offenders that are ordered into State custody in this area are usually held at the Juvenile Detention Facility. The responsibility begins at that point to go in and assess the case, and it is very labor intensive, meeting with the family, pulling together information to assess what the needs are and to plan out the case. Then purchasing the service, going out and arranging with service providers, they are going to the Boys Ranch and making that referral and purchasing that service is part of the process. Once the case transitions to the provider of that service, it goes into a less of a monitoring stage and the plan is executed. As the juvenile prepares to come out of the facility, planning again has to occur about the supervision plan in the community and be coordinated with the family, the schools, and then the supervision and monitoring of that juvenile in the community, with that part of the plan it becomes intensive again. So that is basically the way the case load works.

"Responsibility for providing funding for the purchase of services remains with the State. Our function is to buy and arrange the services from vendors, receive and verify the billings, and send the bills to the Juvenile Justice Authority for payment. The transfer of cases will be phased between March and June of 1998, so it is very soon. At the Department of Corrections, we don't have any space or any one that can pick up this kind of size of a job with our existing staff. So it is starting from the very beginning with a new program. We'll have to find an outfit a building which we have started looking for, hire and training staff, set up all the administrative procedures, policies and procedures, it's really from the ground up.

"JJA has agreed to pay \$390,207 for start-up for the rest of fiscal year 1998, which is January through June of this year and has requested in their budget to the Legislature \$763,446 for State fiscal year 1999. That number can be impacted through the legislative process and if you approve entering into this Agreement, we will be actively involved in doing that.

"The Department of Corrections has carefully analyzed the Agreement and negotiated the terms with

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our Legal Departments and theirs. We've concluded the funding offered is insufficient to fully provide all of the contract services that are listed. We presented JJA with a detailed counter offer and asked for additional funding to support the program which was rejected. They simply do not have the funds in their budget. They inherited the budget that they have. The State fiscal year 1999 budget is really their first opportunity to develop and present a budget. The numbers, in analyzing this, are not as good as we would like. The information on how much has been spent previously is not very good, because when SRS (Department of Social Rehabilitation Services) performed this function they had responsibility for children in need of care and juvenile offenders and the money all came out of one pot. It wasn't categorized as to what was spent on offenders and what was spent on children in need of care. So JJA has begun gathering this information as of July 1.

"They are asking the County in effect to partner with them in this agreement to further develop these services and help advocate for funding in the upcoming legislative process. The fact of the matter is the standards referenced in this agreement are presently under development. We, as the largest district in the State, with 28% of the juvenile offenders in State custody can play a significant role in setting the standards for supervision of juvenile offenders in the community if we get involved.

"We've discussed entering this agreement extensively with our stake holders. They support Community Corrections as the right agency for the function. There is however serious concern involving the funding level and how that translates into supervision of offenders in the community. That cuts to the very reason the County needs to enter this agreement. Standards for offender supervision and intervention services relate to public safety. We need to get in and build it and be at the table as a partner with JJA. We will then be in a position to more effectively advocate for our needs locally.

### **SLIDE PRESENTATION**

“The variable that most reflects the quality of services to be provided is the case load size per officer. As shown on the screen, lower case loads enable better services due to more contacts with the client, family and providers, more face to face contact which are far more effective than relying on telephone contacts. You get a lot more information if you can see the person and judge them as they are responding, and a mix of office, home and field contacts. You can learn a lot more about what is going on in somebody's life if you spend a half an hour in their home than as opposed to all of your contacts being in the office or over the telephone. This results in better supervision which enhances the programs effectiveness and public safety.

"I am therefore asking the County to partially support operation of the program. We have developed

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three service level options for your consideration. I will briefly outline each of the funding options which we've put together on a chart. Option one is the counter offer that we presented to the State. It is our position that an average case load size per worker of 30 is the manageable level to provide the kind of services that were described. Within that 30 would be 10 offenders at home, which is where the supervision is most critical. In juvenile work, at our intensive supervision program, a case load of 20 to 25 offenders at home in the community is a full time job and a manageable level of service. At 30 with 10 at home and 20 in placements, we determine that would be a desirable level. It would provide two face to face contacts per week, family guidance would be two times a month for half an hour. We would be able to fully comply with what we anticipate the standards will be when they actually come out. The staffing required to accomplish that would be 26 staff. We would need two vehicles to accommodate the transportation. The funding costs for '98, the \$390,000 is what JJA has appropriated. The actual cost would be close to \$700,000 and the bottom line shows what the County would need to make a supplemental appropriation if that was the desired level.

"We show similar figures for State fiscal year 1999. Option two, which is the level I am going to ask and recommend that you consider funding, provides an average case load size of 41 with 13 at home. One face to face visit per week in the office as an average. It will actually be based on need and how that plays out. One time per month for family guidance with the family. We will be able to partially comply. In the areas we will have the most difficulty complying will be in the areas of reports, all the updates of plans, all the policy and procedure auditing measures that come with this. If it is anything like the Department of Corrections does with Community Corrections for adults, it is an extensive amount of work and with 22 staff, which option two provides, it is likely we will not be able to meet that 100%. Funding on option two would require approximately \$94,000 for State fiscal year 1998, the first part of 1998. We would then have opportunity to go lobby in the legislature for full funding. Also as we get in and develop this, we're going to have a lot better numbers and we are going to have a lot better feel on what this job is really going to take so that we have an opportunity to impact the State budget on what has been identified at the level of appropriation.

"Option three is the funding level, if the State funding is all that is available to provide this service. A case load size of 57 per worker with 18 at home. The contacts will be one face to face contact every three weeks in the office, reliance of the telephone, it is going to feel much like it feels now where the case load sizes are in the 70's or 80's, it is crisis to crisis. What happens in this case load is somebody runs away from a placement and gets in trouble and ends up in detention, has to go to court, you have to respond to that crisis. You have to do court reports. You spend a whole day at court over it. It would feel very much like it does now, crisis to crisis.

"Although I think it will feel like somewhat of an improvement to the stake holders, to the court and

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the District Attorney's Office. It is not going to feel like much of an improvement. It is going to feel like the same thing another face doing it.

"Option two will feel like some improvement. We won't be all the way there but we will certainly be able to get in and develop it the best we can and advocate for adequate funding. In option three, 17 staff would be able to be provided, two sedans, and the funding level is shown that is offered by the State.

"The purpose of the additional funding is adequate staffing to reduce case loads to a manageable level so better supervision can be maintained over offenders in the community. I ask that you approve entering the Agreement and approve supplemental funding for State fiscal year 1998 as shown in option two. This will include additions to the manning table and to the fleet. If we are going to do this service, we must get on with it. There is a transition which begins in March to be up and ready to do that will be a big job. If there are any questions, I'd be happy to try and answer them."

**Chairman Winters** said, "Yes there are a couple. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you Mr. Chairman. Mark, do you know how JJA arrived at the funding level that they are proposing for Sedgwick County? Are you aware of how they came up with \$390,207?"

**Mr. Masterson** said, "Twenty-eight percent of the available funding in their budget, which is equitable because we have 28% of the offenders. So across the State to other districts, it is equitable. There is a strong consensus that it is not adequate, but it is equitable."

**Commissioner Gwin** said, "In that regard then, are you familiar with the reactions or the responses of other large counties, other counties who have lots of juvenile offenders to deal with? Have they signed on? Can they do it for what JJA says or what are there responses?"

**Mr. Masterson** said, "There is actually no other community close to us. The next closest is at 10%. Shawnee has signed the agreement. Wyndotte and Johnson County, it has yet to be presented to the Commission, but the feeling is that it will be approved. They are going to get onboard. They don't think the funding is right, but are going to get in and build this thing with JJA and partner with them and try to build it."

**Commissioner Gwin** said, "So if we do agree to this contract and the option two that you are

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suggesting, it is your sense that Sedgwick County won't be alone in its request from legislature for additional funding. There will be other counties who will be able to stand up beside us and indicate to the legislature that more funds are needed to do things right?"

**Mr. Masterson** said, "I believe so."

**Commissioner Gwin** said, "One of the things that I think we need to be prepared to discuss is the reduction in case load as proposed from current, which is 70 or 80 per officer to the 57 for instance that JJA's funding would allow. I think we need to be able to be prepared to talk to the legislature or anybody else who will listen as to why that is not enough. My sense is that anyone looking at that at first blush would say well heck things are in a better position, you're changing your case load from 70 to 80 down to 57. How come you can't handle that? Give me your response. How can we argue that?"

**Mr. Masterson** said, "From a quality of service perspective would be my answer. At 57 cases per worker and 18 at home in the community, the frequency of your contacts with those offenders who are at home, which is where your greatest risk is and greatest need for supervision is going to be so low that it is not going to be nearly as effective as it needs to be. When you go to compare it with what adult correction supervision standards are, intensive supervision, it is not going to be anywhere near the contact level that are standards in the field."

**Commissioner Gwin** said, "I appreciate that, but I think we need to be prepared to argue that or discuss that when we have to go to Topeka."

**Mr. Masterson** said, "I'd like to add that in the dialogue in the development of these standands, if we are actively involved in that negotiation and we will have opportunity, there has been a standard committee meeting in Topeka. They did a retreat for three days and worked very hard on these standards, because the case load isn't like other correction case loads. They are working on the draft. They will then get input from Community Corrections. We'll have opportunity for input on that."

**Commissioner Gwin** said, "Now these are just juvenile offenders, correct?"

**Mr. Masterson** said, "That is correct. In State custody."

**Commissioner Gwin** said, "In State custody. I'm prepared to support your request and to support

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Option Two. In our conversations however and even at that, I wish we had known in last years budget cycle that we were going to be faced with this with a shortfall in this regard, but I think the funding is available. We can make some adjustments and support Option Two. I feel strongly that the juvenile offender responsibility is Sedgwick County's responsibility, at least for 28% of them. I also feel strongly that we know how to do this. I believe our track record shows that we are perfectly capable of handling this kind of challenge given the financial assistance that we need to do it right. I believe that obviously the system needed to be changed and so I support the efforts of JJA to do things differently. In our conversation in my office, Option One obviously is the ideal but without having advanced notice of a need of an additional \$300,000 as we adopted the 1998 budget, that is money that is not readily available to us. So I would like us to do this. I hope that we can convince JJA and the legislature that we're going to need additional dollars. We are going to need their help to do it right. If that is not forthcoming than I think as we look at our 1999 budget we need to determine if this is an important part of the business that Sedgwick County is about and frankly I believe it is. So I'm encouraged by the change that I think we're going to see. I'm a little concerned as to how well we can handle it given this shortfall, but I think in the end we'll be very successful with this. You and your staff and your department, I think will help us make this work. I know I've been visited by a couple of members of the Community Corrections Board who have encouraged us to be a part of this. I appreciate them taking their time to come and talk to me about it and to express their opinions about Sedgwick County's ability and capacity. So I'm going to be supportive of it. I look forward to working with you on it to make it a success. Thank you Mr. Chairman."

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

**Commissioner Miller** said, "Thank you Mr. Chairman. I was in the office with Betsy when we were discussing options one, two, and three, and I just have to be frank and honest and say that if we don't, first of all I am extremely supportive of what JJA is attempting to do. I have absolutely no problem with signing a contract and billing onboard and working together in order to make this as successful as possible but I do have a problem with continuing to shoot ourselves in the foot with continuing to do deficit funding on an area that is so extremely important to the health of our community. I could see option two, I could see that we could find \$93,000 or \$94,000, I'm not sure why it is that we could not find the deficit of the \$300,000 plus in order to do option one which would put us in compliance.

"When you say things such as by doing option two we are partially in compliance and we'll be doing

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some of what is necessary, coming from a case manager background, I know what it is like to handle case loads of upwards of 70 individuals and juvenile offenders and it is ridiculous. It is a never ending cycle that you end up not accomplishing what it is that you set out to do and that is to appropriately place and to appropriately render services to these individuals we are attempting to work with and keep out of the system again. It is beyond me that, option one is not pie in the sky, or is it. Is option one pie in the sky? I'm not talking about the funding part of it, I'm talking about the supervision, the family guidance, the case load size per officer, is it excessive, is it pie in the sky? Is it dreaming or is it necessary?"

**Mr. Masterson** said, "It is necessary."

**Commissioner Miller** said, "And we're willing to not do what it necessary is what I'm hearing and I'm attempting to see if we would consider doing what is necessary. I do understand that we did not budget for this, that's very clear to me. I understand budgeting but I also know that there are avenues and vehicles and ways that we could scope and look within our budgeting as it is today as we project where some funding will not be spent to the dollar amount we projected it. There are always excessive dollars that are not excessive but larger amounts that are placed or things were not necessarily preconceived. So to me this is one of those. This particular issue is important enough where we would look at being able to fund it fully and actually meets the necessary needs of this area. I've heard this and I know that we'll say it again, but the State funds things in a funny way. Also coming from an educators background as a teacher, my goodness, if they can't take the time to figure out how it is to appropriately fund our public school system than you wonder my goodness would they actually come back and look at how we were able to come up with County dollars, fund this Juvenile Offender Field Services Program ourselves and then look to the State to say okay, we've done this and now we need you to fund this appropriately. Logic says and the way that they've done things in the past, maybe they wouldn't but I would like to think that with some political pressures individuals and groups and organizations that are collective and collaborative in their nature going to them and stating this is what the actual amount is. This is how this needs to be done and here are the outcomes that they would look at that from a reasonable perspective.

"I know that the question and the argument is going to be okay County, you fund it and then you're going to fund it. Obviously you have the dollars so why should you come to us and ask for it. Simply because it is their responsibility to reimburse the appropriate and adequate amount would be my answer. So I'm very troubled when I look at settling for mediocrity when it comes to juvenile offenders which is supposedly such an important issue for us instead of doing and stepping up to the plate and doing what we know is right. Thank you Mr. Chairman."

**Chairman Winters** said, "Okay, thank you. I would respond maybe just a little bit to what you said

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Commissioner Miller and I know your intensity of concern about this issue because you and I have talked about this issue before. I've clearly heard what you said about wishing that we could go the full way and do this project the very best right off the start. I'm prepared I think to support the recommendation to take this option two knowing a couple of things, one, this is a beginning partnership with the Juvenile Justice Authority in Topeka. We are kind of like taking the first steps in this transition and I think I am frustrated also that we have been asked to take over a job that the State was doing through SRS and weren't given near the funds to do the job, but I am at least encouraged a little bit that they have given all the money that they had away. Juvenile justice has X amount of dollars and they distributed to each one of the judicial districts so they're not keeping anything back. They've given all that they have. I think the real test now is going to be if we get into the legislative session which starts next Monday. I know there are a number of legislatures that are extremely interested in seeing this Juvenile Justice Authority work. They made the commitment to separating this out from SRS. They are anxious even for this thing to get rolling and there are a number of them that think it is behind schedule as we go about the task of getting things geared up here in early '98. I think also the number of those legislatures realize it is going to take funds to make it work. If it is going to work, it is going to take some dollars put into the program. It is not going to just happen by some kind of magic. It is going to take dollars to help this system.

"So what I heard you and I think Commissioner Gwin both say is as we get into 1998, we can see what kind of action the legislature is going to take in their session as it begins. Then as we get into our budget discussion in July we can then know what kind of actions we're going to need to take and then hopefully we can balance out that partnership. It may even take more than this one year cycle as Mark said. If we put this in place even by the middle of this year we'll know a lot more about how this is going to work than we know today. So for that, I'm going to go ahead and continue to support this second Option. I applaud you for wanting to make this thing perfect right off the bat, maybe not perfect, but make it the best it can possibly be and I appreciate that opinion and I hear you say that. I think I am going to opt with let's get it started. Let's put this \$93,000 into it and see what we can do. Are there other questions or comments? Commissioner Miller, do you have any response?"

**Commissioner Miller** said, "No, thank you."

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

**Commissioner Hancock** said, "I tend to agree with Commissioner Miller but also understand the

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realities of our situation. I would certainly like to take this project and see what the outcomes would be based upon really putting the funding into this that would provide us with the best chance of success. On the other hand, I do understand our difficulty with the available dollars to spend on it. I'm not sure I know where even the \$93,000 will come from at this point. I'm sure we'll find something. Mark, in your opinion, with the State being flush this year, is there any word within the structure about the funding for the coming year or is it still a question Mark like everything else is before the session starts?"

**Mr. Masterson** said, "A question mark."

**Commissioner Hancock** said, "Is there any indication from anyone within the juvenile justice system that they are optimistic or looking forward to better times? The threat has been, the promise has been for a couple of years now from the State that they are taking a hard look at juvenile justice and are going to do something with it differently. I know they have lots of plans and they have lots of ideas, but is there any indication of funding that should come along with it or is going to be there? Plans and everything are great but let's face it, it costs money. Are they willing to anti-up? I know you said you had no clue?"

**Mr. Masterson** said, "I pressed for that answer with JJA last Friday and they are optimistic and certainly waiting for the opening of the session to hear the Governor's Address to try to get a better feel."

**Commissioner Hancock** said, "Okay. I know you are working within the community and thought maybe you might have some kind of an idea. But JJA is going to put on a full court press though I hope with the legislature to develop some kind of a funding mechanism that can for sure handle this problem, I hope. Is that their plan?"

**Mr. Masterson** said, "They've indicated in a letter in response to questions that we submitted that they will certainly try to achieve adequate funding."

**Commissioner Hancock** said, "Is their target 30 cases per case worker also?"

**Mr. Masterson** said, "I don't know that. The standards are under development and I haven't seen their draft of the standards yet and that is where we will begin to get a read on that. I would venture to say that the work that we've done putting together people who have supervised this work, know this case load, do the case work, we probably know more about it than they do about what the actual work is. The volume of work here, it is 575 cases is a one day snapshot in September.

"The actual numbers are still being worked on so there are many making projections. We are making

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them on soft information. That is what the Agreement and that is what the funding is based on, but that is what it came from, a one day snapshot. The funding for the amount of money in that purchase of service pot in Topeka that goes along with this is another piece that information is being gathered. It is projected for us at between 2.4 and 2.5 million dollars for this community in State fiscal year 1999. Whether or not that is an adequate amount or not is certainly a question mark and I can tell you from what I know and have been able to put together that it is not there. So there are two pieces for advocacy here, that piece and the funding for the operation to have appropriate services."

**Commissioner Hancock** said, "Well, there are a lot of folks out there who are working with it in this structure and of course in the legislature and the Governor's Office. I think everyone has only the best of intentions. Everybody wants to do the best job possible and at same time remain accountable to the taxpayers in the State and certainly in this County. I'm in no rush to be critical of what everyone is doing but I just hope that the Governor, legislature, and the juvenile justice system take a real hard look at what has been going on and what the needs are in the local community and do their very very best to provide the resources necessary for you to conduct your work. I would like to support the \$309,000 but I don't know where that would come from. I'm going to be supportive of option two."

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

**Commissioner Gwin** said, "Just another thought. Have we stated to JJA that 28% of the funds that they have available, \$390,000 is in no way sufficient, we've told them that, is that correct?"

**Mr. Masterson** said, "Yes. We told them that and we requested negotiation about that. We put together a detailed budget illustrating it. We submitted option one in much greater detail and the answer back was there simply is not more funds for 1998. That's it."

**Commissioner Gwin** said, "Okay, well we first made that statement which I think was important for us to make that \$390,000 is not enough to do the program correctly in Sedgwick County. Secondly, I think we understand the importance of partnerships as that is certainly one of our calls for this county. I think if we can demonstrate to the State, that we will take the funds that you have currently allocated but as a partner who understands that this program needs to be a success, because we want to implement it right away, we'll step up, we'll find additional dollars that we had not anticipated in the hopes that the additional monies that are really needed can again maybe come from a partnership of our local funding and some additional State funding. There is still plenty of money to be made up and I think we need to be fairly forthright in letting them know that by gosh if it is important, it is important to do right, that we're going to continue to be partners in this process. "If that means additional funding from us so be it, but we would like them to stay in the boat too."

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We expect them to fund it additionally so that the program works. I think if we show our good intent, I think if we show that we have worked hard to find the money within this budget, that I certainly could go to the legislature and explain how important this is to us, how important success is to us, and how important this ongoing partnership is and ask them then to continue to be a partner to augment their funding as we will to make this a success. I think this is a step in the right direction. I do agree with Commissioner Miller, this program has to work and I am not, it doesn't work now. So if we are going to take over those responsibilities, it has to work. I want to maintain the partnership between the State and Sedgwick County to do that. I would think that this first step would show them how important it is to us as we continue to do that."

**Mr. Masterson** said, "I might add that the Corrections Advisory Board, while this was an informational item did express their interest to help in any way possible in the advocacy for appropriate funding."

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

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

**Commissioner Miller** said, "Thank you Mr. Chairman. It is an intense issue for me, it has been and it always will. I said from the beginning that I will be supportive and I have no intentions of not being supportive. I think it is very important that we do show that we are partners in this venture and that we can work on this together but that there are some deficit areas that need to be addressed and I am hopeful and placing it on the public table now that this is something we will definitely address from our budget perspective when we do start to talk about 1999 budgeting. If then is the time to do the partnering concept to actually get a dollar amount or an actual support statement from the State that this is what they will be willing to do based on what we've accomplished over that amount of time then I think it would be very appropriate for us to address this deficit funding issue when it comes to juvenile offender field services in our 1999 budget. We'll raise that when it comes. Thank you."

**Chairman Winters** said, "Thank you. I would just make one final comment and I think this is a message we need to continue to talk during this legislative session because I know a number of legislators, a number of citizens, we are concerned about property taxes and the increasing of property taxes. As programs like this are shifted back to the county, the only way we have to deal with them are property taxes and so as the Legislature goes about trying to help prevent any kind of increases in property taxes unfunded programs like this leaves us only one place to fund them and that is through the property tax system. So perhaps we can tell that story in the Legislature. "All right, Commissioners, we've had a good discussion, what's the will of the Board on this Item

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G?"

**MOTION**

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

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

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

**H. ASSIGNMENT OF A CONTRACT BETWEEN THE KANSAS DEPARTMENT OF COMMERCE AND HOUSING AND THE WISE PARTNERSHIP FOR GROWTH.**

**Mr. Richard A. Euson**, County Counselor, greeted the Commissioners and said, "Commissioners, I would ask that you defer this item for one week so that we can bring you additional information concerning it."

**MOTION**

Commissioner Schroeder moved to defer Item H for one week.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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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."

**I. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.**

**Mr. Jack Brown**, RS, MPA, Acting Director, Community Health Department, greeted the Commissioners and said, "The first item I would like to update you on is the Brooks Landfill groundwater cleanup project. There were two trigger dates, September 30 and December 31 for installing a cleanup system and those dates have been met. Due to a lot of hard work during the year those two cleanup systems are operational. I believe KDHE Is going to visit the landfill in the next week or so to get a firsthand look at the operation, but those cleanup projects are in place.

"Household hazardous materials collection facility, I thought I might up date you. We've changed our hours for the winter due to daylight saving time. We're open from 9:00 a.m. to 1:00 p.m. Tuesday through Saturday and by appointment still if you call the Health Department Environmental Health Division.

"There was a conference held on waste reduction for businesses this past month, in fact I think it was in November. We were a little apprehensive about the response we would get from the community in terms of this first conference but it was well received. This conference focused on ways to minimize hazardous as well as solid waste in commercial and industrial type businesses. From all indications from my staff who were involved in the process, it was well received and I think they are in the planning stages for another one of these conferences this year.

"The north industrial corridor groundwater cleanup project is under way. It has been in process for several months now in terms of the preplanning and those types of things but we actually had our official kickoff and the program is officially underway with field activities initiated for sampling and those types of things.

"In the area of grant awards, we did receive a \$10,000 grant from the Wichita Community Foundation to fund what they feel is a pretty innovative program. It is a basketball league that will

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also integrate AIDS education into the activities. So when we have a captive audience we will utilize that time not only for athletic activity but educational purposes as well.

"We have received as a planning tool, we asked Kansas State University to look at our Health Department Facility in terms of ways we could improve the use of that building or maybe a new building at some time in the future. We have all the plans that the twenty some students designed and they are available on the Internet. I don't have that Internet address and it is a long one. Kansas State University did a very good job for us in giving us some ideas about space allocation and our building in relation to other facilities around the Health Department. So as we get those hard copies I'll be distributing those and they will be available. I can also make available the Internet address if anybody is curious to see what the students came up with.

"The Governor has appointed a public health improvement commission committee. They have met one time and it is an effort and ties right into our local community health improvement project here in Wichita and Sedgwick County. They have only met once so we don't know exactly how much up to speed the committee is and what their schedule is on addressing this issue, but at some point in time they will be making recommendations about public health, delivery systems in the State of Kansas, and that is hand and hand with what we are already doing here and we'll be involved in that. None of us sat on that particular committee but the committee is a good cross section of the State and like I said ties right into some things that we are doing to look at the way we provide services locally.

"Lastly, I might mention we included a graph this time in our monthly report on the last page. Our clinic activities is basically what this depicts. It is still at a fairly high number, 11,894 visits, that is for the month of December. There was a slight increase there and I think that was primarily due to flu immunization activity. If there are any questions, I'd be happy to answer them."

**Chairman Winters** said, "One quick question. You mentioned the Brooks cleanup system. Two systems have started, are there other systems to be started at this time or are those the two principal phases?"

**Mr. Brown** said, "There was phase one and phase two. The phase one was to attack the leading edge of the contamination. The phase two was to attack the source and then there is a phase three that is being looked at and that would be actually eliminating the source if it is possible."

**Chairman Winters** said, "Under this phase one and phase two is there any estimation of how long those systems will have to be in place?"

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**Mr. Brown** said, "I would think about at least ten years so it would be ten to fifteen years that we would be looking at. We'd have to look at the technical information to be sure and once you get a system implemented it may be shorter or longer depending upon how effective it is."

**Chairman Winters** said, "Okay, very good. Thank you. Commissioners, you've heard Jack's report, what's the will of the Board?"

**MOTION**

Commissioner Miller moved to receive and file.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

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

**CONSENT AGENDA**

**J. CONSENT AGENDA.**

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- 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>
V94012	\$580.00	\$521.00
V97001	\$144.00	\$139.00
V97063	\$250.00	\$370.00
V94034	\$212.00	\$209.00

- Orders dated December 24 and December 31, 1997 to correct tax roll for change of assessment.**
- Consideration of the Check Register of January 2, 1998.**
- Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970809	COMCARE-OPS	Transfer
970810	Finance General	Transfer
970811	Sheriff	Transfer
970812	Sheriff/Detention	Transfer
970813	Purchasing	Transfer
970814	Geographic Information System	Transfer
970815	Community Development	Transfer
970816	HOME Housing Rehabilitation	Supplemental Appropriation
970817	Kansas Coliseum Select-a-Seat Ticketing	Transfer
980004	Prosecutors Training Fund	Supplemental Appropriation
<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980005	Corrections-Juvenile	

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980006	Offender Field Services Public Bldg. Commission	Supplemental Appropriation
980007	Bond and Interest Prosecuting Attorneys	Supplemental Appropriation
980008	Special Trust Fund Aging	Supplemental Appropriation Supplemental Appropriation

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

**MOTION**

Commissioner Hancock 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 meeting? We do need to have an Executive Session in this meeting but we need to have a Fire District Meeting so as this time I will recess the Regular Meeting of the Board of County Commissioners.”

**The Board of Sedgwick County Commissioners recessed to the Fires District Meeting at 10:42 a.m. and returned at 10:45 a.m.**

**Chairman Winters** said, “At this time I’ll call back to order the Regular Meeting of the Board of County Commissioners, January 7, 1998. Is there other business?”

**K. OTHER**

**Regular Meeting, January 7, 1998**

**Commissioner Miller** said, "Yes, Mr. Chairman."

**MOTION**

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for 40 minutes to consider consultation with legal counsel on matters privileged in the attorney client relationship relating to legal advice and personnel matters of non-elected personnel and that the Board of County Commissioners return from Executive Session no sooner than 11:25 a.m.

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, "At this time we will recess for 40 minutes of Executive Session."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 10:45 a.m. and returned at 12:01 p.m.**

**Chairman Winters** said, "I'll call back to order the Regular Meeting of January 7, 1998. Let the record show that there was no binding action taken in Executive Session. Is there any other business to come before this Board? Mr. Euson? Mr. Manager? This meeting is adjourned."

**L. ADJOURNMENT**

**Regular Meeting, January 7, 1998**

There being no other business to come before the Board, the Meeting was adjourned at 12:01 p.m.

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

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

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

\_\_\_\_\_  
**BETSY GWIN**, Commissioner  
First District

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

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

ATTEST:

\_\_\_\_\_  
**James Alford**, County Clerk

APPROVED:

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