

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

### **REGULAR MEETING**

**MAY 3, 2000**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:25 A.M., Wednesday, May 3, 2000 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Carolyn McGinn; Commissioner Betsy Gwin; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Michael D. Pepoon, Assistant County Counselor; Ms. Marilyn Cook, Assistant Director, COMCARE (Comprehensive Community Care); Mr. Tom Pollan, Director, EMS (Emergency Medical Service); Mr. Dale Miller, Current Plans Supervisor, Metropolitan Area Planning Department Dr. Charles Magruder, MD, MPH, Director of Community Health; Ms. Michelle Daise, Assistant County Counselor; Ms. Deborah Donaldson, Director, Division of Human Services; Mr. Brad Snapp, Director, Housing Office; Ms. Marsha Gasper, Interim Administrator, Regional Forensic Science Center; Ms. Dollie Shaffer, Business Manager, Kansas Coliseum; Ms. Cecile Gough, Operations Administrator, Department of Corrections; Ms. Annette Graham, Director, Department on Aging; Mr. Louis J. Hentzen, District Court Administrator, Eighteenth Judicial District; Ms. Kathleen B. Sexton, Director, DIO (Division of Information and Operations); Mr. Paul E. Taylor, P.E., Director of Sewer Operations and Maintenance, Bureau of Public Works; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Ms. Norma Moore, 9339 S. K-15, Wichita, KS.

Ms. Joan B. Cole, Wichita City Council Member.

Mr. Joe D. Miller, Program Director, Alternative Correctional Placement Inc., 735 N. Topeka, Wichita, KS.

Mr. Russell Mills, Attorney, Derby Recycling & Transfer Station LLC.

Dr. Mike Remshard, Wichita State University.

Mr. Martin Gary Jr., award recipient, Treasures of the Heart art show.

### **INVOCATION**

The Invocation was given by Ms. Donna Sabi.

### **FLAG SALUTE**



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**MOTION**

Commissioner McGinn moved to approve the Minutes of the Regular Meeting of April 12, 2000.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

**YOUR COUNTY SERVICES**

**A. COMPREHENSIVE COMMUNITY CARE (COMCARE).**

Item A was presented by Marilyn Cook, Assistant Director, COMCARE, prior to the opening of the meeting.

**Chairman Winters** said, "We've done Item A, the Comprehensive Community Care, so call Item B please."

**PROCLAMATIONS**

**B. PROCLAMATIONS.**

- 1. PROCLAMATION DECLARING MAY 1 - 7, 2000 AS "PUBLIC SERVICE RECOGNITION WEEK, 2000."**

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**Ms. Kristi Zukovich**, Director, Communications, greeted the Commissioners and said, "I'll read this Proclamation in for the record.

**PROCLAMATION**

**WHEREAS**, government public service employees have both responsibilities and opportunities to improve the quality of life of others in our community; and

**WHEREAS**, dedicated women and men working in public service in Sedgwick County provide vital family, health and recreation services, ensuring community safety and responsiveness in emergencies, constructing roadways and preserving our environment, maintaining property information and utilizing a multitude of internal services, all to meet the essential needs of a dynamic and diverse community; and

**WHEREAS**, these quiet heroes utilize their talents and energies to give their fellow citizens the tools and opportunities to make the most of their lives, working 24 hours a day, 365 days a year; and

**WHEREAS**, these public service employees work daily to make government better, improving efficiencies and forging partnerships to provide the best services to the citizens.

**NOW THEREFORE BE IT RESOLVED**, that Tom Winters, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim May 1-7, 2000 as

**“PUBLIC SERVICE RECOGNITION WEEK, 2000”**

in Sedgwick County."

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

**MOTION**

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

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Do we have someone here to accept that, or are you going to accept that on behalf of all."

**Ms. Zukovich** said, "I think I would like to accept that on behalf of all the employees of Sedgwick County. I know we have a lot of employees who are spread out all throughout the County at different work sites. We have Public Works employees, we have EMS paramedics and fire fighters, and people who work 24 hour shifts in corrections. I think it is very important that we take time to recognize everybody's contributions."

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

**2. PROCLAMATION DECLARING MAY 2000 AS "MENTAL HEALTH MONTH."**

**Ms. Zukovich** said, "I'll read this in for the record."

**PROCLAMATION**

**WHEREAS**, mental health is critical for the well-being and vitality of our families, businesses, and communities; and

**WHEREAS**, mental illness will strike one in five Americans in a given year regardless of age, gender, race, ethnicity, religion or economic status; and

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**WHEREAS**, one in five children suffer from a diagnosable mental or emotional disorder, and one in ten has a serious disorder which, if untreated, can lead to school failure, addiction or even suicide; and

**WHEREAS**, mental disorders, collectively, make mental illness the most prevalent health problem in America today - more common than cancer, lung and heart disease combined; and

**WHEREAS**, the guiding principles of community mental health care have always been comprehensiveness, cost-efficiency, effective management, and high quality and consumer-responsive services, and those principles are now being adopted by private and public health care payers; and

**WHEREAS**, the National Health Association, the National Council for Community Behavioral Health care, and their partners observe Mental Health Month each year in May to raise awareness of mental health, mental illness, and insurance discrimination against people with mental illnesses.

**NOW THEREFORE BE IT RESOLVED**, that Tom Winters, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim May 2000 as

**"MENTAL HEALTH MONTH"**

and call upon all citizens, businesses and schools in Sedgwick County to recommit our community to increase awareness and understanding of mental illnesses and the need for accessible services for all people with mental illness."

**Chairman Winters** said, "Thank you, Kristi. Commissioners, you've heard the Proclamation, what's the will of the Board?"

**MOTION**

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

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Ms. Zukovich** said, "This morning we have Marilyn Cook from COMCARE, here to accept the Proclamation."

**Ms. Marilyn Cook**, Assistant Director, COMCARE, said, "Thank you very much. Several of us from COMCARE and some of our board members returned last night from a national training conference sponsored by the National Council on Community Behavioral Health care. We had the distinct privilege of hearing, in person, the Surgeon General, Doctor David Thatcher speak at one of the sessions, I believe it was yesterday. He described the newly released 'Healthy People 2010' report. It was very critical to understand that some of the components of that report and I wanted to just address a couple of things he said about mental health that relate to this Proclamation.

"For the first time, there have been three other 'Healthy People' reports. This is the third in the third decade. This is the first time that they have identified ten leading indicators of health. Five of them have to do with life style, obesity, our activity levels, substance abuse, issues like that but mental health made one of the top ten indicators for health. I thought that was very critical for people to understand that.

"In the report itself, some of the major findings on mental health indicated that number one, that mental health was fundamental to overall health. The Surgeon General said although that is true, we don't always act that way in our communities and in our lives. The second piece of the report indicated that mental illnesses are real and they're based on changes in the brain on the level of the neuron. In the past, and not so distant past, there has been the sense that mental illnesses are behaviors that are caused by individuals. There are clear biological determinates of mental illnesses that are becoming more and more obvious to us. The Surgeon General indicated that therefore we're no longer justified in separating health and mental health in treatment programs and services and in funding.

"The third issue he talked about is that one in five Americans, as the Proclamation stated, or 20% of individuals who are in the United States suffer from a mental illness. These are people in our schools, in our work places, in our grocery stores, in our communities and in our mirrors. It is important that we start talking more openly about mental health and mental illnesses.

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"The fourth finding had to do with funding and the need to continue to pursue the idea of period of coverage for mental illnesses on a par that is there for other physical problems. The fifth finding had to do with the fact that, with a lot of study and research that went into this report, that the Surgeon General had to admit that we know a lot more about mental illness than we know about mental health and that this next ten years there will be lot more focus on prevention and of spreading the word on how we can live in more healthy ways. I think that is a good thing to do.

"The good news was that today we can effectively diagnose and treat 90% of individuals who come to us for help. The bad news that was tied to that was that less than half of the individuals who have mental illnesses and problems seek help. The reason for that, primarily, is the stigma that is still attached to mental health and seeking services for mental health problems. So the Proclamations, such as this, go a long way to start talking openly about mental illnesses and help to destigmatize mental illnesses. We thank you for the Proclamation."

**Chairman Winters** said, "All right, Marilyn, and thank you for that explanation of your recent trip and what you've heard and learned. The Commissioners here are very concerned about mental health issues and how COMCARE responds to community needs for them. We've had an opportunity, even this past legislative session, to really enter into some new dialogue with a number of our legislatures about how we continue this partnership and it is a partnership between state government, local government, and local taxpayers, and the federal government in providing these programs. As a representative of COMCARE, you again have the assurance that the Board of Sedgwick County Commissioners is very concerned, very interested, want to be a part of the COMCARE process. If there are needs that you have, please don't hesitate to contact the Commissioners to visit about those. COMCARE is a vital department for this County and we want to make sure it works effectively and efficiently."

**Ms. Cook** said, "Thank you very much, and for your support, especially this past year."

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

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### DONATIONS

#### C. DONATIONS.

1. **DONATION OF \$600 FROM WICHITA STATE UNIVERSITY, TO BE USED BY COMCARE FOR TWO CHILDRENS' EVENTS: KIDSFEST AND TREASURES OF THE HEART.**

**Ms. Cook** said, "I am happy to talk about these donations that came to us very recently from Wichita State University. We have two programs that these donations were used to help support and Dr. Susan Hendrich is here in the audience today as well as Dr. Mike Remshard and they're going to make a brief statement about why they made such a donation to us.

"The two programs, one of them involves the Kidsfest that will be held on May 9th. This is the second time that we have had this kind of celebration. We had this kind of celebration because, in the past, so many children have been sent away from the local community for services, separated from their families, and carried the stigma of an institution with them in that process. Last year, for the first time, we celebrated all the children that are now being served in the community with services wrapped around them. The Kidsfest will be held on May 7th, and this year it is going to be at Joyland. Last year it was at Old Cowtown. It is in the afternoon and it is for children and their families who are receiving services and we were helped tremendously in putting them together by our community partners, including the staff from WSU.

"The second piece, \$200 of that \$600, went to Kidsfest and \$400 went to Treasures of the Heart. I would like Dr. Remshard to talk about that a minute and why they made the donation and when he is finished I have a young man that won a blue ribbon at that event last Saturday. He is going to show you what he did. He submitted several pieces of art work, and give you a chance to meet him as well. So, I'll turn this over to Dr. Remshard."

**Dr. Mike Remshard**, Wichita State University, greeted the Commissioners and said, "Wichita State University has a collaborative relationship with SRS and the Community Mental Health Centers of Kansas.

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Together, we provide training and resource support for case managers working with Medicaid eligible children, with severe emotional disturbance and their families. In the collaborative spirit of our relationship, WSU would like to contribute \$600 to COMCARE family and children community services. It is part of Children's Mental Health Awareness Week, which is this week. Again, as Marilyn said, \$400 will go to COMCARE's kids art show, Treasures of the Heart, and \$200 to Kidsfest 2000.

"We are very proud and pleased to work with COMCARE, FCCS, and hope that this is the beginning of more opportunities to work together. Further, with appropriate authorization, respect for confidentiality, WSU would like to publish a sample of the art show pictures done by the children in a training calendar that would be distributed to every mental health center in Kansas. What it is really about is promoting the self esteem and confidence of children here in our state. What it is really all about are, if you don't mind, Martin, who was a participant in the art show. If it would be okay, I don't know how we would do it, but if we could show Martin's picture."

**Chairman Winters** said, "Sure, just come on up to the podium please. Those are very good."

**Ms. Cook** said, "As scary as it is to come in to a room like this, Martin did agree to say a couple of things to you. He is not receiving services of COMCARE, but several of his siblings are and that is how he found out about the art show. Want to tell them what that was like for you, doing this art show?"

**Martin** said, "It was a great pleasure for me to do some art work. How I entered was from my brother and sisters, I seen them last year, how they did it, so I decided to enter them this year."

**Chairman Winters** said, "Very good, Martin. Tell us your full name."

**Mr. Martin Gary Jr.** said, "Martin Gary Junior."

**Chairman Winters** said, "Very good. We're very pleased to have you here and your art work is very good. It is a pleasure to have you here and we hope your family is able to enjoy your art as much as you do, it appears. Thanks for being here."

**Commissioner McGinn** said, "Martin, did you say how old you are?"

**Mr. Gary** said, "I'm 15 years old."

**Commissioner McGinn** said, "Very nice work."

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**Commissioner Gwin** said, "Congratulations."

**Dr. Remshard** said, "Finally, I would also like to acknowledge, with the partnership that we have with COMCARE and SRS, I believe that the same care and support that we provide children and families here in Kansas and that same sense of community support that we need to give that to each other. That is what this is all about, providing training and resource support to providers who work with children and families. I would like to acknowledge Todd Hawkins, who is a children's case manager and he was the art show director. Todd, if you wouldn't mind. It was because of Todd that the initial idea was started and we talked about it and we thought 'let's see who else we can talk to to build this relationship. Thank you."

**Chairman Winters** said, "Thank you, Todd."

**Dr. Remshard** said, "If the staff that I have met and worked with at COMCARE is representative of how the leadership of COMCARE has selected their staff, then I believe that you have tremendous leaders at COMCARE. What I would also like to acknowledge is COMCARE has provided the most number of leaders and trainers from around the State of all 28 mental health centers around the State, COMCARE has provided the most support in providing trainers, people who have worked with us to develop curriculum that has been approved, in terms of state and federal guidelines. That support has an influence State wide. COMCARE has much to be proud of. Thank you. I'd be happy to answer any questions."

**Chairman Winters** said, "Thank you, Dr. Remshard. We appreciate your being here. When I was earlier talking about the partnerships of governments involved in COMCARE and mental health work, I certainly should have included WSU and SRS, who work very closely with us. I would again thank you for your participation and your work with COMCARE. We continue to make that the best organization possible. We certainly look for support from WSU and SRS, as we move forward with COMCARE's mission. Thank you for being here today. Did you have comments you'd like to make, Dr. Hendrich's? Come right ahead."

**Dr. Susan Hendrich**, Wichita State University (WSU), greeted the Commissioners and said, "I've had the pleasure, in the past few months, of participating in a bridge between COMCARE and Wichita State University. I'm really excited about the partnerships that we are continuing to develop. I think Dr. Remshard has done a tremendous job of finding ways to connect with COMCARE and we look forward

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to lots of opportunities to work together in the future. Thank you."

**Chairman Winters** said, "Thank you very much. We appreciate you both being here. Did we take a motion on this? What's the will of the Board concerning Item C-1?"

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you very much. Marilyn, you took over about 45 minutes today. Next item."

**2. DONATION OF \$900 FROM DON KOHL, DERBY, KANSAS, TO BE USED FOR THE PURCHASE OF TRAINING EQUIPMENT FOR EMERGENCY MEDICAL SERVICE (EMS) VOLUNTEERS.**

**Mr. Tom Pollan**, Director, Emergency Medical Service (EMS), greeted the Commissioners and said, "I was contacted by a mutual friend, who said that he had a gentleman who was moved in his heart to provide more than his standard taxation dollars to assist EMS and specifically in the Derby area. Mr. Kohl contacted me and I could sense in his heart he was looking to fill a need and he has now moved to fill that with a donation. I would recommend that we accept this donation and allow the Chair to sign for the equipment specified by Mr. Kohl."

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

**MOTION**

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

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, "We might want to make sure, Commissioner Sciortino, that we get that in the Derby paper or an extra bit of thanks, maybe."

**VOTE**

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

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

**APPOINTMENT**

**D. RESOLUTION APPOINTING GRANT TIDEMANN (COMMISSIONER GWIN'S APPOINTMENT) TO THE SEDGWICK COUNTY BOARD OF ZONING APPEALS.**

**Mr. Michael D. Pepoon**, Assistant County Counselor, greeted the Commissioners and said, "For you today is a Resolution appointing Grant Tidemann to the Board of Zoning Appeals for a three year term, recommended by Commissioner Gwin. We request your approval."

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

**MOTION**

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

**Chairman Winters** said, "Is Grant here this morning? Next item."

**AWARD PRESENTATIONS**

**E. EXCELLENCE IN PUBLIC SERVICE AWARD NOMINEES.**

**Chairman Winters** said, "Commissioners, since 1998 the DeVore Foundation has recognized the efforts of public service employees, one employee from the school district, one from Sedgwick County and one from the City of Wichita, and really takes these people and recognizes their commitment to public service. So, on behalf of the Board of County Commissioners, I certainly want to thank the DeVore Foundation for their support of this program. It gives us an opportunity, as local governments, to highlight one of our employees for the Excellence in Public Service Awards.

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"This year Sedgwick County had eleven nominees for the Excellence in Public Service Awards. The nominees came from the Sheriff's Department, COMCARE, Corrections, Division of Information and Operations, Human Resources, and Public Works. All of these nominees and part of the criteria for selection of the winner is based on both their work on the professional career, but also their work in the community. These nominees are Scout Leaders, they are involved in church activities, they help with non-profit agencies, raise money, mentor young people, help others in need, and even ride motorcycles for charity.

"One of these eleven was chosen as the recipient of the Excellence in Public Service Award this year but because the nominees volunteer so many hours and make Sedgwick County a better place to live, we wanted to recognize each of them today for their support in the community. So, Kristi Zukovich is here to tell us a bit more about each of the nominees as we present them with a bit of recognition from the Board of County Commissioners."

**Ms. Zukovich** said, "Thank you. We do have several of the folks here that were the nominees in our audience. We'd like to tell you a little bit about them and ask them to come up and also receive a gift on behalf of Sedgwick County and the Commissioners.

"I'd first like to introduce Robert Holland. He is a Detective with the Sheriff's Department. He's been with Sedgwick County since August of 1989. Part of what he has done in the community has been helping with the Sheriff's Benefit Fund Association. He has been on their Board of Directors. He has organized their Christmas Basket Program for families in need and he is also actively involved in the Sheriff's Cadet Explorer Program as an advisor and a mentor. The person that nominated him said, 'Holland's bright and lively attitude helps to sustain the morale of his fellow workers. On behalf of the Commissioners, thank you very much.

"Terresia Dubois, I got a note from her this morning that she was not able to join us today. She is a mental health therapist from COMCARE and has been employed with Sedgwick County since January of 1992. She is a school social worker, so she spends time within the school system. She is also involved with the critical incident stress management team and also the STAT team at COMCARE and helped the tornado victims in Haysville last year. The person that nominated her said, 'She exemplifies professionalism and brings her services to the level a consumer feels comfortable with.' We congratulate her and will make sure that we get our gift to her as well.

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"The next person is Ken Arnold. He is a Senior Project Manager with the Division of Information and Operations. Ken has been employed with Sedgwick County since February of 1981. He is actively involved with the Plymouth Congregational Church and many of you may recall that it was the church that caught on fire not too long ago. As his role of Project Manager here, he took some of those skills to the church and helped them in restoration. He is also involved at the national level with the Congregational Churches and has helped in the school district with the College Hill Elementary School planning and East High School theater system planning. The person that nominated him said, 'After 22 years in the Air Force, Ken retired and joined Sedgwick County. His service demonstrates that Ken's commitment goes beyond the local community.'

"Sheryl Hyde is an Intervention Services Officer with Sedgwick County Department of Corrections. She began in January of 1994. She has served the Site Council for the Metro-Midtown Alternative High School Program and helped with the mentoring program there. She is also involved in the Kansas Southwest Mission Worker Program, with fund raising, as a church volunteer with youth activities, and we just also learned that she is writing a book. The person that nominated her said, 'She is careful to set standards to leave behind a positive impression, and is refreshing and quick with new ideas.' I don't believe Cheryl was able to join us this morning.

"Mary Fulghum is an Administrative Assistant with the Department of Corrections. She began her employment in May of 1986. She is active with her daughter's activities. Her daughter is a junior in high school. She also joined the foster parent program. She has a four year old foster child and an infant as well. The person that nominated her said, 'She represents the vast majority of silent and consistently hard working everyday employees that the County has come to depend upon.'

"Rusty Phelps is the I.T. Development Manager with the Division of Information and Operations. He came here just last year in January of 1999. He is a Scout Den Leader and has done that for many years. He has been a Cub Master. He is a coach involved with soccer and baseball and softball. He is also real active as an umpire and a referee now. He serves as a Sunday School teacher for middle school students. He is a deacon at his church and chair of the church board. The person said when they were gathering information about Rusty, he described it as just being a good dad.

"Gary Sutton, I didn't see him in the audience this morning. He is a long time County employee. He is the Program Coordinator for the Sedgwick County Youth Aftercare Program in Corrections. He's been here since February of 1978. He is involved as a G.E.D. and computer instructor. He has been a tutor, a

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softball coach, a Boy Scout Leader, and a Girl Scout Leader. One of the things the person wrote about him is, 'When he fought to be the first Girl Scout Leader of his daughter's troop, the girls in the troops and the moms learned first hand about creeking and crawdad catching. I'm sure he gave them a lot. We'll make sure he gets his gift.

"Kathy Wegner from COMCARE. She is a Budget Administrator. She has been here since September of 1987. She is actively involved in church youth groups. She attends band recitals, basketball games, baseball games, and plays. She has also attended many of their other events as they have continued on through their lives. She participates and walks for Multiple Sclerosis and Cystic Fibrosis. She volunteers at her daughter's school. She just completed her Bachelor's Degree as well. What she said in her nomination was, 'if the kids care enough to ask me, I will make every effort to be there'. We congratulate you.

"Kathy Sanders is also with COMCARE. She is an R.N. She has been employed with the County since 1984. She is very active in her church at St. Marks. She has also raised four children and active with events with them and her grandchildren. The person that nominated her said she is friendly, very hard working, and eager to help her co-workers.

"Phil Dietrich is a Construction Inspection and Survey Supervisor with Public Works. He has been here since January of 1975. We actually had a number of folks who joined in on his nomination. He volunteers with teen intervention program at Venture House, which is mentoring to first time juvenile offenders. He provides support for children's programs at Venture House, which is helping non-custodial parents with their delinquent child support. Phil and his dog, Rambo, are members of Therapy Dogs International. They visit area health care facilities as well. He is actively involved with the Midian Shrine, participates in their motorcycle unit and does the toy run. He is the motorcycle guy.

"The last person is Jo Templin. She is the Assistant Director of Human Resources. She has been at the County since February of 1980. She has been involved with her church for over 20 years in many capacities, as a Sunday School teacher, Director of Children's Church. She has been the Christian Education Director, does Vacation Bible School, she is the choir director, assistant pianist. One of the things that Jo has done is to mentor a young woman through junior high up through high school. This young girl is now at Friends University studying to be a teacher. She has helped with strategic planning with her church and other non-profits. She has volunteered with the Ark with her husband Mike and she also does a lot of sporting events with her son Dane. Jo is also the recipient of the Excellence in Public Service Award.

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"This is a very good program. We do encourage County employees to take the time and nominate their fellow co-workers. People in Sedgwick County do volunteer a lot of time in our community and we appreciate the DeVores doing this."

**Chairman Winters** said, "All right. Thank you very much, Kristi. We'd just say, real quickly, that we do appreciate those folks who take the time to nominate their fellow employees. Then, to those who have been nominated, often we say to employees, thank you for getting this project done or this job done as it is part of your employment with Sedgwick County but we don't very often really take time to say thank you for all you do in the community. Thank you for the work that you do in your church, with your schools, with your kids, with other people's kids. That is very important. We know that a lot of our people do that who don't get recognized. We hope that you who are recognized today will think of yourselves as part of the Sedgwick County employee community and we appreciate all you do to make this a better place to live. Kristi, we appreciate your coordination of getting these folks here today. Thank you all. Next item."

### **PLANNING DEPARTMENT**

#### **F. CASE NUMBER CU-556 - RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A TRANSFER STATION, LOCATED AT 91ST STREET SOUTH AND BUCKNER.**

**Mr. Dale Miller**, Current Plans Supervisor, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, "This is a request for a Conditional Use for a solid waste transfer station. Originally, there were to be two requests to be heard on this. One was a request for the transfer station. The other was a request for LI Zoning to permit recycling and reprocessing. The applicant has requested that the LI request be deferred. He has currently pending a request with the Director of County Code Enforcement for an official interpretation on whether or not his operations could be classified as an Agricultural Use. If that were the case, then he wouldn't need this LI Rezoning. That was a companion request to the Conditional Use. So, that is on deferral until a later date, until we get that interpretation back.

### **SLIDE PRESENTATION**

"The request that is under consideration today, the applicant's total ownership is approximately 70 acres in this location. This is the City of Derby here, K-15. The waste water treatment plant is located approximately right in this location. An aerial view. You can see the waste water treatment plant. This

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is 91st Street coming off of K-15. The majority of Derby here. There is a housing subdivision over here. The reason this is broken up into two areas is that, in a previous action, this particular acreage right in here was rezoned to GI, General Industrial. So for the purposes of this applicant's request, he didn't need to rezone that area. So that is why there are two separate tracts being shown there.

"This gives a clear indication. This is the 12 acres that covers the Conditional Use request for the transfer station. This particular map also shows flood plain and floodway boundaries. This would be the flood plain. The green area is the floodway areas. Those were, if you recall back in February, when this case came to you originally, that was an issue that you felt like needed to be resolved by the Derby Planning Commission. So, you referred it back to them for consideration. Just as a recap, we're in a situation now where we've had seven meetings on this particular case in total. There is unanimous support for this request, both from the City of Derby and the Metropolitan Area Planning Commission, for the Conditional Use Permit subject to conditions contained on page six.

"I would also indicate that those conditions should include on Item D, a reference to the City of Derby asking for the applicant to guarantee improvements to 91st Street as well. They were very specific about the type of improvements they wanted. Those were left off of Item D so I want to make sure that it is clear that it is supposed to be in this particular recommendation on page six under Item D of the staff report. You should have received a staff report. There is a blue memo on top of it and then a staff report.

**Commissioner McGinn** said, "We're looking in our back-up material."

**Commissioner Sciortino** said, "I think it is on page 19 in our back-up. What you are saying is that if we approve this, it would be with the conditions that the Derby Planning Commission imposed?"

**Mr. Miller** said, "That's correct."

**Commissioner McGinn** said, "Page 152."

**Chairman Winters** said, "Which one is going to be changed then?"

**Mr. Miller** said, "Item D, we would include, since that item talks about platting, that we would include the requirement that the applicant guarantee improvements to 91st as outlined by the Derby Planning

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Commission in their motion for approval. We originally thought that could be handled as a platting issue and probably still can be, but they felt more comfortable by including it in the Conditional Use approval as well.

"There is a 63% protest on this particular application, in fact on both applications. So it will take, with the four folks here today, it will take a unanimous vote to approve this request given that protest. In summary, the protest generally centered around traffic volumes to the site, how often inspections had occurred or not occurred on the current operations, how would hazardous waste be handled, has there been any testing of the river to determine whether or not any of the previous activities there have caused any pollution, to where would the waste that would be delivered to this location, what landfill would that waste be delivered to? There were also issues that were raised about noise and odor, burning from the site, and whether or not it would decrease property value for the property owners in the area. Those were the main issues that were brought up at each of the meetings.

"This is a site plan, which gives a better indication. This is a 12 acre site. North is this way. A 12 acre site where the transfer station would be located. It would come in off of 91st, and then come down and circle back around and go in. There is an existing construction/ demolition debris landfill that is there under a separate permit and currently being used. This would be the floodway, flood plain area. Composting area, if that is approved at a later date, would occur in this general area. Another detail of the site plan, showing topographic features. More detail of the actual transfer station and how it would operate, 91st here, access road, the facility itself. Photograph from inside the site looking back roughly. What you see there is Derby's waste water treatment plant and roughly the area where the transfer station would be located. These are other shots of the area in all directions. It is such a large site and there is not that much around there that what you end up looking at is just trees and landscape. Some of the activities that are ongoing out there today. That concludes the slides."

**Chairman Winters** said, "Do you have anything else Dale? Commissioner Sciortino."

**Commissioner Sciortino** said, "I just want to make very clear, the decision before us today is just solely the transfer station with the recommended additions to Item D that you are requesting. It has absolutely nothing to do with the composting or the zoning change that the applicant was asking for. Is that correct?"

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**Mr. Miller** said, "That is correct."

**Chairman Winters** said, "Thank you. Are there any other questions of Dale at this time? Seeing none, is there anyone here in the meeting room today who would like to address the Board of County Commissioners on this issue? If there is, please come forward to the podium. Please give your name and address for the record. We'd like to try to limit our comments to five minutes."

**Mr. Russell Mills** said, "I'm the Attorney representing Derby Recycling and Transfer Station, LLC. My address is 331 South Third, Clearwater, Kansas. I'm here obviously today to ask you to approve the transfer station request. As Dale Miller has advised you, we have had unanimous support from all the zoning entities we've been in front of. We believe that when you look at the test of reasonableness, which is the test that must be used to determine whether or not to approve the application, it is reasonable to follow the recommendations of all of the zoning entities who have dealt with the application. We also believe that the site, as Dale has shown you, is almost a perfect site for a transfer station. It is screened from view. Most people don't even know that it exists. It is behind the sewer treatment plant. It is next to a C and D (Construction and Demolition) landfill. It is next to an industrial area. So, we believe it is an ideal site.

"Finally, we believe it is reasonable to approve this request simply because the transfer station is needed. Right now, we only have one location that is permitted for a transfer station as you all know, October 2001 is going to be here. On that date, we will have transfer stations as the method of disposal of solid waste in Sedgwick County. So, we believe we need more than one. We have one that has been permitted for BFI. I guess it's Waste Connections that owns it now. We believe there is a need for competition to that facility. We believe with the approval of this application there will be that competition and trash rates, disposal rates for residences of the community will be lower than they otherwise would be. For those reasons, we believe it is appropriate to approve the request.

"I would ask that I be allowed to respond to any comments of anyone who may speak in opposition if I might later. I would also like, since this is Public Servant week, I would like to recognize some of the public servants that I have had the pleasure of working with. These people have just put in a tremendous amount of time and effort. Dale, as indicated, has attended seven meetings, that is true. Some of those meetings went on into the night. Dale Miller, Susan Erlenwein, in Derby, Forrest Negley, Jack Brown with the Health Department, and Jim Weber with County Code Enforcement, have all put in a tremendous amount of time on this application. I appreciate their efforts. I haven't always agreed with them, but I do appreciate their efforts.

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"As to the recommendation of Derby too, which has just been spoken about, that is going to require curb and guttering and things of that nature on 91st Street. We don't believe that is necessary. The County's regulations do not require it for a transfer station and we believe that would only cause an undue expense to be incurred and will ultimately be passed down to consumers. Unless there were some need for curbing and guttering, which we don't believe that there is, we would ask the Commissioners to reject that recommendation. Thanks."

**Chairman Winters** said, "Thank you, Mr. Mills. Commissioner Sciortino."

**Commissioner Sciortino** said, "Mr. Mills, why don't you stay up here. I had a meeting with you earlier this week and there was a concern that we had heard that there was a representation made at a public meeting that unless you got the composting you wouldn't be able to continue and to run the transfer station as a viable entity. You've now asked us to separate the two. In the meeting we had, you assured me that notwithstanding what may or may not have been said in the meeting, that if you weren't able to get the composting for whatever reason, you would still plan to go ahead and run the transfer station, is that correct?"

**Mr. Mills** said, "We still plan to go ahead and operate the transfer station regardless of how you rule on the composting application. However, given the fact that we are a small business, it is going to be very difficult for us to compete financially with the Waste Managements of the world, the Waste Connections, the BFIs, if we don't have every revenue stream that we can get and that we presently have right now. So without that, it is going to be difficult."

**Commissioner Sciortino** said, "My concern is if we approve the transfer station, what I don't want to hear come before this Board at another time is unless you give us now this composting we won't be able to run the transfer station. I want to make sure that the transfer station can be independently done, excuse me, that composting can be dealt with independently of and by itself and that you are still planning to build and operate the transfer station."

**Mr. Mills** said, "I can assure you of that. I can also assure you that we only have one other commercial composting facility in Sedgwick County and both of these facilities, our facility and the Wood Recycle Center is very much needed."

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**Commissioner Sciortino** said, "I understand. Thank you. That's all I have."

**Chairman Winters** said, "Thank you. Thank you, Mr. Mills. We'll just kind of wait to see what other comments we get. We don't normally set up a debate situation between applicants and other people who wish to comment. We'll just need to see how that works out. Is there anyone else here who would like to address the Board of County Commissioners regarding this case? Anyone else? Please come forward. Please give your name and address for the record."

**Ms. Norma Moore** said, "My address is 9339 South K-15. I'm speaking on behalf of the residents of this area. We are in opposition to this particular facility. I'm not going to waste your time or mine now. I've already given you my comments in the past. I will tell you that please take into consideration when you make this decision that 60+ percent of the residents did express their opposition and that we have not changed that. We still have our concerns. We live in this area and this is important to us as residents and taxpayers of Sedgwick County. Thank you."

**Chairman Winters** said, "Thank you, Ms. Moore. We appreciate your being here. Is there anyone else who would like to address the Commission on this issue? Anyone else? Seeing no one, we'll limit discussion to staff and Commission. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you, Mr. Chairman. Susan Erlenwein, can you come up? I have a question of you. It appears that when we sent this back to Derby, they discussed the issue and put a requirement on the applicant for paving 91st Street with a turn around and those kinds of things. I thought I heard Mr. Mills indicate that that was not a requirement for County transfer stations. I thought we did have something about paved access in our regulations."

**Ms. Susan Erlenwein** said, "Our transfer station regulations do include a paved access road to the facility. I think his objection was to the curbing, not just the paving but the added curbing and guttering."

**Commissioner Gwin** said, "Okay. I thought I had remembered that we had a requirement to minimize the dust and those kinds of things."

**Ms. Erlenwein** said, "Right, to build the road to the appropriate thickness to handle the heavy traffic. That's correct."

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**Commissioner Gwin** said, "Derby then wants to take our regulation and enhance it by requiring curb and guttering."

**Ms. Erlenwein** said, "That's correct."

**Commissioner Gwin** said, "All right, I wanted to get that clear. Thank you."

**Commissioner McGinn** said, "Can I continue on with that? The curb and guttering, whether it goes into the ditch or whether it goes into curb and guttering, it eventually ends up in a drainage area, correct?"

**Ms. Erlenwein** said, "That's correct."

**Commissioner McGinn** said, "So, why is the curb and guttering necessary, do you know?"

**Ms. Erlenwein** said, "No, I do not."

**Commissioner McGinn** said, "Dale?"

**Mr. Miller** said, "I'm not sure I can answer that specific question, but you should know that this area is in Derby subdivision authority. So that is their standard industrial road standard that they are asking for."

**Commissioner McGinn** said, "Okay, thank you."

**Commissioner Sciortino** said, "Commissioner Gwin, did you have other questions?"

**Commissioner Gwin** said, "No, that's it."

**Chairman Winters** said, "Commissioner Sciortino?"

**Commissioner Sciortino** said, "Well, I've listened to a lot of phone calls that I have had from citizens. I empathize with some of their concerns. The problem that I'm having right now is that the Derby Planning Commission, twice now I guess, officially said we want this for Derby. I'm uncomfortable with it. I know that we need a transfer station. I guess there is some argument that how else could that land be used? I wish the Derby Planning Commission had stood up and made a decision else wise, but it makes it very difficult for us, sitting on this Board, when we've asked them to look at it twice now and both times they've come back, unanimously or almost unanimously, saying that we want the transfer station. Now the

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composting, that is going to be a whole other issue. With a degree of reluctance, I'm going to have to vote for this, I guess."

**Chairman Winters** said, "Thank you. I guess my question to you then, on the street, are you recommending . . .?"

**Commissioner Sciortino** said, "I'm ready to make a motion if you want me to. I would make a motion where we included in section D on our page 152 whatever was stated that Derby has recommended that we add. Because it is their subdivision. It is within their zone of influence. I would only feel comfortable recommending exactly what the Derby Planning Commission had passed."

**Chairman Winters** said, "I understand that. Commissioners, are there other questions or comments before Commissioner Sciortino makes a motion here? I see no other comments Commissioner."

**Commissioner Sciortino** said, "I'll try to craft one here."

### **MOTION**

Commissioner Sciortino moved to adopt the Resolution with the inclusion of the additions to Paragraph D of Case Number CU556, that the applicant guarantee improvements to 91st as outlined by the Derby Planning Commission, and instruct the MAPD to withhold publication of the Resolution until the Plat has been recorded with the Register of Deeds.

Commissioner Gwin seconded the Motion.

**Commissioner Gwin** said, "To clarify the motion, I think that the additional verbiage has to do with the applicant being responsible for paving 91st Street to the standards as required."

**Chairman Winters** said, "Is that acceptable, Dale, from what Derby said? All right, thank you."

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Commissioners, we have a motion and second, is their discussion on the motion? Is there any other discussion on the motion? Seeing none, Madam Clerk, call the vote."

**VOTE**

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

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

**DEFERRED ITEMS**

**G. DEFERRED ITEMS.**

**1. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.**

**Chairman Winters** said, "Commissioners, Dr. Magruder is out of town today and this was a deferred item."

**MOTION**

Chairman Winters moved to defer the item until May 17.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

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

**2. RESOLUTION AMENDING SECTION 4 AND SECTION 11 OF RESOLUTION 210-1998 RELATING TO THE REGULAR MEETING TIME OF THE ALTERNATIVE CORRECTIONAL HOUSING ADVISORY BOARD AND ENHANCING THE MINIMUM LICENSING STANDARDS OF CORRECTIONAL PLACEMENT RESIDENCES IN THE UNINCORPORATED AREAS OF SEDGWICK COUNTY.**

**Ms. Michelle Daise**, Assistant County Counselor, greeted the Commissioners and said, "You have before you today a resolution relating to alternative correctional housing and to enhance standards that have been recommended by the Alternative Correctional Housing Advisory Board. As you know, this resolution was deferred a couple of weeks ago. There had been a request by one of the providers to make some considerations regarding hiring residents as employees of the facilities. The provider asked for this minor change and the Commission decided to defer this item until the Advisory Board had an opportunity to consider that request.

"Last week, the Advisory Board did meet. They considered that request. They chose to continue with the recommendations they had made before. Basically, recommending that there not be any changes to the provision that prohibits a resident of a facility from working for that facility. Today, it is my understanding that the provider that requested that change is here and would like to speak to this as a member of the Advisory Board. I know they'll be available for questions and I am also available for questions."

**Chairman Winters** said, "Thank you. I'm going to ask Commissioner McGinn to lead us on from this point. Commissioner McGinn."

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**Commissioner McGinn** said, "Thank you, Chairman Winters. We do have somebody that would like to speak to this issue, but before we let them speak, we have Councilwoman Joan Cole in the audience. She has been at this since the very beginning and I would like for her to come forward and give us a little background about the Correctional Housing Program or committee that is put together. Joan, if you wouldn't mind coming up."

**Ms. Joan Cole**, Member, Wichita City Council, greeted the Commissioners and said, "I am here at the invitation of Commissioner McGinn, I believe because I have served for a couple of years and am currently serving as Chairperson of the Alternative Correctional Housing Advisory Board, which of course is a City/County body. Commissioner McGinn also serves as Vice Chairperson of that organization. I am not going to spend hours explaining to you four years of history. But I would like to speak both to how we got to where we are today and also, if possible, to this specific standard that we're talking about in considering today.

"Over four years ago, many of you may remember, I did come to Commissioner McCray for assistance in dealing with the so-called halfway houses that were springing up all over the city. Those were specifically houses in which offenders resided. Offenders who were under the supervision of state parole, county corrections, city probation, and that led to the discussion and eventually the establishment of the City/County Board.

"The reason I came to Commissioner McCray was I knew there was expertise in corrections in the County. I knew that was an assignment to the County by State statute. I also thought when we began this, that these homes were both in the City and the County. As it turned out, the 40 that we discovered eventually existed were all within the city limits but the membership of that board was very critical and very important to the development of our licensure program. Just again, to refresh your memory, all the referral sources sit on that board: parole, corrections, city municipal and district court judge representatives, community corrections, the Sheriff, the Chief of Police, and of course representatives of neighborhoods who were the ones thought brought this situation to my attention. At that time, the majority of those homes

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did occur in the inner city.

"Since there really was no model across the country to follow, we began the arduous and complex job of creating a licensure program with two goals in mind. One was to offer protections to the neighborhoods in which these facilities existed. Secondly, and it became just as important as we began to look into these facilities, was to assure that rehabilitation actually was going on, was provided within those facilities. And that offenders who truly did wish to begin again and make a fresh start had the opportunity to do so.

"During that period, we held two or three hearings to which past and current clients in those facilities, their family members, neighbors, came. We heard horror stories. I must say the most dreadful stories came from clients who were residing in those homes. Today, as I said, there were between 35 and 40 homes that we discovered. Today, there are eight licensed houses. All of them reside within the Wichita city limits. This happened really through the establishment of standards to be required of these facilities and a procedure by which each facility would undergo an annual audit. That audit is done by outside persons. The City contracts with those auditors and the audit is completed annually and is a requirement of relicensure, which must occur annually.

"Both governing boards approved the standards in 1998, as a City Ordinance and as a County Resolution. We have now completed two full years of licensure. We always said that along the way we believed we were going to learn a number of things and we would have to come back and take a look at those standards. That is what we have done. Recently, we spent about four months reviewing those standards. In many cases, the standard remains absolutely the same. In others, we clarified the language because it was too vague for our auditors to really act on. In other cases, we did modify the standard. We sent those standards out to the eight licensed facilities and asked for written comments and held a hearing.

"The issue we are considering today was not brought to the attention of the advisory board until after the advisory board voted on the new standards and, in fact, last month the Wichita City Council approved the new standards which you are looking at today, I believe, as part of their ordinance. So that has already been done on the City side.

"I'm not sure how long ago, two or three weeks ago, I believe, ACP (Alternative Correctional Housing) did contact the auditor with a request that I think we're talking about today. We did take that back to the advisory board. That was standard number 16, which is called personnel. The only difference in the early

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version of this standard and the one that is before you now is clarifying language as it exists.

"One of the things we determined was we had indicated, do you all have that in front of you, number 16, called personnel? I don't want to read to you, but at the end of that first paragraph it indicates currently under the supervision of federal, state or local court, the addition there is simply the word local. We realized that we didn't have that in the earlier ordinance. The remainder of the ordinance from the second paragraph, which begins with 'the facility will establish', those additions were simply to clarify the language and to establish a personnel policy that essentially prohibits employment of paid or unpaid persons with any of the following: previously convicted of any violation involving sex offenders or child molestation, two, currently felony charges pending or three, currently under the supervision of federal, state, or we added that local court. So the remainder of that is, again, language to clarify based upon our auditors who felt there were some statements that really needed to be made. Statements such as 'there should be no favoritism shown toward any group or individual residents, maintain professional relationships, no business relationship with residents, no criminal conduct by staff, no sexual harassment'. It does not change the ordinance. None of that changes the ordinance in any way.

"So, this particular personnel section is, essentially, the same as in your earlier resolution. It exists in the current and updated resolution on the City side. It is a standard which has been unanimously supported by all members of the advisory board over the past four years, with the exception of Commissioner McGinn, who did vote against it at our meeting last week. The reasons that have been given for the standards are, as I understand them, and I have to tell you this has been a real education for me. Corrections is the most complicated thing I've ever run on to. I thought this program could be up and running in six months. It took us two years. We are here at the end of four years, still trying to figure out how to say what it is we mean and give both our auditors and our providers a clear understanding of what it is we are asking of them.

"Again, the reasons that have been given to me for this standard is it is essentially a policy of all referring bodies. I'm talking about parole, probation. I believe it is, if not a written policy, a policy of Community Corrections because it does eliminate any possibility of power or control of one client over another, that the referring bodies feel very strongly about that. There are also certain positions that are very sensitive and require confidentiality and trust. That may be intake workers, receptionists, the person who answers the phone. I go back again to the nightmares that caused us to initiate this licensure program came as a result of learning about some of this control in those many houses which were, in some cases, staffed

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during the day by paid staff but were not staffed by outside staff 24 hours a day.

"Early in the development of the standards, the advisory board decided to just make it an overall policy, so there wouldn't be any necessity to say well is it important for this position and not this. It simply is a statement that says the facility will establish a personnel policy that prohibits employment of paid or unpaid persons with any of the following and I gave that to you. The issue that came before the advisory board on Tuesday or last Thursday, I think is two fold. I would prefer that it come primarily from the Dodge House representatives and they can correct me if I'm not understanding it properly. I think the first question they had was does that then, this statement, prohibit them from continuing to work their temporary employment agency where clients who reside in the house that are allowed out to be employed by businesses, firms, throughout the City. That was never the intent, never the intent of the advisory board. As I said, this standard has always been there and we have known that Dodge House provides that employment opportunity and that has never been our intent. However, in talking with Commissioner McGinn, Commissioner Sciortino, and legal counsels both from the City and the County yesterday, I see no problem at all with differentiating in that standard that we're only talking about employment of paid or unpaid persons within the facility, within the Alternative Correctional Housing Facility. That then, would not pertain whatsoever to employment outside the facility. I don't see that as an issue and we would be happy to take that to the advisory board.

"The second issue, which is to allow offenders, clients, who are in the facilities to be paid or unpaid staff, I believe is a major reversal of a standard that this advisory group has felt strongly about since the very beginning. I see it as returning, in some ways, to allow the kind of abuses that brought us together to initiate this program. I feel very strongly about that, as does the advisory board. I did want to bring that to you. On Thursday, the advisory board did reaffirm the standard as it appears to you in your Resolution.

"I really appreciate the opportunity. I'm sorry I took as long as I did. I have been greatly appreciative of the County's willingness to provide expertise, show us the way, help us attempt to get a handle on what is a very complicated problem. We still are having difficulties figuring out where everybody is. We're not out of the woods yet. But thank you very much for the energy, time, and commitment that you've made to what is really the only such licensure program, we believe, in the United States. Thank you. Do you have any questions?"

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**Commissioner McGinn** said, "Thank you, Councilwoman Cole, for your comments and background. Maybe it is a clarification. You kept referring to Commissioner McCray, but you were talking about Commissioner Miller right, Melody? Okay, I just wanted to make sure that was clear. I was thinking four years back."

**Councilwoman Cole** said, "I'm sorry, I correct myself."

**Commissioner McGinn** said, "Thank you, though, for that background. It was very good. I think that this Board has made some great improvements in the correctional housing institute and continues to do so. I have some more questions but I think I'm going to hold off until we allow the individuals who came to speak on this. I believe ACP is here and they did request to speak today on this issue. Please come forward and give us your name and address."

**Mr. Joe Miller** said, "I live at 318 North Brookwood Drive in Derby, Kansas. I'm currently the Program Director at Alternative Correctional Placement, Inc., formally known as Dodge House. We are located at 735 North Topeka here in Wichita. Prior to being employed by ACP, I worked with the Department of Corrections in the State of Kansas for approximately seven years. I worked at the Winfield Correctional Facility and the Hutchinson Correctional Facility as a counselor. ACP has been in continuous operation since the spring of 1987.

"Several years ago, the City/County formed a task force to formulate and put in place regulations in the form of law to govern such businesses as ours. We were then and are now supportive of facility standards for operation. All the participants with our program are employed by us through our temporary employment service. Some we place with companies outside the facility, some work within as cooks, dish washers, drivers, and light maintenance. We expressed concern when that original ordinance, as written, prohibited us from employing any person currently on parole or probation. We were told then that the ordinance meant we could not have a program participant resident working for us in a position of control or authority over other program participants.

"As a result, we have carefully written our policy and procedures manual to reflect that no program participant resident working within our facility be in a position of control or authority over another program participant. A supervisor is on duty 24 hours a day to ensure that our policies and procedures, outlined in the manual, are adhered to.

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"Page 26 of our policy and procedures manual, which you have there, carefully outlines the authority as it relates to program participants working in our facility, within the facility. If you would open our policies and procedures manual, I have tagged at the top a paper clip holding together the pages that I would like you to look at. 'This policy of APC not to allow one program participant to be in authority or control over other program participants'. Certain positions at ACP, Inc., are filled by resident participants. These positions are cook, drivers, chore monitors, and reception in the office area. At this point, I would like to point out that we no longer utilize the receptionist position at the request of the referral source. We now have a full-time employee doing that.

"Each resident chosen for these positions are given specific instructions not to attempt to exercise authority over other program participants. Cooks, drivers, chore monitors, and maintenance people report directly to the staff member on duty that has passed the criminal records check. Staff who have passed the criminal records check are the responsible staff on duty when the director/owner is unavailable. The job description for the monitor carefully details the responsibilities and duties of that position. Those resident participants filling the above mentioned ancillary positions are instructed to report conflicts to the responsible staff on duty if there are problems with program participants. Likewise, program participants are told at the time of admission to contact responsible staff on duty if an ancillary staff member has attempted to exercise authority or control over other residents.

"Individual use for these ancillary positions within our facility are frequently individuals who for physical, mental health, or age limitations cannot be employed elsewhere. They are frequently not eligible for financial assistance or appropriate for other services, due to their criminal history. These individuals would fall through the crack in our society, were it not for our program. In the last paragraph on page 29 of our policy and procedure manual, reference is made to these positions being filled with knowledge and approval of the referral source. The referral source has the option not to allow any program participant to work for us inside our facility. I'll call your attention to page 29, the last paragraph, I'll read that briefly. 'Program participants may be utilized for ancillary positions such as cooks, drivers, and the office receptionist.' As I stated before, we no longer have an office receptionist filled by a resident. Those chosen for these positions will be selected with the knowledge and approval of the referral source. Ancillary staff do not have authority, control, or any supervisory responsibilities regarding other program participants.'

"This policy has been in place since the first year of licensure. It has been reviewed, at length, by two different program evaluators. It has been approved by them. We are currently a licensed alternative correctional placement facility. Those who work in the kitchen have appropriate food handler permits. Drivers must have a valid drivers license and be approved by our insurance carrier who conducts a

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national motor vehicle record check. They must have a clear driving record. Major maintenance and repairs to the facility must be completed by licensed professionals.

"While working at the Winfield Correctional Facility and the Hutchinson Correctional Facility, inmates were utilized as cooks, food servers, washing and issuing laundry and maintenance. DOC (Department of Corrections) staff supervised those individuals as we do. I must emphasize that our program participants are no longer in custody. The concerns that have been voiced as to why participants should not work within a facility has not paralleled my own experience with either ACP or the Department of Corrections. Participants with our program do not hesitate to offer their complaints covering a wide variety of issues. The issue of one resident exercising control or authority over another has never been brought to my attention.

"At this juncture, we have been told we can no longer have cooks, dishwashers, maintenance personnel or drivers who are program participants working for us. The cost of complying with this would put us out of business. We would have to hire two full time cooks, maybe three more people in the kitchen to serve meals, three drivers on each shift to take to and pick up from various job sites. We need additional cooks, servers and drivers for weekends. If we hire 12 additional staff members it would cost approximately \$175,000 a year. We would no longer be able to provide services to those individuals who could not otherwise be employed. If we cannot continue to do business, 58 offenders will not be supervised 24 hours a day, 7 days a week.

"Please note that we do not receive any tax dollars from any source. Each resident participant pays his own way, making them taxpayers not tax users. We offer a hand up not a hand out. Please help us to continue to provide much needed services for a very special segment of our population. Thank you. If you have any questions, please feel free to ask."

**Chairman Winters** said, "All right, thank you. Commissioner McGinn."

**Commissioner McGinn** said, "Thank you, Chairman Winters. The book that you handed out, how long has this been in place?"

**Mr. Miller** said, "This was submitted to the program evaluators in June of last year, a couple of months prior to our program audit."

**Commissioner McGinn** said, "Okay. The last thing you talked about a little bit, that you don't receive any tax dollars from any source because you're private and I think the rest are government, either state,

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federal, local. Do you have any idea what the cost difference is in housing, your expense per person per day versus government?"

**Mr. Miller** said, "I'm not real sure. I know our costs are approximately \$21 and some change a day. Contract programs receive in excess of \$30 a day at the bottom end and probably more than that, depending on the additional services that are provided. Some agencies provide substance abuse treatment and counseling programs. We provide job placement."

**Commissioner McGinn** said, "Okay. You also had talked about the driver situation. Why do you need so many drivers?"

**Mr. Miller** said, "Well, one of the advantages to a company in the community using our program is that we deliver to the job site, on time and sober, residents who participate in the job placement program. In other words, we get them up in the morning, feed them breakfast, take them to the job site with a sack lunch and pick them up when they're done. We service all three shifts. Currently, at this point in time, we have probably an equal number of people working on all three shifts. First shift begins anywhere from 4:30 in the morning until 7:30 in the morning. So, we pick them up from 2:30 in the afternoon to 4:00. We have to take out second shift workers and it goes on like that around the clock. So, we have three drivers that live within the facility right now. They run routes. If we did not utilize people who live within the facility, we would have to hire outside people to be there to do the same thing and it would involve quite a number of additional personnel."

**Commissioner McGinn** said, "So other correctional houses, those individuals, it is up to them to get a ride to work?"

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

**Commissioner McGinn** said, "Okay. I just caught where you said they are on time and sober."

**Mr. Miller** said, "We deliver them."

**Commissioner McGinn** said, "What a package deal. The other question I had, we talked about this here this last week trying to . . . your situation is unique with the job situation, which sounds like a great deal because you line up jobs for these folks and get them there, back and forth. You're contracting the way you do that a little different than everybody else."

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**Mr. Miller** said, "At the end of their time with our program, then they transition to the full time employee at the placement that we had them. In other words, we have them on a job site and if they're interested in transferring to becoming a full time employee at that job site then they do so and there is no fee to the employer or to the resident for that. Probably about half of the people that successfully complete the program are interested in transitioning full time to the placement that we have found for them."

**Commissioner McGinn** said, "I guess, up until the time I saw this comment here on page 29, Councilwoman Cole talked about two elements of this and one being the jobs that you set up. Then you also have the in-house jobs. On page 29, it says those chosen, I'm talking about the inside positions, those chosen for these positions are selected with the knowledge and approval of the referral source. What is the referral source?"

**Mr. Miller** said, "Parole or probation."

**Commissioner McGinn** said, "Okay, so before those individuals are allowed to drive or anything, the probation officer has to say whether that person is right for that job."

**Mr. Miller** said, "Yes, and often times they ask me, do you have a position for this particular individual. It is difficult for him to find work because of his age or his limitations. We might make them a dish washer. We might use them for light maintenance work. If that is not the case, if we need a driver and we have a fellow with a valid drivers license and a clean motor vehicle record, then I call the referral source and ask them if it is okay if we utilize this individual as a driver or a cook. If they say no, then we don't do it. Sometimes they do."

**Commissioner McGinn** said, "I just have one more question and then I want to hear from my colleagues, I guess. I think you have it on page 26. What happens if somebody reported abuse or somebody was using a figure of authority over them or that type of thing. What is your procedure?"

**Mr. Miller** said, "I would remove them from that position, if that were the case. I think it is important for you to understand that I have never experienced any problem with a resident in that capacity. That has never been an issue of concern brought to my attention. We've not had complaints from residents. If they weren't getting enough food, for example, or a driver refused to take them to work."

**Commissioner McGinn** said, "There is always staff there and available for them to complain to."

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**Mr. Miller** said, "Absolutely, yes, who has passed the criminal records check. They are the supervising authority."

**Commissioner McGinn** said, "I'm finished for now."

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Some of you are probably wondering why I've remained silent as long as I have. I have to declare a conflict of interest on this issue, so I am not going to participate in any discussion, nor will I participate on any vote that may come down because I have a conflict of interest. So, I'll be abstaining."

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

**Commissioner Gwin** said, "Thank you, Mr. Chairman. Mr. Miller, has ACP been audited since this policy and procedures manual has been in place?"

**Mr. Miller** said, "Yes, we have."

**Commissioner Gwin** said, "Did you pass that audit? Did you fail that audit?"

**Mr. Miller** said, "No, we passed the audit. The way we've done business has been known by all the auditors since the beginning of the licensure process. We changed, at the request of the current auditors, we established a more formal policy and procedures manual. I submitted that for their review, asked them if they had any concerns or wished us to make any changes, to contact me and work it out. Then a couple of months later they came by for their audit, their review. Mr. Rowe and I sat down with them and went through a page at a time, a standard at a time, each of the items contained in our policy and procedures manual. They expressed no concern at that time."

**Commissioner Gwin** said, "When was that? How long ago was that?"

**Mr. Miller** said, "I think the audit took place in September. Our license wasn't actually issued until November. I couldn't tell you the exact date, but I gave them the manual to review in June and they came back in August or September and reviewed it formally with us."

**Commissioner Gwin** said, "And you received a license, then, after that."

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**Mr. Miller** said, "Yes, we have."

**Commissioner Gwin** said, "Or renewed a license, whatever. Okay, thank you, Mr. Chairman."

**Chairman Winters** said, "Thank you. Any other questions of the speaker? Thank you very much, sir. We appreciate your comments. Commissioner Gwin."

**Commissioner Gwin** said, "I guess I have questions of Michelle. A couple of things that occurred to me, as I'm listening to the comments and the information today, I think when we established this board a few years ago, I don't think we were sure, as Council member Cole reminded us, where these facilities were. I don't think we really had a handle on exactly how many and where they were located and those kinds of things. She mentioned to me today that these are all located within the city limits and that is correct?"

**Ms. Daise** said, "Yes."

**Commissioner Gwin** said, "I guess the follow-up behind that would be then I understand the County has expertise and we certainly have folks who understand the rules and regulations, who work for corrections, who work for the Sheriff's Office and others, who would certainly be a resource to this board but I'm a little . . . because it seems too city oriented, that it would certainly seem that the City Council would have an ultimate authority. I'm a little awkward trying to impose rules and regulations on another governing board. I don't know if anybody else feels this way, but it is a little uncomfortable. These are facilities within their corporate city limits. I feel strongly they've been elected to represent the folks within those boundaries. It is kind of running through my head then maybe we should step aside and let them do the job that they are certainly prepared and capable of doing."

"The other issue comes up, after Mr. Miller talked, that he made this presentation, given it to the auditors, he received an audit, then received licensure based upon this information. If this policy is amended today, then do we have some potential liability because we, as the County, since we're a part of the board, because we allowed a licensure and yet the rules are changing. Am I making something out of nothing here?"

**Ms. Daise** said, "Actually, I would like to clarify one thing. Even if the Commissioners did today pass an amended regulation with regard to this issue, it would not affect ACP because it is located in the city limits. What you would do today would only affect a facility that would consider moving into the County, only facilities located in the unincorporated areas of the County. While it is a joint City/County board, there is a separate City Ordinance and a separate County Resolution. Previously, this has been identical."

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But if the County were to pass something different today, it would not address the concerns of ACP at this time."

**Commissioner Gwin** said, "I see, because they are currently in the City and the City has adopted these regulations, as Council member Cole pointed out to us previously. Okay. Here is another thing then. I understand that. I understand that we can adopt different things. The picture to me continues to be if we start changing the rules based upon where one of these facilities is located, whether it is within or without the City of Wichita, then I'm still saying maybe the board doesn't need to be the board as it is constructed now. I'm not sure. Do we have options? Are there options available to us? What about the board? . . . I brought up some things. I don't know where my colleagues are. But should the board continue as it's configured? Should we step aside and let the City of Wichita administer the rules and regulations over entities that are within their corporate boundary without our interference? I mean, are there options out there for us to think about?"

**Ms. Daise** said, "Certainly there are. Our office can explore that a bit more just to make sure that we do it in a proper way. My understanding is that both the County's Resolution and the City's Ordinance were adopted pursuant to home rule power. If that is correct, in order for the County to no longer be involved in this board, it would be necessary for the County to pass a resolution that would, basically, withdraw the County from participation in the board. If that happened, the City would certainly need to make some changes to its ordinance, because the resolution and ordinance currently require ten members appointed by the County, ten members appointed by the City. So certainly is the Commissioners chose to withdraw from participation from this board, the City will also need to make some changes. If that happens, then the City board would be responsible for overseeing the participation and the operation of these facilities within the city limits. If a facility would then move out into the County, it would be necessary at that time for the County to consider whether or not it would like to have a board to govern similar facilities."

**Commissioner Gwin** said, "Maybe I have opened up a pandora's box, but some of these thoughts are rattling around and you know that is. With Commissioner Sciortino having to abstain because of a conflict, I'm not exactly sure what considerations I might want to make today. I understand that there would be some concerns about favoritism and some residents supervising others. It sounds childish about the favoritism part but I guess I'll acknowledge that it is here and someone did say it but the fact that this particular organization encourages its participants to work, not only encourages them to work but provides the transportation to and from the work site, provides sober workers to employers, provides a . . . Did I hear you say a sack lunch? You send lunch with them. Those are some very positive steps and maybe one reason why I'm assuming, though I am not personally familiar with this program, I'm assuming that this

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program's employment program works very well. For someone to go that far out of the way to assure that folks can get to and from work and on different shifts and different locations, certainly allows the kind of rehabilitation that Council member Cole mentioned that it's important occur in these facilities, whether they are within the city or without.

"I think all of us want folks to be productive, to get back into their community in an appropriate manner, to be the kind of citizens that we always wanted them to be in the first place but sometimes they misstepped. So if their program allows others to be the delivers of employees, I don't see that particularly as a supervisory. As a matter of fact, I almost see that as a subservient, if you will, because that individual who is driving the car is subservient, in my opinion, almost to those folks who are going to work. He or she is just being a conduit to hopefully the success of those folks. That doesn't trouble me so much. The fact that ACP had been audited and shared this information and information about staff and how they go about assigning these tasks and particularly that assignment has to have the approval of the referral source.

"I know it only affects the County and we don't have any right now, but it would seem to me that this would be a reasonable amendment to allow, if there are other entities like ACP that would ever want to have a facility outside the corporate city limits in the unincorporated area of the County, I would think the way they operate would be a reasonable amendment to the program. I don't know where anybody else is on it."

**Chairman Winters** said, "Thank you. We deferred this a couple of weeks ago because we were all confused except Commissioner McGinn. I really appreciate Councilwoman Cole coming over and giving us some background. But I'm still confused I think. I do clearly remember why we started this as Joan mentioned. Back four years ago, nobody really knew how many people were in this business, where they were at, whether they were all over the County or in the City. Commissioner Melody Miller was very interested in finding out where they were and what was going on. So, now that we have found out more closely who these folks are and discover that none of them are in the County, that says one thing. Then with Mr. Miller's presentation this morning, that made a lot of sense to me, although I'm not an expert in this field and that is why I begin to feel a bit of confusion about how these facilities should really work. So, I'm a bit uncomfortable in saying well the board that has looked at this has said this change needs to be made. Still, I don't know that I am comfortable in making that change, because it doesn't make that much sense to me just putting a common sense notion to it but that is why there may be much more to it than I know. I'm almost ready and since Commissioner Hancock is not here, if we seriously would consider not being a participant on this board, I wonder if we need to direct staff to clearly have our experts look at this issue and determine whether we need to be participants on this board or if we just need to say to the City it appears that all of these facilities are inside the city limits so we're going to bow out. Commissioner

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McGinn."

**Commissioner McGinn** said, "I think part of the participation from the County had to do with a lot of these houses were also in Commissioner Miller's district, so they are in mine today. The other side of it is that we do deal with corrections and Sedgwick County is very much involved with corrections. I guess I hate to do anything to ban this board today. I would support staff looking into whether we even need to even be involved in this board. Maybe, maybe not. Because when I think about the correctional folks resources, I think about those people can still participate even if it is a city board, correct? They'll still be appointed by the city to sit on that board. Then the other thing, I don't know if we can do this today or not, but I still look at this in two parts. One is the work outside of the home and the work inside of the home. I heard Councilwoman Cole assure us that they are going to take care of at least the part of the work outside the home. I don't know if they would change their mind on the work inside the home. So, I guess what I'm asking is should we defer or should we make any changes to this at this time or wait?"

**Chairman Winters** said, "I would think that if we defer it, we could come up with something pretty quick. I don't think I would look for a long term deferral. Again, looking at it from the perspective of a small business person, Mr. Miller makes a lot of sense to me. I don't know if there needs to be more thought process given and there are parts of this that I just don't understand, but it would seem to me to be logical to do what he would like to request, but I'm uncomfortable in the fact that I still may not know all the details. I see Councilwoman Cole has her hand up, so please come forward Joan."

**Councilwoman Cole** said, "I'm feeling very sorry for you all because this is really a complicated and . . . I said I've had four years. All I really wanted to say was that the licensure program is totally administered by the City. Our Central Inspection people, the contract with the auditor is with the City. The money that was given for education and training by Secretary Simmons and the Department of Corrections was given to the City. It has really been carried out, for the most part, by City persons. So, that if there was the decision to simply disband the County portion of the board, we would hope that County Corrections people, for instance, would continue to participate. We have a representative from the District Attorney's Office.

"One thing I would mention is in the standard, which I've heard several times that we're looking at a change. I guess I want to say that I'm here to ask that there not be a change because all of the referring bodies, the very referring body that refers to these houses are people who voted for this standard, so I just

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wanted to make that clear but, again, I hope that your staff would be able to continue with us because County Corrections does occasionally use some of these licensed houses. Then, as you are saying, if houses were to move out into the County, and they did exist in the County previously, then that would be an issue we could reconfigure. You could do your own thing.

“But my primary message is it would take a change in the ordinance and in the membership of the board to some slight degree, but we're ready to keep on keeping on. But I'm asking not for change, but to hold.

"One thing I would like to say is that our auditor did speak to the board on Thursday and indicate that she was unaware of the situation as it existed. That she did not understand the degree to which people were, clients were working within the facility and admitted to us that the general statement and the work in the book which indicated adherence to the standards she accepted. She did say to us that she should have read every page and did not. Really that is all I have to say. Thank you."

**Chairman Winters** said, "Thank you. Commissioners, I think our decision would be whether we want to take a vote today for us to continue participation or would we make a motion today to withdraw our participation from this board. If something does develop in the County then we would readdress it at that time or do we want to defer it for a week and have more information from staff so we could be more confused and wait for Commissioner Hancock to return to clarify."

**Commissioner Gwin** said, "I have a question for Legal Counsel. If I'm trying to count votes up here, we have one who is going to abstain. I think Commissioner McGinn represents the neighborhoods in which a lot of these homes are located and I'm sure she has a continuing interest. I'm hearing the Chairman and I saying maybe we think it is time for us to step back and kind of dissolve the board. Would a two/ one/ abstain still work?"

**Mr. Mike Pepoon** said, "Yes Commissioner, a majority vote by those members capable of voting in this body with a quorum would be a binding vote on the Board. You don't need three."

**Commissioner Gwin** said, "I don't need three, I just need a majority of who is voting. I don't know if you're ready to take that step but it certainly appears to me that our County staff, staff from the D.A.'s Office and others would continue to be available if the City wanted to call on them."

**Chairman Winters** said, "It would be my intention that Corrections and whoever the advisory board needs to be participants would continue to be participants. Mr. Manager, would you think that would work? There wouldn't be any reason why those involved in corrections could not participate on the advisory board, would there?"

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**Mr. William Buchanan**, County Manager, said, "No sir."

**Chairman Winters** said, "So staff could continue to participate."

**Mr. Buchanan** said, "The question was asked whether they would continue to participate and the answer is yes, they will."

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

**Commissioner Gwin** said, "So if I want to dissolve the Alternative Correctional Housing Advisory Board?"

**Chairman Winters** said, "Dissolve it or just withdraw our participation?"

**Commissioner Gwin** said, "I think it would dissolve it, doesn't it? I don't know."

**Mr. Pepoon** said, "We'd have to examine both the ordinance and the resolution, but it would certainly dissolve whatever is in our resolution if we repealed that. I'd prefer that we have a week at least to bring back a resolution for your attention repealing our previous involvement. That obviously would have no affect on the City of Wichita's ordinance. So the board may continue in that function."

**Commissioner Gwin** said, "Okay. With that in mind and Legal needing to do some work."

#### **MOTION**

Commissioner Gwin moved to defer the item for one week.

Chairman Winters seconded the Motion.

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

**Commissioner McGinn** said, "I guess, given the conversation today, with this being primarily a City of Wichita function and hearing that we have everyone's support, that County staff would participate and I felt like even Council member Cole felt that perhaps maybe it is just a city function and that we could come back in, if these did start to develop out in the County, then participate along or together with them. I just wanted to say that I would support us taking a week to look at whether we ought to be involved or not."

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**Chairman Winters** said, "Thank you. We have a motion and a second. Any other discussion? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "Thank you very much. We'll defer this. Council member Joan Cole, we appreciate very much your being here at our meeting today. Thank you. Next item."

**3. AMENDMENT TO CONTRACT WITH PROJECT INDEPENDENCE, INC. OF SEDGWICK COUNTY PROVIDING ADJUSTED FUNDING.**

**Mr. Buchanan** said, "Commissioners, I would like to withdraw this agenda item."

**MOTION**

Chairman Winters moved to withdraw the Agenda item.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

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**Chairman Winters** said, "We are going to take about a five minute break at this time. We are in recess for five minutes."

**The Board of Sedgwick County Commissioners recessed at 11:21 a.m. and returned at 11:31 a.m.**

**Chairman Winters** said, "I'll call back to order the Regular Meeting of May 3, 2000. We've been in a short recess. Madam Clerk, would you call the next item?"

**NEW BUSINESS**

**H. RESOLUTION REGARDING DELAYING CONGRESSIONAL ACTION ON INTERNET TAX MORATORIUM.**

**Chairman Winters** said, "Commissioners, Chris Chronis, who was going to present this item has been called to another meeting. He is our Chief Financial Officer and was going to present this item."

**MOTION**

Chairman Winters moved to defer the item for one week.

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, "Just in the interest of clarification, if someone is watching, I know there is always confusion about when people talk about Internet tax. What we're talking about is sales tax on items that are sold on the Internet, as opposed to sales tax that are sold on Main Street, U.S.A. or Main Street, Sedgwick County. That is what we'll discuss next week. Any other discussion? Seeing none, please call the vote."

**VOTE**

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

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

**I. HOUSING OFFICE.**

**1. RESOLUTION ADJUSTING INCOME LIMITS FOR FAMILIES RECEIVING CERTAIN FEDERAL HOUSING ASSISTANCE.**

**Mr. Brad Snapp**, Director, Housing Office, greeted the Commissioners and said, "Every year, H.U.D. issues new income limits. The Sedgwick County Housing Authority must adopt those new limits. All of the clients or households that are served by Sedgwick County Housing Authority are 50% or below of the area median income. Three fourths of those people are 30% or below the area median income. For a family of four, on 30% of area median income, they can't make any more than \$15,200. Most of the people we serve are actually below that amount. If you have any questions, I'd try to answer them."

**Chairman Winters** said, "Commissioners, questions on Item I-1?"

**MOTION**

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

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

**2. PROPOSED INCREASED PAYMENT STANDARDS FOR HOUSING AUTHORITY.**

**Mr. Snapp** said, "H.U.D. also issues fair market rent to judge payment standards. Our payment standard is 90% of fair market rent. We could go as high as 110% of the fair market rent if, in a situation with a family, with a large family needing a four or five bedroom house which costs quite a bit more money. This payment standard is just one piece of the formula that we use to determine what amount of subsidy we could give to a family for housing. This is again an annual deal for jurisdiction of Sedgwick, Butler and Harvey County with the exception of the City of Wichita."

**Chairman Winters** said, "Thank you. Commissioners, comments or questions? What's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the proposed payment standards.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

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

**J. AGREEMENT WITH CITY OF PARK CITY FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.**

**Ms. Dollie Shaffer**, Business Manager, Kansas Coliseum, greeted the Commissioners and said, "This agreement that you have before you today is our standard agreement relating to the lease of advertising sponsorship with our client, the City of Park City. They have expressed an interest in expanding their advertising and sponsorship presence at the Coliseum and they are wanting to purchase two signs at the end zones scoreboard area in the arena. If you have any other questions, I'd be glad to answer those. Otherwise, I would recommend you approve the agreement and authorize the Chairman to sign."

**MOTION**

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

Commissioner Sciortino seconded the Motion.

**Chairman Winters** said, "This will really kind of bring Park City as one of our major advertising clients at the Coliseum."

**Ms. Schaffer** said, "Yes. They continue to get stronger and stronger each year."

**Chairman Winters** said, "Very good. Commissioners, are there other questions or comments? If not, please call the vote."

**VOTE**

Commissioner Betsy Gwin

Aye

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

**Chairman Winters** said, "Thank you, Dolly. It is nice to see you. Since you've moved out to the Coliseum, we don't see you in the hallways any more."

**Ms. Schaffer** said, "That's because I love it out there too much."

**Chairman Winters** said, "Thank you. We're not fun here. Next item please."

**K. CONTRACT WITH DR. JOHN BALLANTYNE TO PROVIDE DNA ANALYST/SEROLOGY TECHNICAL LEADER SERVICES.**

**Ms. Marsha Gasper**, Interim Administrator, Regional Forensic Science Center, greeted the Commissioners and said, "We present to you today a professional services agreement to contract with Dr. John Ballantyne to provide DNA technical services to our DNA lab. As indicated, the DNA advisory board, which is a national board who sets the standards, requires every DNA lab to be under the direction of a technical leader. Currently, our technical leader has accepted another position and we request the approval of this contract with Dr. Ballantyne, who will serve in this capacity until a permanent technical leader is hired. We ask the Commission approve and the Chairman sign the agreement."

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

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**L. DIVISION OF HUMAN SERVICES.**

**1. AMENDMENT TO AGREEMENT WITH KANSAS CHILDREN'S SERVICE LEAGUE PROVIDING COMPENSATION ADJUSTMENT.**

**Ms. Cecile Gough**, Operations Administrator, Department of Corrections, greeted the Commissioners and said, "We are requesting approval of an amendment to our agreement with the Kansas Children's Service League, which was dated on March 8th of this year, 2000. The amendment is needed to more accurately report programs and track those program costs. The amendment also reduces the total amount of compensation by \$10,194. We ask that you approve this amendment and authorize the Chair to sign."

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Absent
Commissioner Carolyn McGinn	Aye

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Commissioner Ben Sciortino  
Chairman Thomas G. Winters

Aye  
Aye

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

**2. AMENDMENT TO AGREEMENT WITH EIGHTEENTH JUDICIAL DISTRICT OF KANSAS PROVIDING COMPENSATION ADJUSTMENT.**

**Ms. Gough** said, "We are requesting approval of an amendment to our agreement with the Eighteenth Judicial District Court dated January 19th of this year. The amendment is needed to accurately reflect the projected program costs for the remainder of this agreement. This agreement will then have the compensation maximum payable to be reduced by \$33,027. We ask that you approve this amendment and authorize the Chair to sign."

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

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**Commissioner Sciortino** said, "Are you saying that actually the Judicial District is asking that we reduce their compensation?"

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**Ms. Gough** said, "Yes. This agreement, the costs that they were going to occur were going to be less because they were subcontracting with Legal Services. So, their cost will be less so they agreed to free up this money for other programs."

**Commissioner Sciortino** said, "Great, thank you. No further questions."

**Chairman Winters** said, "We have a motion and second. Any other discussion? Seeing none, call the vote."

**VOTE**

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

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

**3. CONTRACT WITH KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES PROVIDING FOR THE SHARED COST OF OPERATING THE SEDGWICK COUNTY PERMANENCY PLANNING AND COORDINATING COUNCIL.**

**Ms. Gough** said, "We are requesting your approval of a contract with the Kansas Department of Social and Rehabilitation Services for the Sedgwick County Permanency Planning and Coordinating Council. This contract represents a partnership between SRS and the County for the continuation of a program designed to accelerate permanency for youth in foster care and to promote ongoing improvement in the child in need of care system as it functions in the 18th Judicial District.

"Originally, this program was funded by the Kansas Families for Kids Grant. Through this contract, SRS

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will continue to fund the salary and benefit portions of the program for the one employee that they do have. The County then agrees to provide for office space, equipment, and supervision for the program through the Department of Corrections. We ask that you approve this Contract and authorize the Chair to sign."

**Chairman Winters** said, "All right, thank you. How large is this Permanency Planning Council? How many folks are involved in that?"

**Ms. Gough** said, "I'm not sure of how many. I talked with the coordinator this morning and it sounds to me like there were representatives from the school districts, from SRS and the courts and probation and the people that are involved in foster care, so that they could meet and look at the barriers that are prohibiting people, the kids in the foster care system, from getting permanent placement. I can't say I know the exact number."

**Chairman Winters** said, "Okay, that's close enough. Commissioners, you've heard this report, what's the will of the Board?"

**MOTION**

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

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

**4. ADDITION OF ONE CORRECTIONS COORDINATOR POSITION, RANGE 22, TO THE DEPARTMENT OF CORRECTIONS STAFFING TABLE.**

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**Ms. Gough** said, "We are requesting the addition of one Range 22 Correction Coordinator Position to the Department of Corrections staffing table in order to fulfill the contract with SRS that the Board just approved. This is for the Sedgwick County Permanency Planning Coordinating Council's Coordinator position. Funding for the position salary and benefits will be reimbursed by SRS, as according to the contract. We ask that you approve the addition of the Corrections Coordinator Position to the staffing table."

**Chairman Winters** said, "Thank you. Commissioners, questions or comments? What's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the addition to the Department of Corrections Staffing Table.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Cecile, thank you very much. Next item."

**5. CONTRACT WITH CITY OF WICHITA, KANSAS PROVIDING**

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### ADMINISTRATIVE SERVICES FOR MINOR HOME REPAIR.

**Ms. Annette Graham**, Director, Department on Aging, greeted the Commissioners and said, "This is a contract for a continuation of an existing program with the City of Wichita for minor home repair, Aging Services Program. This is where we work with the City and leverage funding from our other programs and mill levy funding to access additional funding through the work with the City of Wichita. These items are within the 2000 budget that were approved by the Board of Sedgwick County Commissioners. The contract does state that the City of Wichita will be paid an administrative fee of 5% of the cost of each of the minor home repair projects that we work on together for those projects, which is outside of the City's local investment area. So, for those projects that are in their area, they would not be charging that, only those other ones where we are using their administrative services to do pre and post inspections and quality assurances. We bring this and request the Commission approve the Contract and authorize the Chairman to sign."

**Chairman Winters** said, "Thank you, Annette. Is this a new program or an ongoing program?"

**Ms. Graham** said, "It is an ongoing . We started it last year. This will be the second year."

**Chairman Winters** said, "And it seemed to work well?"

**Ms. Graham** said, "It worked very well."

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

**Commissioner McGinn** said, "I don't know if you remember about nine or ten months ago I had somebody call in about wanting to get something repaired on their step and they were calling the City and the City said to call us at Aging. If I'm reading this right though, are they under contract to make that repair or are we?"

**Ms. Graham** said, "Only if it is in their target area, through the federal government. Their funding through the City comes through federal funding that is targeted in targeted areas."

**Commissioner McGinn** said, "So you're not talking specifically the city limits, zip code areas probably or something like that."

**Ms. Graham** said, "Yes."

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**Commissioner McGinn** said, "If it's outside then it's ours. Okay, thank you."

**Chairman Winters** said, "All right, thank you. Other questions or comments? Seeing none, what's the will of the Board?"

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**M. ADDITION OF ONE PROGRAMMER/ANALYST POSITION, RANGE 21, AND ONE PERMANENT PART-TIME CLERK POSITION, RANGE 14, TO THE COURT TRUSTEE STAFFING TABLE.**

**Mr. Louis J. Hentzen**, District Court Administrator, Eighteenth Judicial District, greeted the Commissioners and said, "As you know, from time to time I have to come and ask for additional staff for a court trustee to better serve the clients that we do serve now. These positions today will help us do that."

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One is a programmer position, will help us develop a web site for the clients to have access, through the Internet, for their cases and the part-time clerk position is to help the process in the bookkeeping department in our child support collections."

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

**Commissioner McGinn** said, "Thank you, Chairman. I had somebody call me about this three or four months ago for child support to find out where you're at and whether it is getting paid. They said they could never get through on the line. Her idea was, why don't you guys just go on-line so I can check it and I don't have to bother you either. It looks like we're getting there."

**Mr. Hentzen** said, "Yes, Commissioner, we're trying to get there. I think we have eight lines and they're busy all the time. We've had, even outside of that, we've had a voice response unit hooked up to the County main frame, which would relay the last three payments. That was bought several years ago and its usefulness is about gone. This will help replace that even, as well. They could be able to look up their payments and also find out if lawyers are filing documents in a timely fashion."

**Commissioner McGinn** said, "Thank you."

**Chairman Winters** said, "That sounds like a good program."

**Mr. Hentzen** said, "We think it is. We're growing all the time and it is getting bigger and bigger all the time. I keep coming up here and telling you we're collecting over a million dollars a week in child support in this County. We used to be one of SRS's not their bright spots in collecting but now, we are the model for the State. I contribute that to getting more staff, taking care of those issues and conferring with SRS and getting their concerns answered and taken care of. We're building a better service for the client."

**Chairman Winters** said, "I think we'd be interested in hearing, if you get part of this up and on-line and successful, I think we'd be interested in hearing about that again as we begin to continue to think about technology, kind of one of the watch words now is if you're standing in line we want to figure out how to get you on-line. So if you're successful Louis, I think we would like to have some feedback of the success of continued Internet use. Keep that in mind. Commissioners, you've heard the report, what's the will of the Board?"

### **MOTION**

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Commissioner McGinn moved to approve the additions to the Court Trustee Staffing Table.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you, Louis. Sorry you had to wait around all morning, but we're pretty windy today. Next item."

**N. ADDITION OF ONE PROJECT LEADER/DATABASE ADMINISTRATOR POSITION, RANGE 29; ONE SENIOR DATA CONTROL CLERK POSITION, RANGE 14; ONE PROJECT MANAGER POSITION, RANGE 24; AND ONE SENIOR SYSTEMS ANALYST POSITION, RANGE 27; ALL TEMPORARY POSITIONS, TO THE DIVISION OF INFORMATION AND OPERATIONS (DIO) STAFFING TABLE.**

**Ms. Kathleen B. Sexton**, Director, DIO, greeted the Commissioners and said, "The item you have before you this morning is the culmination of a lot of work, mostly by Mark Masterson and the Corrections Department, and other partners he has been working with in the District Attorney, District Court, SRS, Wichita Children's Home, believe it or not, and the Wichita Public Schools. There were a number of partners in this effort. They received a block grant last year from the federal government to help with juvenile corrections. We have, after hiring a consultant and developing a plan, we've developed a plan that will create and implement a new information system that will connect, via networking and P.C.

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technology, all these different offices together, connect their data basis, et cetera. To do that, as we say, we do have this grant and we want to get some folks on board or contract with some folks to help us implement all that. So that is the item.

"The slight adjustment in your agenda wording is that all these are not going to be in the Division of Information and Operations. Two of them will be the technology positions of project leader, range 29, and senior systems analyst, range 27 are DIO staff. One senior data control clerk will be actually in the District Court and project manager will be in the District Attorney's Office. So, it is a real partnership. We thought it useful to have one representative of the group present this to you. We'd be open for any questions and ask for your approval."

**Chairman Winters** said, "Thank you. We've received the grant to fund these positions? Then when these people are hired they'll understand that they're temporary positions?"

**Ms. Sexton** said, "Yes sir."

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

### **MOTION**

Commissioner Gwin moved to approve the additions to the DIO, District Court, and District Attorney Staffing Tables.

Chairman Winters seconded the Motion.

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

### **VOTE**

Commissioner Betsy Gwin

Aye

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

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

**O. SUPPLEMENTAL AGREEMENT WITH PROFESSIONAL ENGINEERING CONSULTANTS P.A., TO PROVIDE ADDITIONAL SURVEY, DESIGN, PLANS AND QUANTITIES TO IMPROVE DRAINAGE NEAR THE HUNTINGTON POINTE ADDITION PAVING AND DRAINAGE IMPROVEMENTS PROJECT. DISTRICT #2.**

**Mr. Paul E. Taylor**, P.E., Director of Sewer Operations and Maintenance, Public Works, greeted the Commissioners and said, "In Item O, we are requesting your approval of a supplemental agreement with Professional Engineering Consultants, P.A., for additional surveying design and plans to improve drainage near the Huntington Pointe Addition. The cost will not exceed \$5,000 and will be paid by the properties in the benefit district through special assessments. Be happy to take any questions."

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

**MOTION**

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

Chairman Winters seconded the Motion.

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

**VOTE**

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

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

**P. REPORT OF THE BOARD OF BIDS AND CONTRACTS' APRIL 27, 2000  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the April 27 meeting of the Board of Bids and Contracts. There are six items for consideration.

**(1) COMMUNICATIONS MONITOR - EMERGENCY COMMUNICATIONS  
FUNDING: EMERGENCY COMMUNICATIONS**

"Item one is a communications test monitor for Emergency Communications. It was recommended to accept the only bid received of Tessco, Inc., for \$11,305.

**(2) VARIOUS VEHICLES - FLEET MANAGEMENT  
FUNDING: FLEET MANAGEMENT**

"Item two, various vehicles and these are trucks for Fleet Management, Public Works, Code Enforcement, and Animal Control. It was recommended to accept, and if you will turn the page, the low bid with trade of Mel Hambleton Ford, \$115,945.

**(3) FIFTH WHEEL TRACTOR - FLEET MANAGEMENT  
FUNDING: FLEET MANAGEMENT**

"Item three is a fifth wheel tractor, also for Fleet Management. This item is also the subject of the Special Bid Board which I will present to you shortly. It was recommended at that time to accept the low bid of Kansas Truck Center with trade for \$45,000.

**(4) CITIZENS SURVEY REGARDING RECYCLING - DIV OF COMM  
DEVELOPMENT**

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**FUNDING: DIVISION OF COMMUNITY DEVELOPMENT**

"Item four is a citizens survey regarding recycling for the Division of Community Development. It was recommended to accept the proposal of Griffin Research. This was option one for 500 residents. That grand total is \$10,000. The following page is a memo from Irene Hart, the Director of that Division.

**(5) ID BADGE/CARD SYSTEM - HUMAN RESOURCES**  
**FUNDING: HUMAN RESOURCES**

"Item five is the ID badge/card system for Human Resources. It was recommended to accept the proposal of Midwest Card & ID Solutions, it is alternate one. That total price is \$9,134. There was a two page recommendation from Doug Russell, the Director of that Division outlining the process.

**(6) POWERPLEX 1.1 SYSTEM - FORENSIC SCIENCE CENTER**  
**FUNDING: FORENSIC SCIENCE CENTER**

"Item six is a Powerplex software system for the Forensic Science Center. This is existing equipment, somewhat consumables in software. This is to accept the sole bid of Promega Corporation, they are the publisher and producer of the equipment, \$27,000. The following pages comprise the memo from Doug Russell and the memo from the Forensic Science Center. I'll be happy to take questions and recommend approval of the minutes from the Board of Bids and Contracts."

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

**Commissioner Sciortino** said, "Darren, this is just housekeeping here. On your item three, the fifth wheel tractor, Kansas Truck Center, \$45,000. Then I got something from County Manager Buchanan that said Off Agenda item and it seems to me it is referring to the same deal but a different price."

**Mr. Muci** said, "Yes, Commissioner, it is. If you'd please, I could read the Minutes from that meeting. Essentially it was to correct the pricing for that."

**Commissioner Sciortino** said, "So is it \$45,500?"

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**Mr. Muci** said, "It is \$45,500 and it is to correct the recommendation as well."

**Commissioner Sciortino** said, "This is kind of moot but it wasn't the low bid."

**Mr. Muci** said, "It was not the low bid."

**Commissioner Sciortino** said, "Thank you."

**Chairman Winters** said, "Thank you. I thought I was confused but I'm not. Commissioners, you've heard the report of the Board of Bids and Contracts, what's the will of the Board?"

**MOTION**

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

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you, Darren."

**MOTION**

Chairman Winters moved to take an Off Agenda item regarding the Board of Bids and Contracts.

Commissioner Gwin seconded the Motion.

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

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**VOTE**

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

**Mr. Muci** said, "Thank you, Commissioners. On May 1, we held a special Bid Board meeting to further review the recommendations for the fifth wheel tractor. There was an incorrect price listed for Kansas Truck Center. Their grand total with trade is \$45,500. It is to accept their low bid meeting specifications. The lower bid of Doonan Truck and Equipment did not meet the horse power rating that was required by the department. I would so recommend that recommendation."

**Chairman Winters** said, "What's the will of the Board concerning this item of this special Bid Board meeting on May 1?"

**MOTION**

Commissioner Gwin moved to approve the recommendations of the Board of Bids and Contracts from the special meeting of May 1.

Commissioner McGinn seconded the Motion.

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

**VOTE**

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

**Regular Meeting, May 3, 2000**

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

**CONSENT AGENDA**

**Q. CONSENT AGENDA.**

**1. Right-of-Way Agreements.**

- a. One Temporary Construction Easement and One Permanent Drainage Easement for Sedgwick County Project No. 833-I, J, N ½ K; Webb Road: North Wichita City Limits to K-254; Payne Township. CIP #R-238. District #1.
- b. Two Temporary Construction Easements for Sedgwick County Project No. 795-F-4132; Bridge on 199th Street West between 77th and 85th Streets North. District #3.

**2. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V2036	\$275.00	1	Steffens Properties
V2037	\$565.00	2	Sheri Barnes

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V99038	\$394.00	\$425.00

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V96065	\$76.00	\$147.00
V8009	\$165.00	\$185.00

- 4. Agreement with Hart Medical Equipment providing Developmental Disability Community Service Provider status.**
- 5. Order dated April 26, 2000 to correct tax roll for change of assessment.**
- 6. Authorization per K.S.A. 79-2012 to withhold delinquent personal property taxes under the County Treasurer's certification dated April 25, 2000.**
- 7. Payroll Check Registers (two) of April 28, 2000.**
- 8. General Bills Check Register of May 5, 2000.**
- 9. Budget Adjustment Requests.**

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda before you and I would recommend you approve it with the exception of Item 8, general bills, the check register needs to be dated April 28 rather than May 5."

**MOTION**

Commissioner Gwin moved to approve the Consent Agenda as corrected, showing item eight as the check register of April 28, 2000 rather than May 5, 2000.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Absent
Commissioner Carolyn McGinn	Aye

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Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

**R. OTHER**

**S. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 11:59 a.m.

**Regular Meeting, May 3, 2000**

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

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

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**CAROLYN McGINN**, Chair Pro Tem  
Fourth District

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**BETSY GWIN**, Commissioner  
First District

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**BILL HANCOCK**, Commissioner  
Second District

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 2000