

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 25, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, August 25, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zuchovich, Director, Public Relations; Mr. Bernard A. Hentzen, Member, Metropolitan Area Planning Commission; Mr. John McKay, Member, Metropolitan Area Planning Commission; Mr. Ray Warren, Member, Metropolitan Area Planning Commission; Mr. Harold L. Warner, Jr., Member, Metropolitan Area Planning Commission; Ms. Diane Gage, Director, Emergency Communications Department; Mr. Doug Russell, Director, Emergency Medical Services; Mr. Ken Williams, Assistant Purchasing Manager, Purchasing Department; Mr. Edward Tammany, Building Maintenance Worker, 4-H Extension Service; Mr. Paul Rossell, Chief Deputy, County Clerk's Office; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Charles Magruder, MD, MPH, Director of Community Health; and Ms. Heather J. Knoblock, Deputy County Clerk.

GUESTS

INVOCATION

The Invocation was given by Mr. Bob Bruner of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

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APPOINTMENTS

- A. APPOINTING RESOLUTIONS (FOUR) TO THE METROPOLITAN AREA PLANNING COMMISSION.**
- 1. REAPPOINTING BERNARD A. HENTZEN (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT)**
 - 2. REAPPOINTING JOHN MCKAY (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT)**
 - 3. REAPPOINTING RAY WARREN (COMMISSIONER SCIORTINO'S APPOINTMENT)**
 - 4. APPOINTING HAROLD L. WARNER, JR. (COMMISSIONER GWIN'S APPOINTMENT)**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "These are four appointments to the Wichita Area Planning Commission. That is a joint with Wichita and Sedgwick County, a Commission made up of 14 members. The Board of County Commissioners has 7 appointments. Two of those are at large. Those are represented by reappointing Resolutions for John McKay and Bud Hentzen. And then Commissioner Sciortino and Commissioner Gwin both had appointments. Commissioner Sciortino is appointing Ray Warren and Commissioner Gwin, we prepared a Resolution for her to appoint Harold Warner. Those are all four year appointments, expiring in August of 2003. All four of those can be taken as one approval."

Chairman Hancock said, "Okay. Thank you. Commissioners, discussion? If not, what is the will of the Board?"

MOTION

Commissioner Winters moved to adopt the Resolution.

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Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, “Here today, I believe we have Bud Hentzen and we also have Mr. Warner here today. Come forward and we will have you sworn in.”

Mr. Paul Rossell, Chief Deputy County Clerk, said, “Please raise your right hand and ‘I do swear’.

“I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the office of Metropolitan Area Planning Commission, so help me God.”

Mr. Warner and Mr. Hentzen said, “I do swear”

Mr. Hentzen said, “Harold has a speak prepared. I didn’t prepare one. And if the Manager makes a speech, don’t pay any attention to him.”

Chairman Hancock said, “I want to thank both of you, gentleman, for taking the time, the Planning Commission is a long, hard road some days and I know you spend a lot time and will spend a lot of time. We appreciate you taking the time and interest to do that. It’s always wonderful to have two highly qualified, in this case, four highly qualified individuals we are appointing today. So, thank you, very much. Next item, please.”

RETIREMENTS

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B. RETIREMENT PRESENTATIONS.

**1. PRESENTATION OF RETIREMENT CLOCK TO KEN WILLIAMS,
ASSISTANT PURCHASING MANAGER, PURCHASING DEPARTMENT.**

Mr. Williams will retire September 1, 1999 after 22 years of service.

Mr. Doug Russell, Director, Division of Human Resources, greeted the Commissioners and said, “I always enjoy this sort of deal. Not because Ken’s leaving, but because I enjoy this sort of deal. I don’t know. Ken, we have trouble running each other down, he has shuffled enough paper in his life, he doesn’t go out of his way to do it. He’s done 22 years in the Purchasing Department, he’s the Deputy, really, to Darren Muci. So, he is going to be sorely missed. Really helps hold that operation together and get things done.

“So, I asked him what he was planning to do. I finally were able to connect and he’s got two daughters, one son, one step-daughter and one step-son, all married. Four grand-kids, and two great grand-kids. Has an 80 acre farm with 7 hoses, likes to hunt and fish. Bottom line, it’s kind of nice when you see a 22 year deal and there is one word, Purchasing. And it says, ‘How would you describe your period of employment with Sedgwick County?’ He says ‘good job’. So, I don’t know. Ken, where are you at? It’s good when someone with 22 years either thinks they did a good job, or thinks we did. I don’t know which?”

Mr. Williams said, “Thank you.”

Chairman Hancock said, “I didn’t know you were going to retire. I got the notice that Ken Williams . . .”

Mr. Williams said, “I was going to surprise everybody.”

Chairman Hancock said, “You did. I said you couldn’t. So, I’m sorry, Ken, you are going to have to go back to work. What that means is, we are going to miss you. We appreciate everything you have done. We are going to miss you here on Wednesday mornings. We hope that you do enjoy your retirement and find it fulfilling to everything you wanted to. Congratulations.”

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Mr. Williams said, "I guess I only have a few things to say. Being in the Purchasing Department, I always felt like, that anyone who walked into my office, no matter how low in the County, that we were there to service them. So, that meant that I worked for all the employees of Sedgwick County. And now, I am reduced down to one wife. So, I think that it's going to be a lot easier. And also, she is going to leave and go to work. And she won't be able to micro-manage me. Thank you, very much for your time.

"I have enjoyed the job. It's been rewarding, sometimes stressful, I think, I figure about nine years I could go back on the computer and I spent anywhere from \$35,000,000 to \$23,000,000 a year. You go home and you think about the taxpayers money, it is quite stressful. I think that, as a plug to the department, I believe that you have very honest, dedicated, ethical people. And I believe you will continue to have that. Thank you."

Commissioner Sciortino said, "Ken, having retired from a career, prior to coming to this, I want to give you just one word of advice, do not try to change anything in the kitchen without explicit instructions."

Mr. Williams said, "Well, I don't think she has any worry of that. Like I said, I have 80 acres, this is going to keep me so busy out of the house, that I think she is safe. She is quite a lady that I'm married to. Very busy."

Chairman Hancock said, "Thank you."

Commissioner Sciortino said, "Thank you."

2. PRESENTATION OF RETIREMENT CLOCK TO EDWARD TAMMANY, BUILDING MAINTENANCE WORKER, 4-H EXTENSION SERVICE.

Mr. Tammany will retire September 1, 1999 after 2 1/2 years of service.

Mr. Russell said, "Commissioners, the other person we are losing today is, Ed Tammany. Ed has been with the County Extension Service his entire time with Sedgwick County. Apparently clocked up some KAPERS time somewhere else. We were very lucky to get him for part of his career. Ed plans to spend time with his wife, three adult kids and two grand-sons. Brandon, age three and Spencer, age two. Ed's hobbies include yard work, walking, traveling with the family and friends. He spent all his

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time with the Sedgwick County Extension Service. Describes his employment with us as enjoyable. That's good. It's right in there with good work. Ed, here's the . . ."

Chairman Hancock said, "Ed, I'm sorry, I apologize, I don't get over to the Extension as much as I should. But, I think, in the near future, there is going to be a lot of Commissioners to visit the department. To learn more about what you do. Very important resource for the community resides with the people you work with and yourself. On behalf of the Board of County Commissioners, people of Sedgwick County, a deep sense of gratitude. Congratulations and thank you. And we would like to give you this plaque as a token of our appreciation."

Mr. Tammany said, "Thank you, very much."

Chairman Hancock said, "Ed, do you want to talk?"

Mr. Tammany said, "No, that's okay."

Mr. Russell said, "Thank you, Commissioners."

MOTION

Commissioner Winters moved to take two Off Agenda Items. One regarding the Wichita Chamber of Commerce. And one regarding the Law Enforcement Law Grant.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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Chairman Hancock said, “The first would be the Wichita Chamber of Commerce. Ladies and gentlemen. Those of you here in the room and those of you watching, we have here today, John Roth. John is the new Director of Economic Development of the Wichita Chamber of Commerce. John, welcome, we are glad you are here. If you have decided to tell us anything about yourself, I will let you do that. But, I will say this, on behalf of the Board of County Commissioners, we are absolutely thrilled that you are here and working on our behalf. We appreciate your experience. I know that Tim Whitsmen made the selection and picked the best people possible and we are very proud to have you. Thank you.”

OFF AGENDA ITEM

Mr. John Roth, Vice President, Economic Development, Wichita Chamber of Commerce, greeted the Commissioners and said, “To my right is Lori Usher. Lori is the Director of Economic Development. I understand that you all have been provided more detailed information on the results of Economic Development in the Wichita and Sedgwick County area. But, what I have prepared is just a brief update, one page there. Which, indicates and focuses on the new companies as well as the local expansion and retention within our area. Representing 353 new jobs, four companies, TMX Aerospace, Epcoc, Tlexy Communications and our newest company to the Wichita and Sedgwick County area, MNF America.

“In our local expansions and retentions, have been two there, representing 540 jobs, Bombardier, Aerospace and IMC Financial. I would just, again, say that I am pleased to be back in Wichita and the part of Wichita/Sedgwick County community. And, this summarizes, just a brief update. If there are any questions or comments, I would be happy to address those.”

Chairman Hancock said, “Thank you. Commissioner Winters.”

Commissioner Winters said, “Thank you, Mr. Chairman. I don’t really have any questions, John. I just want to echo Chairman Hancock’s remarks. He did a very good job of saying how pleased we are of having both for you here. I think Economic Development still continues to evolve here in Sedgwick County. We all know that the Wise Organization was dissolved, it didn’t really come to it’s road. As we look for ways to continue Economic Development efforts, Sedgwick County stepped up and made sure the Chamber had the resources to continue that.

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“And now that the City of Wichita has also joined that effort, we’ve got the availability to have two good people, both you and Lori, working on Economic Development. I want you to know that I think that all of the Commissioners are very in tune to Economic Development. We do have it as one of our key issues that we want to continue to support. So, again, I share Chairman Hancock’s remarks, we are very glad both you and Lori are working in Sedgwick County, now. We hope we have much more contact.”

Mr. Roth said, “Thank you.”

Chairman Hancock said, “Thank you. Commissioners other comments? If not, what’s the will of the Board?”

MOTION

Commissioner Winters moved to receive and file the report.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

OFF AGENDA ITEM

Chairman Hancock said, “The next Off Agenda Item is in regard to the Law Grant.”

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Ms. Stephanie Payton, County Managers Office, greeted the Commissioners and said, "For the fourth consecutive year, Sedgwick County has been named eligible for the Bureau of Justice Assistance Annual Grant. Sedgwick County received notice from the Bureau of Justice Assistance of the availability of the Local Law Enforcement Block Grant, in the amount of \$55,999.00. A matching requirement of 10% or \$6,222.00 is in effect for this program for a total of \$62, 221.00.

"The purpose of this grant is to provide local law enforcement with funds to enishiate or facilitate current efforts to reduce crime and improve public safty in Sedgwick County. A request for proposal was issued to all law enforcement departments within Sedgwick County Government. In compliance with the grant requirements, an advisory board convened August 19, 1999, prior to this public hearing, to review proposals, from various County departments for possible use of this funds.

"The 1999 Local Law Enforcement Block Grant Advisory Committee consists of the following members, Winston Brooks, Wichita USD 259, Superintendent; Betsy Gwin, Sedgwick County Commissioner, District #1; Louis Hentzen, 18th Judicial Court, District Court Administrator; Mike Keller, Big Brothers/Big Sisters, Vice President of Programming; Mike Pulice, Sedgwick County Sheriff's Department, Undersheriff; Ann Swegle, District Attorney's Office, Chief Administrative Attorney. Sedgwick County received seven applications internally this year. The Advisory Board offers a non-binding recommendation for full or partial funding for five of the seven requests submitted. All of the recommendations this year correspond to the specific purpose of procuring equipment, technology and other material directly related to basic law enforcement functions. The recommendations are as follows. First, for the Department of Corrections, for the Juvenile Detention Faculty, they will receive a Video Arraignment System, totaling \$14,223.00. Secondly, again, for the Department of Corrections, the Juvenile intake and Assessment Center will receive an integrated imaging system totaling \$5,000. The Coroners Department will receive a new trace evidence program. Which includes two Olipus SZ series microscopes, statlar IR research master software and a Munzel book of color. The total of this project is \$10,000.00. For the sheriff's Department, it will receive tire deflation devices. There will be 50 devices at \$400.00 per unit for a total of \$20,000.00. And finally, for the Sheriff's Department, a Digital Spread Spectrum Receiver and Audio Transmitter for a total of \$12,998.00. Again, a combined total of all the recommendations is \$62,221.00. A public hearing is a requirement for this grant. I am available for questions. Additional, Grants Manager, Marty Hughes is also available for clarification. If there are no questions, I would recommend that you open the public hearing. Thank you."

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

Commissioner Sciortino said, "Thank you. Stephanie, if you don't know the answer, that's fine.

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What is a tire deflation device?"

Ms. Payton said, "A tire deflation device, in the even of a high speed chase the Sheriff's Department would put the deflation devices in front of the fleeing defendant that they were pursuing. And that would deflate the tire and then they would retract the device and it would help to slow down the chase and reduce injury to any body involved in the chase and anybody standing by."

Chairman Hancock said, "The word is spikes."

Commissioner Sciortino said, "Okay."

Ms. Payton said, "They are spikes with chains on them."

Commissioner Sciortino said, "Okay. Thank you, very much. I just needed to know. I thought it was just a gun they fired."

Chairman Hancock said, "Commissioners, further questions? At this time, I would like to open the Meeting for public comment relative to this item. Is there anyone here who would like to comment relative to the Law Enforcement Law Grant Program? If there isn't, I'll close the public hearing and limit the comment to staff. Commissioners, further comments? If not, what's the will of the Board?"

MOTION

Commissioner Sciortino moved to approve the Grant Application and authorize submittal.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Next item, please."

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NEW BUSINESS

C. RESOLUTION AUTHORIZING AN INCREASE IN THE EMERGENCY TELEPHONE TAX RATE FOR 2000.

Ms. Diane Gage, Emergency Communication Department, greeted the Commissioners and said, "Before you this morning is a Resolution requesting to increase the Emergency Telephone Tax on residential lines from 57 cents a month to 75 cents a month. An increase of 18 cents per line. Right now, the business lines are already paying the 75 cents a month. This is the maximum that is allowable under Kansas statute. We have not changed our rate on this in over 15 years. This rate has been set for quite a long time. The change would generate an estimate \$300,000.00 annually. This would be used primarily to finance the Communications Center Capital Improvement Project. They are wanting to expand the Communications Center located in the basement of the Courthouse, right now, as we have out grown the facility tremendously and are needing to be prepared to address the communication needs of our community. Both now and in the future. We are going to be pretty much at par with the majority of the Kansas Counties. Of the 93 counties that collect the 911 tax at this time, 77 of them are already at the 75 cent rate. Thank you, for your consideration. I would be happy to answer any questions."

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

Commissioner Sciortino said, "Yes. Diane, will this allow us to increase our ability to respond to calls? I know you have come before us in the past and because of cells phones and what have you, the volume of calls coming into 911 has increased dramatically. By increasing this tax, will that give you the funds sufficient to help minimize some of that volume or handel that volume in a more timely manner?"

Ms. Gage said, "It will give us the facilities to handel that capacity of the call volume we are getting right now, from cell phones, residential lines, whoever is calling us. Right now, we can't expand any further than we have. There is no more room for additional equipment, additional consoles, it would be extremely difficult to add anything more to the Call Center."

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Commissioner Sciortino said, "The point I am asking is to why we are doing it at this particular time? Is it being done now, because our need to expand, so that we can handel the income of these additional calls?"

Ms. Gage said, "Yes."

Commissioner Sciortino said, "Okay. Good."

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

Commissioner McGinn said, "We talked the other day, you said most Counties, do you have a number on that, that are already at the 75 cents?"

Ms. Gage said, "Of the 105 Counties, there are 93 that collect the 911 tax. There are several that do not. 77 of them are already at 75 cent rate."

Commissioner McGinn said, "Okay. Then, have you done any predictions about, as people go to cell phones and loose their hard wire, we can't do anything about the cell phones, have that may effect us in the coming years?"

Ms. Gage said, "We are starting to see some people that are dropping their hard wire phones and are going strictly to cellular. I don't have a real good estimate from the industry as to the rate that this is going on. I know the majority of the people still are going to maintain a hard line wire at their homes for the time being. But, there are people that are starting to drop their home lines and rely totally on their wireless. It's handy, it goes with them wherever they are."

Commissioner McGinn said, "Thank you."

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

Commissioner Winters said, "Just a couple of questions. To kind of follow up on Commissioner Sciortino's line of questioning. In our budget, for the year 2000, we have added funds out of the general budget to hire a new position. This kind of money is not used for any kind of people support. Is that correct?"

Ms. Gage said, "That is correct. It can only be used for equipment and tangible items. It can not be used for personnel."

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Commissioner Winters said, "So, we have seen the fact that we need another position and we are responding to that. Then there is still the comments about, or really the commitment to make sure there is equipment there to be available for people to use. That's basically what this will be used for."

Ms. Gage said, "Yes."

Commissioner Winters said, "Would this, I don't know what your future plans are, but, I was at conference in February and they were talking about some of the new equipment used in the GO Position Finder, the satellite system, that allowed all emergency vehicles to have a transmitter and then dispatchers could actually see where emergency equipment was located. In stead of just blindly ask for who's in the southwest part of the City, they could really look and see how many officers are in a given portion of the City. Are we considering any of that technology?"

Ms. Gage said, "Yes, we are. In fact, when we put the mobile computer terminal systems in the law enforcement vehicles. The radio system that supports them, would support the data transmission. The geographical co-ordinates should we be able to move ahead into the mapping and the other pieces of the project that need to be done."

Commissioner Winters said, "So, in your business, there are technological advances out there and new things continue to come on-line, but, none of it's cheap. But, all of it leads to better protection for citizens. Would that be a fair statement?"

Ms. Gage said, "Yes. It would enable us to respond quicker, because, we could respond more appropriately."

Commissioner Winters said, "Okay. Thank you."

Chairman Hancock said, "Thank you, Commissioner. Commissioners, furthers questions? If not, what's the will of the Board?"

MOTION

Commissioner McGinn moved to adopt the Resolution.

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Commissioner Winters seconded the Motion.

Chairman Hancock said, "Now would this take effect . . ."

Ms. Gage said, "January 1, 2000"

Chairman Hancock said, "Thank you."

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. One other item, in the consideration of new space, are you looking at moving out of the basement?"

Ms. Gage said, "We are looking at that as an option. We are looking at several different options, whether we move out, build a new building or expand, just trying to find the best solution so that whatever we do will be in place and we will have the space needs for quite a while into the future. I would like to see us have the space needs for the next 30 years."

Chairman Hancock said, "You know that it is important for you. And as well you should focus on emergency communications and it is very important. And you know the history of our relationship with the City in regard to the lumber building. Interestingly enough, it came up as part of our discussions that that issue maybe back on the table. So, when you work with our staff, the Manager, it might be a good idea to look at a longer term, broader view of maybe in time consolidating Public Safety in that area. It has been popular and unpopular right now it seems to be back on the front burner, again."

Ms. Gage said, "It's an option we need to consider."

Chairman Hancock said, "The building is there and in the long run, it will save the citizens a tremendous amount of money. Not only for your department, but many others."

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Ms. Gage said, "We are to keep that one in mind as well."

Commissioner Winters said, "Alright. Thank you. Diane, since you are here, I would just like to talk about the Y2K deal, one more time. I think we need to take every opportunity to, I saw that we made a purchase on Bid Board a couple weeks ago. It had a note, this would be the final thing for purchased to get the 911 center in full compliance how is that going? Are we right on target? Everything good?"

Ms. Gage said, "Yes. We are right on target. In fact, the purchase that we made was to up date part of the radio system not on the part that actually operates, it's the diagnostics it keep up with what's going on with it. We found out that remote diagnostics would not work after Y2K. Or, after the year 2000. So that is what we are fixing there. The radio system, itself, would have continued to function. From what we have determined, after meeting with vendors, doing testing, having vendors do testing, everything else is ready to go for the year 2000."

Commissioner Winters said, "okay. And backup electrical supplies all in place ready to go? Okay, thank you, very much."

Chairman Hancock said, "Commissioners, further questions? Diane, thank you, very much. Next item, please."

D. RESOLUTION REQUESTING NOTIFICATION OF APPLICATIONS RECEIVED BY THE ALCOHOLIC BEVERAGE CONTROL OF THE DEPARTMENT OF REVENUE FOR LICENSURE OF CLUBS OR DRINKING ESTABLISHMENTS.

Mr. Paul Rossell, Chief Deputy County Clerk, greeted the Commissioners and said, "I apologize for bringing such a median administrative matter before you, but, statutes require that in order to do something as simple as this, requesting that Topeka give us a 10 day advance notice, we have to have a Resolution passed and an affirmative from the Board of the County Commissioners. A little background on to this, this Resolution would meet the requirements of the Alcohol and Beverage Control, Kansas Department of Revenue for a 10 day notice provision as per KA 412651, on any Class B Drink Establishment License. That would be both new and renewal licence. This Resolution broadens our options, but, it does not obligate us to anything. Briefly, the problem we have run into is, we have, ourselves, come up with an administrative method of trying to make sure that Code Enforcement signs off on some things and Health Department and Legal and Sheriff's Department.

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“There is a category called Legal Non-Conforming, I asked Glen Whiltze to be here, here he is back there, thank you, he can explain any of the code problems that we run into. But, the Clerk’s office doesn’t feel that it is our job, if you are next door to a church that you can’t have a Class B License. Maybe they are legal non-conforming, maybe they went into business prior to the church being there. Which they would be legal non-conforming. But, here is both a statute and a local Resolution and Zoning Code that says you can’t do that. So, we like to have somebody sign off on those things before they come to our office.

“The problem is, we even went to court recently on a situation like this, we developed our own administrative procedure, 30 days prior to the licence coming due, we would mail a notice to the licence holder, to the club, I use club and establishment interchangeably because that is the way it appears in the law. We mail a letter to them plus a letter to Code Enforcement and the other folks that do the license and the Sheriff and that sort. That seemed to server us pretty well. But, then we had a particular establishment 45 days in advance of the renewal, drive up to Topeka and do it themselves.

“We were thus presented with a licence granted by Topeka that was postdated 43 days when we got it. And we refused to issue the tax receipt on that licence until Code Enforcement signed off on it. And we went to court over that particular matter. That particular establishment sues the County over a number of issues lately. But, anyway, we have decided that we have needed to ask for this particular provision over 214651, because, at least this way we would have some due process and we have a method of shooting down the renewal or the new license before it was issued and wouldn’t be in a situation of requesting that Topeka revoke a license that had already been issued. Frankly, the way the law has been explained to us, when they come to us with their State license, all we do is tax that State license. So, if that licence has been issued, we have to accept their money, give them their County receipt, which many people feel is the County licence, but that’s not the case. This gives us the chance to shoot down that licence. We have been working on this for a couple of years.

“Frankly, Detective Polly and Rekha Sharma-Crawford, who used to work with County Legal, were both surprised that we had not taken advantage of this particular provision. We went on a search looking for prior Resolutions, sure that the County had requested this in the past. We can’t find any record that we have requested this. Mr. Norwood, whom I used to work with at ADC has retired, Mike Disvester, who worked on this with me a little bit, in County Legal, also moved on to greener pastures. Now, Rekha has left, so, I am trying to get all this done now, two years after the fact, after one of the biggest Class B problems we have had in the past. I am open for any questions, but, that is the reason we are here before you today.”

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Chairman Hancock said, "Thank you. Commissioners, questions? I don't see any. Paul, I just might ask, and this boils down to a matter of having opportunity to view this business and what it does. And just like any other business, in terms of zoning, and proper land use, before the licences is issued for that particular address."

Mr. Rossell said, "Absolutely. There are a number of issues that cloud this because Topeka is still working off an archaic form that is concerned with zoning. And we are worried more than just zoning for your side. You might be zoned Commercial, but if you are across the street or adjacent to residential, then you are not allowed to get a new application approved for a Class B. And there a number of issues such as this. But, if you fill the State form and say yes they are zoned Commercial, Topeka issues the darn license."

Chairman Hancock said, "I understand."

Mr. Rossell said, "And we have some other details that we would like to bring up in a hearing when we have a problem of that sort."

Chairman Hancock said, "Than you. Commissioners, further questions? If not, the Chair would entertain a Motion."

MOTION

Commissioner Winters moved to adopt the Resolution.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye

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Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Thank you, Paul. Next item, please."

**E. AGREEMENT WITH MUSCLE, INC. FOR USE OF SEDGWICK COUNTY PARK
SEPTEMBER 12, 1999 TO HOLD A CAR SHOW.**

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "This is one of the standard form agreements we have had with Sedgwick County Park and Muscle Incorporated for a Car Show at Sedgwick County Park.

"This will be the 8th year for this show at Sedgwick County Park. They are rapidly approaching the decade mark with us. It has been very successful show. We have coordinated dates with the park superintendent and we have received the certificate of insurance. Would recommend your approval."

Chairman Hancock said, "Thank you, Jerry. Commissioners, questions? I understand those Muscle Car guys are boyishly players."

Mr. Harrison said, "I don't know about that."

Chairman Hancock said, "Thank you, Jerry. Commissioners, questions? If not, what's the will of the Board?"

MOTION

Commissioner Winters moved to adopt the agreement and authorize the Chairman to sing.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

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

2. **CONTRACT WITH SOUTH CENTRAL KANSAS EDUCATION SERVICE CENTER - PROJECT BRIDGE FOR MEDICAID WAIVER HOME- AND COMMUNITY-BASED SERVICES FOR SEVERELY EMOTIONALLY DISTURBED YOUTH.**

Ms. Donaldson said, "Commissioners, this is our standard contract with different agencies that provide services for the Children's Mental Health Waver. I would be glad to answer any questions."

Chairman Hancock said, "Okay, thank you, Debbie. Commissioners, questions on this item? If not, what's the will of the Board?"

MOTION

Commissioner SCiortino moved to adopt the contract and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

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

3. **ADDITION OF ONE ADVANCED REGISTERED NURSE PRACTITIONER POSITION, RANGE 27; ONE CASE MANAGEMENT SPECIALIST POSITION, RANGE 17; ONE OFFICE SPECIALIST POSITION, RANGE 15; AND FOUR FIELD CASE MANAGER POSITIONS, RANGE 16; TO THE COMPREHENSIVE COMMUNITY CARE (COMCARE) STAFFING TABLE.**

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Ms. Donaldson said, “Commissioners, these are all positions for our children’s program. And these are the transfer of staff from the Wichita Child Guidance Center over to COMCARE to continue the community based services for those children that were receiving them from these particular professionals. I would be glad to answer any questions.”

Chairman Hancock said, “Thank you, Debbie. Commissioner Sciortino.”

Commissioner Sciortino said, “Yeah, Debbie, I know we mentioned this to you before, but I just want to say it one more time, if you need any additional assistance from us to insure that this transition is as seamless as possible for these children in need, don’t hesitate to come before us.”

Ms. Donaldson said, “Thank you, very much.”

Chairman Hancock said, “Thank you, Commissioner. Commissioners, further comments? If not, what’s the will of the Board?”

MOTION

Commissioner McGinn moved to approve the additions to the COMCARE staffing table.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, “Thank you, Debbie. Next item, please.”

G. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

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Mr. Charles Magruder, MD, MPH, Director of Community Health, greeted the Commissioners and said, “Just a few things. The Northeast Health Station now has it’s open house scheduled for last September. I understand that you will have some representation there. We very much appreciate that. In terms of the main Health Department renovations that I have presented to you earlier, our Primary Patient Access area and that locations renovations are about 95 percent complete now. And, work has started on, what we are referring to as the Information Center. That will enable us to more efficiently get information out to the public about our services. I also talked to you previously about our Epodermiology and Decease Control operations. Our proposed contract with KDHE for a Community Decease Epidemiologist is now complete. We will be presenting that to the Board of Health for approval next week. We have initiated discussions with USD 259 to gather data from schools to start our Active Surveillance Program.

“In addition, the Early Intervention Program that we have described, our staff are continuing to aggressively pursue and develop that so that we can be prepared to implement as you desire. And just to inform you that we are developing an educational program for Health Department employees. This is a proposal from the Centers for Decease Control. We are going to be working with the University of Kansas and Wichita State University to further refine that and hopefully implement with appropriate funding within a couple of months. That’s all I have. I would happy to answer any questions.”

Chairman Hancock said, “Okay. Thank you. Commissioner McGinn.”

Commissioner McGinn said, “Thank you. I was unable to attend the August 19th Air Quality, the Ozone Meeting. Could you just give us a brief summary of what transpired at that meeting and see that the EPA representative was going to be there?”

Mr. Magruder said, “I did not attend that meeting, either. My understanding is that they have come to some agreement, not final agreement, but a number of proposals have been presented on a voluntary basis, such as, asking people to fill their gasoline tanks later in the day and so forth. And, it does indicate, from the data that we have, there is every indication that in the near future we may be possibly in violation of those rulings. So, I think it approves us to go ahead to continue this aggressively and look at voluntary compliance. I think you saw in the newspaper a very nice description of some of the potential ramifications if we do not do that. But, to the best of my knowledge, they have not come to any firm recommendations to this point. But, a number of very good ideas have been proposed ans

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large number of people in the community are involved in the process of looking at this both from the business side and also the professional.”

Commissioner McGinn said, “Thank you.”

Chairman Hancock said, “Thank you, Commissioner. Commissioners other questions?”

MOTION

Chairman Hancock moved to receive and file.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, “Thank you. Next item, please.”

**H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' AUGUST 19, 1999
REGULAR MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, “You have Minutes from th August 19 Meeting of the Board of Bids and Contracts. There are 12 items for consideration.

**(1) LOCK REPLACEMENT FOR WORK RELEASE- CAPITAL PROJECTS
FUNDING: CAPITAL PROJECTS**

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“Item one is lock replacements for Work Release. It was recommended to accept the only bid of Shelly Electric in the amount of \$21,750.00”

**(2) FIRE HOSES- FIRE DEPARTMENT
FUNDING: FIRE DEPARTMENT**

“Item two is fire hoses for the Fire Department. It was recommended to accept the low bid of Danko Emergency Equipment Company in the amount of \$10,665.40”

**(3) 3/4 TON SUBURBAN, 4X4 YUKON- FIRE DEPARTMENT
FUNDING- FIRE DEPARTMENT**

“Item three is a 3/4 ton Suburban and a 4x4 Yukon for the Fire Department. It was recommended to accept the low bid of Scholfield Brothers in the amount of \$25,500.00 with trade in.”

**(4) 1/2 TON EXTENDED CAB TRUCK-FLEET MANAGEMENT
FUNDING; FLEET MANAGEMENT**

“Item four is a 1/2 ton extended cab truck for the Fleet Management. It was recommended to accept the low bid of Mel Hamblen Ford in the amount of \$12,334.00 with trade in.”

**(5) FORENSIC SCIENCE WORKSTATION- SHERIFF
FUNDING: BYRNE GRANT**

“Item five is a Forensic Science Workstation for the Sheriff. It was recommended to accept the sole bid of Payton Scientific, Inc., in the amount of \$44,195.00.”

**(6) SERVER- INFORMATION SERVICES
FUNDING: EQUIPMENT RESERVE**

“Item six is a server for the Information Services. It was recommended to accept the low bid of Inacom Information Services in the amount of \$13,275.34.”

(7) 1/2 TON EXTENDED CAB TRUCK- FLEET MANAGEMENT

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FUNDING: FLEET MANAGEMENT

“Item seven is a ½ ton extended cab truck for Fleet Management. It was recommended to accept the low bid of Mel Hambelton Ford in the amount of \$9,477.00 with trade-in.”

**(8) 3/4 TON 4WD CREW CAB TRUCK- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**

“Item eight is a 3/4 ton 4wd crew cab truck for Fleet Management. It was recommended to accept the low bid of Mel Hambelton Ford in the amount of \$15,910.00, with trade-in.”

**(9) 1/2 TON 4WD CREW CAB TRUCK- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**

“Item nine is a 1/2 ton 4wd crew cab truck for Fleet Management. It was recommended to accept the low bid of Mel Hambelton Ford in the amount of \$16,376.00, with trade-in.”

**(10) 3/4 TON 4WD CREW CAB TRUCK- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**

“Item ten is a 3/4 ton 4wd crew cab truck for Fleet Management. It was recommended to accept the low bid of Mel Hambelton Ford in the amount of \$18,480.00, with trade-in.”

**(11) 3/4 TON 4WD CREW CAB TRUCK- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**

“Item eleven is a 3/4 ton 4wd crew cab truck for Fleet Management. It was recommended to accept the low bid of Mel Hambelton Ford in the amount of \$14,390.00, with trade-in.”

**(12) 1/2 TON TRUCK- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**

“Item twelve is a 1/2 ton truck for Fleet Management. It was recommended to accept the low bid of Mel Hambelton Ford in the amount of \$7,740.00, with trade-in. There were two items not requiring

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BoCC action at this time.

**(13) JUMPSUITS- SHERIFF
FUNDING: DETENTION FACILITIES OPERATIONS**

“This item was tabled indefinitely.”

**(14) TANDEM AXEL DUMP TRUCKS- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT**

“This item was also tabled indefinitely for review. I’ll be happy to take questions and recommend approval of the Minutes provided by the Board of Bids and Contracts.”

Chairman Hancock said, “Thank you, Darren. Commissioners, questions on the items? If not want’s the will of the Board?”

MOTION

Commissioner Winters moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, “Thank you. Next item, please.”

CONSENT AGENDA

I. CONSENT AGENDA.

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1. Section 8 Housing Assistance Payment Contract.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C99047	\$351.00	5	Ronald Lamar

2. 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>
V96089	\$425.00	\$421.00
C98051	\$177.00	\$208.00
V94069	\$159.00	\$136.00
V96087	\$230.00	\$234.00
V96084	\$222.00	\$000.00
C94079	\$450.00	\$450.00
V97060	\$346.00	\$356.00

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V98046	\$225.00	\$225.00
C98056	\$405.00	\$405.00
V94063	\$196.00	\$202.00
C98049	\$310.00	\$307.00
V872020	\$208.00	\$191.00

3 Agreements (12) with Agape Services, Charles E. Collier, Consumer Directed Services, Inc., Epimelos Associates, Heavenly Helpers, Hortencia Granado, Kansas Truck Equipment Company, Inc., Leticia Aldrete, Life Patterns, Payroll Plus, ProActive Home HealthCare Services, Res-Care Kansas, Inc., Life Choices, Tomorrow's Dreams, Inc. and Topeka Independent Living Resource Center to provide vendors with Developmental Disability Community Service Provider status.

4. Plat.

Approved by Public Works. The County Treasurer has certified that taxes for the year 1998 and prior years are paid for the following plat:

Boeing MacArthur West Addition

- 5. Order dated August 18, 1999 to correct tax roll for change of assessment.**
- 6. Payroll Check Register of August 20, 1999.**
- 7. General Bills Check Register of August 20, 1999.**
- 8. Budget Adjustment Requests.**

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

MOTION

Chairman Hancock moved to approve the Consent Agenda as presented.

Commissioner Winters seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Thank you. Is there any further business?"

MOTION

Commissioner Winters moved to recess into Executive Session for 20 minutes to consider a consultation with legal counsel on matters privileged to the attorney-client relationship relating to legal advice. And the Board of County Commissioners return from Executive Session no sooner than 9:50 am.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Thomas G. Winters	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Bill Hancock	Aye

Chairman Hancock said, "Let the record reflect that there was no binding action taken while in Executive Session. Is there any further business? If not, we are adjourned."

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J. OTHER

K. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:52 a.m.

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

BILL HANCOCK, Chairman
Second District

BETSY GWIN, Chair Pro Tem,
First District

THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

, 1999