

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

May 17, 2000

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, May 17, 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 Bill Hancock; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Tom Pollan, Director, Emergency Medical Service; Dr. Charles Magruder, MD, MPH, Director of Community Health; Ms. Cecile Gough, Operations Administrator, Department of Corrections; Ms. Jeannette Partridge, Contract Administrator, Comprehensive Community Care (COMCARE); Sheriff Mike Hill, Sheriff's Department; Ms. Louanna Honeycutt Burress, Economic Development Specialist, Division of Community Development; Ms. Stephanie Payton, Assistant to the County Manager; Ms. Jane Morales, Compensation Specialist, Division of Human Resources; Mr. John Nath, Director, Kansas Coliseum; Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD); Mr. David Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications and, Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C.

Dr. Nancy McCarthy-Snyder, Hugo Walls School of Urban and Public Affairs, WSU (Wichita State University).

Mr. Tawn Nguyen, Academic Instructor, DetMac.

INVOCATION

The Invocation was given by Reverend Charles Claycomb of Woodland United Methodist Church.

FLAG SALUTE

ROLL CALL

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

Chairman Winters said, "Next item."

Regular Meeting, May 17, 2000

YOUR COUNTY SERVICES

A. EMERGENCY MEDICAL SERVICE.

Chairman Winters said, “This a time in the meeting where we have elected to pause and take a few moments to discuss some of the various departments that serve Sedgwick County and this week we’re going to hear a bit about Emergency Medical Services and it’s very appropriate because we also are going to have a Proclamation regarding Emergency Medical Services Week and so we’ve asked Tom Pollan to be here with us this morning and give us some of the details about his department. So, Tom, welcome to the Commission Meeting.”

Mr. Tom Pollan, Director, Emergency Medical Services, greeted the Commissioners and said, “I’m pleased to be here to introduce to the public, and maybe some other people as well, information about EMS that they might not know.

POWERPOINT PRESENTATION

“One particular thing that they may not know for sure, and sometimes we run into this, is that they don’t know that we are a Sedgwick County provided service and we provide that service county wide. We are underneath the Division of Public Safety and, along with this Board, who provides monitoring and implementations of programs, we are supervised by two other groups. One, the Board of Health. That group is a lay board. They give lay input to the EMS operation as well as our medical society has an EMS subcommittee who reviews EMS work and performance and also provides protocols. It’s those three agencies, working in concert, that have provided an excellent service to over 572,000 people since 1975 and transporting 448,000.

“Our mission of Sedgwick County EMS is dedicated to providing quality health care and transportation. That’s the key issue that people call for. They need to go to the hospital. Our goals for our organization is to: provide rapid advanced life support care and transportation, assuring knowledgeable and courteous employees, having reliable and medically effective facilities and equipment, and producing an environment where employees desire to work.

“Our custom base is . . . we protect about 1,008 square miles. There are three small areas of the community that have ambulance services available to them. We provide secondary coverage to those. In 1999, the estimated population was just short of 450,000 people and must also include those people who travel in and out through our community who are not residents here which swells our community

Regular Meeting, May 17, 2000

significantly during the daytime.

“We had a call line last year of 34,958 calls. We transported 23,000 patients. Our cost per citizen, resident of Sedgwick County, is \$18.73. Tax support for our operation was \$7.20 in 1999.

“Again, this is a layout of where our crews are located. We have 12 facilities. We have 13 units on during the daytime and 12 on at night and they are spread out all over the community of Sedgwick County.

“Types of calls and services we provide; we provide emergency services. The first two here, motor vehicle crashes and falls or trauma nature calls, injuries to people. Things that can be prevented, if actions are taken. Difficulty breathing, heart attacks, diabetics, strokes, those types of calls are medical. Can be genetic, can be environmental, can be things that you do to yourself over a long period of time. Those are medical in nature.

“Emergency transports could include any of those above but they are done on scheduled basis, maybe between hospital to hospital, maybe the person has had an emergency call in and they are not capable of being transported by standard vehicle back home so we provide that transport back home and sometimes, but rare, to doctor’s office but a number of times between specialty care units, as we see hospitals begin to spread their specialty cares out, we will do those types of transports.

“To give you a little bit of our demographics of our calls, by those three types of natures: trauma, medical and transfers. Our trauma we see kind of a wave affect. The younger group tends to have fewer incidents of trauma but as we get into those highly active years and that phase, you can see it increase, I believe, what you see here is a smartening up. As we get a little older, we realize things can hurt us and so we take a little bit more care and then when we get into the elderly, things can hurt them just like they can the young. Maybe not as easily recognizable, and they are not as mobile.

“If we look at our medicals, what we felt we’d see we did see. Pretty stair stepping affect. The older we get, the more susceptible we are to illnesses and our body starts to wear out. So, we tend to see these services provided to those folks that are above the age of 40.

“If we look at non-emergency services, this is certainly looking at, and this is transfer services here, this is done for these older age groups. It is people that are moving between nursing homes, hospitals, those types of things where care is being rendered to them.

“User fees; you noticed before we had about a 18-19 dollar cost but only \$7.20 of it was provided for

Regular Meeting, May 17, 2000

by taxation. The rest of it is made up through collection of user fees. On our emergency calls, we average about, per patient, about \$388 per transport and we charge on non-emergencies about an average of \$192.

“As any leadership team should do, we are constantly monitoring our current status and looking at what’s out in front of us. History’s important but you don’t want to relive it if you can avoid it. What’s out in front, if we can project and make transitions, we should do so. I’m using the SWOT (Strength, Weakness, Opportunity, Threats) analysis. Strengths, looking at what are our strengths of our organization currently is we have excellent people. We have excellent equipment. We have a good fleet of vehicles, excellent fleet and we have good working relationships with our allied agencies and that progresses all the way through from 911 call through the fire first responders, to EMS, to the hospital personnel as well.

“We also need to look at our weaknesses and we need to be honest about those and we are concerned about workload and turnover and what affect that workload may have on turnover but not only on the human being, human stress on this but also the system stress.

“Opportunities; we are rapidly working on developing a new medical direction team. Information is being sent out. We are seeking applications from physicians locally to look at changing our focus on medical direction because we have our medical director retiring and we need to let him to that and we are working diligently to do that very shortly. Also, public education. These kind of forums are excellent. If we can help one person change what they do in their life to not have an accident or a severe illness, then we’ve done something that’s very inexpensive.

“Threats; new Medicare fee schedule and we are evaluating this closely. Hopefully it will be published here shortly but we are working diligently to see how that will impact us. Whether it’s negative or positive, we don’t know yet but we’ll be working diligently here in the next few months with that.

“Prevention; this is the area that of course we saw that big group in that 20 to 40 area trauma. Then we saw another large group of people in the older group. I show this picture of this infant in a seat, because

Regular Meeting, May 17, 2000

it's properly installed. It's in the back seat. It's properly installed but what I'm seeing, and it just bothers me the most, I see mothers and fathers both diligently putting their children in and doing it right, only to sit down in the front seat and drive away and never put their seat belt on. We want to protect those children but those adults are just as important and they need to remember, if it's important to strap that child in, which it is, it's important to have that restraint and protection.

“We also need to help our elderly, our fathers, our mothers, our grandparents, looking at their houses, what is it that's not safe for them, as they grow older. Help them to understand and hopefully working with them to make those changes.

“We also need to look at those evident things. Small children get into trouble quickly. We need to be prepared for it. How do we be prepared? Recently, we had an episode with a small child in a swimming pool. The mother knew CPR (Cardio-Pulmonary Resuscitation). The child is alive today, doing well. We also need to learn it for adults. That's where our greatest number of people needing CPR. First Aid course at the American Red Cross. Call our office. We will find courses for people to get into if they want it. You need to come to CPR Saturday, when it's held. It's advertised well.

“Who do we call? Emergencies or non-emergencies, dial 911. It's as simple as that. There's no other number. If you need an ambulance, that is the number to call.

“What should you be prepared for, when you dial 911? Well, the phone is going to ring but you also need to be prepared to answer some questions. The information that they can diligently retrieve from you, can help us prioritize how quickly and how many people we need to send to your location. Location; a lot of phone call are coming in by cell phones. Cell phones are not readily identifiable to our 911 system, so you have to be prepared to tell. Be aware of where you're at and be able to give that address or location.

“Call back number helps the dispatcher. That helps him confirm that you're a legitimate call. Give him the chief complaint, meaning it's an auto accident, the person's having chest pain, as simple words as possible. Are they conscious? Is the patient conscious? Meaning are they awake or are they asleep? How old they are helps us. Breathing; are they breathing, are they not? Those two key . . . conscious and

Regular Meeting, May 17, 2000

breathing are red flags. Immediate response, even while you're talking to the dispatcher on the phone, if those are negative indicators, EMS are already being dispatched and a Fire First Responder. Stay on the phone. Give the gender of the patient, if you can. Number of patients, if you can but stay on the phone till the dispatcher releases you.

"Other contact numbers; our office number is 383-7994. Our bill office is 686-1616 and we also have a web page. It's available for anybody to look at, from the Internet and our monthly status report from all of our performance indicators are published out there, on a monthly basis.

"Again, I believe that Sedgwick County Paramedics do make a difference. They've upheld a high level of care and standard of care in this community and they are lifesavers. Thank you."

Chairman Winters said, "All right, Tom. Thank you very much for that report and update. I see that you have a number of your folks in the audience. I wonder if everyone with Emergency Medical Service would please stand and, maybe, Tom we just take a moment. If you would introduce them to the Commissioners and others, I think that would be appropriate. Would you all please stand?"

Mr. Pollan said, "This is the Director, Dennis Mauk. Assistant Director, Gary Tolle. A new father, I might add. Bill Auchterlonie, Randall Smith, D. A. Brann, Dalene Pressnell, Mike Owen, David Poland, Greg Schuessler, Charlie Fair, Mark Smith. I'm skipping one back there. Scott Hadley, I'm sorry."

Chairman Winters said, "All right, very good. Well, we certainly appreciate all the work you do. We hope you stay for the next item because we are going to have a proclamation recognizing your efforts. So, thank you for being with Tom this morning, as we present this. Commissioner Sciortino."

Commissioner Sciortino said, "Yeah, Tom, number one, I really commend you and your organization on the work that you do for us because, as a citizen of Sedgwick County I personally can rest a little easier knowing that I've got help probably at a time that I really need help. But it's just gratifying to know that we've got this type of an organization in place.

"I assume you have some kind of volunteer organization. How can a volunteer assist or help in your organization?"

Mr. Pollan said, "We have two organizations. From the Derby area, we have a Derby unit that's volunteers that helps us staff a second vehicle in Derby. We also have a group of reserves who do standbys and also staff the vehicle as often as possible in Valley Center. So, yes, we do have those

Regular Meeting, May 17, 2000

opportunities and that number that I indicated would be a good way. Also, if they go out on the Internet, they can read about that information as well.”

Commissioner Sciortino said, “Why don’t you give out that number one more time, in case there might be some other citizens who would like to get involved.”

Mr. Pollan said, “383-7994.”

Commissioner Sciortino said, “Thank you. That’s all I had.”

Chairman Winters said, “Thank you. All right. Thank you again, Tom. We appreciate you’re being here and your staff members that are here, too. It’s good for all of us to know a bit more about what County services are provided. So, thank you. Next item please.”

PROCLAMATION

B. PROCLAMATION DECLARING MAY 14-20, 2000 AS "EMERGENCY MEDICAL SERVICES WEEK."

Chairman Winters said, “Commissioners, I have a Proclamation I’d like to read into the record and you know sometimes we begin to take proclamations kind of loosely or we think that we handle them in maybe a routine manner but a proclamation is a way that the Commissioners can take time to make special recognition of special events or services in the community. So, we do take them very seriously. Commissioners, here’s the Proclamation;

PROCLAMATION

“WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Regular Meeting, May 17, 2000

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, approximately two-thirds of all emergency medical services providers are volunteers; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 14-20, 2000 as

“EMERGENCY MEDICAL SERVICES WEEK”

and encourage the community to observe this week by learning how and when to access the EMS system.

“Dated May 17, 2000.

“Commissioners, that’s 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

Commissioner Betsy Gwin	Aye
Commissioner Bill Hancock	Aye

Regular Meeting, May 17, 2000

Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "And here to accept the award is Tom Pollan."

Mr. Pollan said, "It's my honor to accept this and to be your point person for the EMS system. You're absolutely correct. It is a team response and it's this team that's been built in this community over the last 25 years that has improved the chances of a person surviving an out of hospital illness or significant injury. With that, you are definitely a part. I don't know that it was read in there, but this Board has been extremely supportive. It is your service and I believe you have provided it very well. We may implement it for you but you have been very supportive. Thank you."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. Tom, I forgot to ask you one other question that I think the public would like to know. On an average, an individual needing an ambulance or is in a problem. Needs help. They call 911. Approximately, how long does it take to get to that individual?"

Mr. Pollan said, "Our county wide average response time is about five minutes."

Commissioner Sciortino said, "Five minutes?"

Mr. Pollan said, "Five and three quarters minutes."

Commissioner Sciortino said, "That's pretty good. Thank you."

Chairman Winters said, "All right, thank you very much, Tom. Commissioners, I'd like to take an Off Agenda Proclamation at this time, recognizing National Law Enforcement Memorial Week."

OFF AGENDA PROCLAMATION

MOTION

Regular Meeting, May 17, 2000

Chairman Winters moved to take an Off Agenda Item.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, “Commissioners and friends, yesterday Commissioner Sciortino and I had the opportunity to attend the Law Enforcement Memorial service at City Hall, at which time we recognize law enforcement officers that have paid the ultimate price. At that service, a proclamation was read by the City of Wichita and this is the Proclamation and I would like for us to adopt this Proclamation also.

PROCLAMATION

“WHEREAS, the Congress of the United States of America has designated the week of May 14th as “National Law Enforcement Memorial Week”; and

WHEREAS, law enforcement officers are warriors in the fight against crime; our guardians of life, and property; defenders of the individuals right to be free and are dedicated to the preservation of life, liberty and the pursuit of happiness; and

WHEREAS, Sedgwick County desires to honor the valor, service and dedication of its own Sheriff’s Deputies and all law enforcement officers; and

WHEREAS, it is known that every 57 hours an American Law Enforcement Officer will be killed in the line of duty somewhere in the United States and 189 officers will be seriously assaulted in the performance of their duties, our community joins with other counties and cities to honor peace officers everywhere;

Regular Meeting, May 17, 2000

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim May 14-20, 2000 as

“NATIONAL LAW ENFORCEMENT MEMORIAL WEEK”

and call upon all citizens to honor and show our sincere appreciation for the law enforcement officers of Sedgwick County who make it possible to leave our homes and family in safety each day with the knowledge that our communities are protected by men and women willing to make the ultimate sacrifice to guard our loved ones, property and government against all who would violate the law.

“Dated May 17th, 2000.

“Commissioners, that’s the Proclamation. What’s the will of the Board?”

MOTION

Commissioner Sciortino moved to adopt the Proclamation 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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, “And here to receive the Proclamation is Sedgwick County Sheriff, Mike Hill.”

Mr. Mike Hill, Sedgwick County Sheriff, greeted the Commissioners and said, “Thank you, Mr. Chairman, Commissioners, on behalf of law enforcement at the Federal, State, County and City levels, we thank you.

Regular Meeting, May 17, 2000

“We should remember that one thing that is good this year is we have no local person to add to that name. However, in the year of 1999, 134 of our brothers and sisters in law enforcement will be added to the wall of the Law Enforcement Memorial in Washington D.C. Sadly, the tally for the year 2000 has already started. Forty five line of deaths have occurred across the nation. To show what a small world it is, we have one in Kansas, Deputy Jim Kenney of Clay County, who lost his life the first part of the year and to show you the uniqueness of our professional, Jim Kenney and I were partners for a year at the City of Wichita, back in ‘63 and ‘64.

“We always look for words, at this time, and they’re hard to find. So, if you’ll bear with me, there is a poem. It explains very well and the author is unknown. The name of the poem is “A Part of America Died”.

Someone killed a policeman today,
And a part of America died.
A piece of our country he swore to protect,
Will be buried with him at his side.

The suspect who shot him will stand up in court,
With Counsel demanding his rights.
While a young widowed mother must work for her kids,
And spend many long, lonely nights.

The beat that he walked was a battlefield, too,
Just as if he had gone off to war.
While the flag of our Nation won’t fly at half-mast,
To his name they will add a gold star.

Yep, someone killed a policeman today
In your town or mine.
While we slept in comfort behind our locked door,
A cop put his life on the line.

Now his ghost walks a beat on a dark city street,

Regular Meeting, May 17, 2000

And he stands at each new rookie's side.
He answered the call,
Of himself he gave his all,
And a part of America died.

“Thank you.”

Chairman Winters said, “Thank you, Sheriff Hill and we appreciate your work on the Memorial yesterday. You and Chief Norman Williams did an excellent job. Again, we appreciate all that you and all the officers do for Sedgwick County every day. Thank you.

“All right, next item please.”

DEFERRED ITEMS

C. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Dr. Charles Magruder, MD, MPH, Director of Community Health, greeted the Commissioners and said, “What I'd like to do today is continue what we started last month, in giving you an update on various activities. Today, I'd like to explore some of our recent activities that we've done. Relay to you an important collaborative effort, of which we were a part and also impart to you some critical information from KDHE (Kansas Department of Health and Environment) that may help you to understand some steps that we're going to take in the future.

“First of all, the recent activities. Start off in talking about our trash truck inspections. This is something that we have started coordinating, over the past few years, doing it all at one time, in which we have our staff go and get all the different vehicles. They come together. We also work in coordination with the police department. We do inspections to insure that the trash can be collected with minimum spillage. Make certain that flies and rodents will not be attracted to the vehicles. We also insure that the vehicle

Regular Meeting, May 17, 2000

will safely transport trash from one location to the point of disposal and the role of the police is to inspect the mechanical aspects, to make sure that the vehicles are safe to drive.

POWERPOINT PRESENTATION

“To relate to you some recent activities of our Childrens’ Dental Clinic. Our mission there is to provide free dental care for children age 5 to 15 with no health insurance. Our staff include one dental hygienist, one dental assistant. We have 34 volunteer dentists. The individual you see here, Doctor Larry Davis, has volunteered in the clinic every month for the past 19 years. In addition, what makes the clinic successful is the participation of Wichita State University and their dental hygiene students.

“Our program is now stuck. Kristi, do you know what we should now do. All right, let me proceed now. Sorry about that. I’ll see if this older technology will function.

OVERHEAD PRESENTATION

“I wanted to relate to you some recent care provided by our Clinic. To give you one example, we had a young teenager who came in with a cleft lip, severe dental problems. Through this program, we were able to get free consultation from a prosthodontist and an oral surgeon then came in and agreed to soon provide surgery in his office.

“I wanted to also relate the key role that the dental community plays in this process. In addition to playing a role in helping us understand how we can provide fluoridation for our constituents in the best possible way, I want to also relay that the dentists in our community are already working very nicely in the project access mode. I’d like to publicly thank those individuals who routinely participate in our dental clinic on a volunteer basis. Also, none of that is possible without our staff. Harry Smith and Christy Hillard, our dental assistant and dental hygienist who coordinate all of these processes. Finally, for our dental clinic, one of the reasons I emphasize them this month is they did recently receive an award from the National Center for Public Productivity and were selected as an exemplary local program.

“Finally, for recent activities, I want to present to you some of the things we’ve done with AIDS education. Some of the important background information is the incidence of HIV infection is higher in some minority populations. It’s been clearly established that we need to establish some innovative ways to reach young people in these groups. Our community education section of the Health Department has created such a program. This is entitled the Seventh Annual Basketball Jamboree. The individual you see pictured in the upper right hand corner is the person who coordinates that process. The idea is to give good solid

Regular Meeting, May 17, 2000

information with a desired activity and that desired activity, in this case, is playing basketball. Our future activities is a tournament this summer. We'll also have possible consultation with San Diego and Detroit, as a result of a presentation we gave at a San Francisco conference, in order to possibly provide assistance to them, in getting this accomplished. We want to thank the AIDS fund of the Wichita Community Foundation, Pizza Hut, and WSU, who helps us with evaluation of the process and also enables us to use their facilities.

“In terms of a collaborative effort, just wanted to bring to your attention the Community Living Workshop. In this instance, instead of just looking at rural lifestyles, we also looked at the City and the suburbs and placed a considerable amount of emphasis on water quality issues. Some of the people with whom we worked, the Kansas Department of Health and Environment (KDHE), the Sedgwick County Extension, the Sedgwick County Code Enforcement, the Planning Department, Central Inspection and the Wichita Board of Realtors.

“Finally, some information from KDHE. I wanted to make you aware of an initiative Secretary Graeber has started and having his staff, and is working with the State Legislature to insure additional funding for the local health departments. One of the key parts of this process is insuring development of standards, which is done in conjunction with KDHE and the Kansas Association of Local Health Departments (KALHD). We just recently received those standards and our staff are reviewing them and they'll be discussed at a KALHD meeting in the middle of June. We're playing a very key role in that process, because one of the members of our department is the president of the Kansas Association of Local Health Departments, Marilyn Peterson.

“Also wanted to make you aware of . . . I talked previously about the Governor's Public Health Improvement Commission. Wanted to make you aware of some of the follow up from that process. There are two things that come from a Turning Point Grant implementation process. The first is integration of information technology. They'll be linking KIPHS, the Kansas Integrated Public Health System, to the State data warehouse. This will be very beneficial for us because it will allow us to create a series of automatic report functions that are currently required for the State. So, it will allow us to do things much more efficiently.

Regular Meeting, May 17, 2000

“The second important area that they’re going to be looking at is reducing health status disparities. I’m sure you’ve heard a lot about this in the news. Kansas Health Institute will coordinate this process and there will be much more information to follow about the possible role our local health department might play.

“I’ll be happy to answer any questions that you have. Once again, my apologies for the snafu with our technology.”

Chairman Winters said, “All right, thank you. Commissioner McGinn.”

Commissioner McGinn said, “Thank you, Mr. Chairman. I was just looking in the backup material that you gave us. I was curious. Under Animal Control you said that Doctor Ellie Shore had presented her findings concerning the animals processed at the Animal Shelter and I was just curious. It had to do with breeds, location and everything and type of owners. Do you have that information that we could take a look at?”

Dr. Magruder said, “I do not have any of that information here with me but I can certainly get that and forward it to you.”

Commissioner McGinn said, “I’m just thinking there must have been a reason why they did that and I was curious as to what part of the plan that was.”

Dr. Magruder said, “I will get that and forward it to you.”

Commissioner McGinn said, “Okay. The other thing, I just wanted to comment a little bit about. You were probably involved in the River Festival’s decision to not have an event, because of the water levels. I noticed one thing in the paper that didn’t come out. That the samples were taken after a rain event. The reason I bring that up is when we talk about averages, I guess, I’d like for folks to know, that the river on average is actually cleaner than it has been for 30 years and that has to do with the changes that they’ve made in how we handle our waste, I guess. I can’t think of what you call it. Well, storm water runoff, we’re doing a lot of improvement there, and sewage treatment plants. That’s what I was trying to say.

Regular Meeting, May 17, 2000

Because of the changes that were made in Hutchinson and Great Bend and Wichita as well, we actually have cleaner water. And then also because of the changes that they've made, early on in the '70s, with the Clean Water Act, where factories no longer dumped their effluent, they have to clean it to a certain level.

"The reason I bring this up, it seems like it's kind of been thrown out of proportion, in my opinion, because the sample was taken after a rain event, when you are going to experience high levels of fecal coliform. The other thing is, that is probably more of a danger than the levels of fecal coliform is the high flows, is probably a more dangerous situation to citizens than any contact with the fecal coliform. Anyway, I just bring that up as . . . I just don't like it when people say that our river's are filthy and I think that they're not. They're actually cleaner than they have been for 30 years and we're doing a better job and we're continuing to work in that area. Are you taking these samples on a daily basis? Is that what I understand?"

Dr. Magruder said, "We are now. Prior to this, they were done every other day."

Commissioner McGinn said, "Okay. So, the decision, I guess, is going to be made day by day."

Dr. Magruder said, "Yes, ma'am. I do have a very brief presentation regarding what we have been doing and why we came to the conclusions that we did, if you would like to see that."

Commissioner McGinn said, "I would like to, if my colleagues would be interested."

OVERHEAD PRESENTATION

Dr. Magruder said, "Basically, the State regulations, as they're currently written, regarding recreational activities prescribe during the time frame from April 1st to October 31st of each year the average value, and that refers to the fecal coliform that you mentioned, shall not exceed 200 organisms per 100 milliliters but no sample shall exceed 900 organisms per 100 milliliters. If we look at the issue of secondary contact

Regular Meeting, May 17, 2000

recreation, those standards fall throughout the entire year, January 1st through December 31st, no sample shall exceed 2,000 organisms per 100 milliliters.

“As we mentioned, the test used measures the concentration of fecal coliforms. The way the Kansas regulations define primary contact recreation and secondary contact recreation is, as you see, boating, mussel harvesting, swimming, skin diving, water skiing and wind surfing are primary contact. Secondary contact recreation is wading, fishing, trapping and hunting.

“Now, our values through 5-12-00 were meeting all of the requirements of the current Kansas regulations. The average was less than 200 and no single value that we had was greater than 900. Thus, in accordance with Kansas regulations, no precautions, other than those one should always take when interacting with the river, were required regarding recreational use of the water.

“However, as you have already mentioned, our values from 5-15, we did have some samples that were 2,000 or greater and indeed it’s a very plausible, if not undeniable hypothesis, that that is strictly related to the rainfall and is a temporary activity. Never the less, the parameters do state, irregardless of what the environmental conditions are, rainfall or otherwise, the sample is determined, irregardless of the conditions.

“The established parameters, then, from the Kansas regulations for a single sample were now exceeded. There is an important point in this as well. That the test values are not obtained until 24 hours later. Our technology only gives us information a day after we obtained the sample. But, never the less, I felt compelled that once those established parameters were exceeded, that we ought, at minimum, inform the public of the information that we had at our disposal and based upon the current standards that exist within the Kansas regulations, that we urge avoidance of recreational activities until we had additional information.

“The other thing we did is increase the sampling. In terms of future actions, we will continue, as we have done over the past week to continue providing information to the public about the information we’ve obtained from sampling. We will make recommendations about future River Fest activities, based upon the subsequent information. I think another key thing, related to the water quality summit, as we examine this in the future is to determine what the long term local health department role should be in the future monitoring of surface water for safe recreational use.

Regular Meeting, May 17, 2000

“That concludes my presentation on that issue.”

Commissioner McGinn said, “Thank you. Again, I just wanted to point out that there’s a lot of difference right after a rain event than when we just have regular dry low-flow events. I’m not saying that we can’t do a better job. We can and there are folks out there that are currently working on best management practices and a lot of it in the urban area has to do with our pets and animals and geese. As everybody well knows, 100 years ago I suppose it was all of the thousands of buffalo that was running through it. We don’t have the test results from that. But, anyway, I . . . sometimes we hear the negative and not the positive and I just want to reintegrate that we are improving our rivers and will continue to do so.”

Dr. Magruder said, “Yes, ma’am. I do not deny that. I just want to make absolutely certain that when we do have information that indicates we have exceeded the standards, as provided in the Kansas regulations, that we do adequately inform the public of that information.”

Commissioner McGinn said, “I agree. I know that’s what you’re required to do and it’s just that some times people don’t understand that you have spikes after a rain event. Thank you.”

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

Commissioner Sciortino said, “Thank you, Mr. Chairman. I’m glad that Commissioner McGinn brought that up. I just need to ask you a question. Am I right in assuming . . . I don’t even know some of the . . . I could hardly pronounce some of the words she mentioned, but in an urban area, anywhere in the country, we have a river running through it, other urban areas above it, if you were to conduct a sample of the water right after a rainfall, would it probably give the same results?”

Dr. Magruder said, “Is the question, sir, if you have a value prior to a rainfall and then you have rainfall, would you have the same result?”

Commissioner Sciortino said, “Yes, I guess that’s it.”

Dr. Magruder said, “Well, no, I would agree with Commissioner McGinn’s hypothesis or statement of fact, however you wish to interpret it, that we have a lot of data to indicate that certainly this particular test, fecal coliform, would increase following rainfall.”

Commissioner Sciortino said, “Okay, so if we were to do the test a couple of 3 or 4 days after the

Regular Meeting, May 17, 2000

rainfall, if it was indeed caused by the rainfall, would the results go below.”

Dr. Magruder said, “Yes, sir, and that is what we’re going to be monitoring very carefully over the next few days is we will be looking at both parameters that are established in the Kansas regulations, the first being what is the total average value, which is recommended not to exceed 200 and then the second is no single sample not to exceed 900 for primary contact recreation. I’m sorry.”

Commissioner Sciortino said, “That’s okay. Do you agree with Commissioner McGinn’s position that our river is actually cleaner now than it has been 25, 30 years ago?”

Dr. Magruder said, “Sir, I cannot give you first hand information about what the river was like 25 or 30 years ago. However, Commissioner McGinn is quite correct in stating that many, many people have taken several very positive and very worthwhile initiatives to insure that a number of steps are taken to get our water cleaner and there’s no doubt in my mind that great progress is being made in that area.”

Commissioner Sciortino said, “How long have you been with the Health Department?”

Dr. Magruder said, “About 22 months, sir.”

Commissioner Sciortino said, “Oh, okay. I thought maybe it was some years we could talk on your first hand knowledge in the years that you’ve been here. Okay, that’s all I had.”

Chairman Winters said, “All right. Thank you. Dr. Magruder, I was with a subcommittee and we were visiting about that the City of Wichita may be calling together a conference, a group of people on the Arkansas River, Wichita, below and above the river. Are you familiar . . . do you know about that project yet?”

Dr. Magruder said, “Sir, the one thing that I am aware is that the City Manager has requested that a water quality summit be coordinated that will involve officials from KDHE and officials from here in local government that will serve to examine our existing information and help develop strategies about where we can go in the future to make even more improvements beyond what Commissioner McGinn has very nicely outlined.”

Chairman Winters said, “Okay, well, if it’s appropriate, I’d certainly hope you’d keep us informed of that summit meeting because we certainly do have interest. Commissioner McGinn.”

Regular Meeting, May 17, 2000

Commissioner McGinn said, "I just wanted to answer Commissioner Sciortino's question. The City of Wichita, they do a lot of regular testing and that's where that 25 to 30 year data exists. It seems like, up until the River Festival though, KDHE they . . . I don't know if it's monthly but they don't test as often. And so, that's why, sometimes when you test once a month you can hit a spike and that kind of thing. But there is good data out there and I just wanted to pass that on to you that we have it."

Chairman Winters said, "Okay, thank you. No need to apologize for the technology difficulty. Really, your reports have been very good and the new technology has lifted the level of your reports. Years ago we use to have problems with our audio going up and down but for the last year or so we haven't had any audio problems so I'm not sure what happened there this morning. But please keep trying."

Dr. Magruder said, "We will work on it, sir, and make improvements for next time."

Chairman Winters said, "Thank you. What's the will of the Board concerning this report?"

MOTION

Commissioner Hancock moved to Receive and file.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

Regular Meeting, May 17, 2000

D. RESOLUTION REGARDING PROPOSED SPECIAL ASSESSMENTS FOR CERTAIN INTERNAL IMPROVEMENT PROJECTS IN THE COUNTY.

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "As you may recall, last week you conducted a public hearing with respect to the levying of assessments for 11 Capital Improvement Projects. Notice of that hearing was mailed and published on April 25th and we asked that you defer action on the assessment resolution, pending some computer problems that we had during the week before that, with respect to finalizing some numbers. There has been some effort made this week on getting those numbers finalized and we now have some information for you with which to recommend you adopt and attached to the resolution.

OVERHEAD PRESENTATION

"Each of the Commissioners have been furnished a copy of what we propose as the final statement of costs, dated May 17th of 2000. I believe you have that before you, as well as a comparison of the numbers between where we were on the mailed notice and where we are today. If I can show this comparison sheet on . . . I might focus on the lower half. You have a copy. The column that we're looking at is the lower half of the page. It starts with Balthrop, Phase 3. The upper column are some sewers which will be on a later agenda. The April 25th column is the numbers that were used to mail the notices to the affected property owners. The May 17th numbers are the numbers we have today. As you can see, the only major deviation is the last project, Arbor Lakes Estates, which we did indicate, at the time of the public hearing last week, there had been an omission in adding some temporary note interest and cost associated with that and the number that was presented last week, at the public hearing, was 203,221.01 which is \$7.23 lower than where we are today.

"So, as you can see, the finalization, these numbers on most of the projects, other than that one resulted in a slightly less money than where we were at the time the notices were mailed. So, at this point in time, the Controller is here, as well as members of the Public Works Department to answer any questions you may have and if there are none, we would recommend that you adopt the assessment resolution with the numbers that we have before you today."

Chairman Winters said, "All right, thank you, Mr. Norton. Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. Just a comment for my colleagues. I've worked with Joe, our people from Public Works, and folks from Finance, as we've reviewed these numbers. I

Regular Meeting, May 17, 2000

do want to thank them, because I know there have been some long nights and equally long days while they've gone through here, making sure that we have all the numbers, down to the penny, in the way they should be. I'm very confident, today, that the numbers we have before us are the appropriate numbers and am prepared to make a motion to adopt the resolution."

Chairman Winters said, "All right, thank you. Let me just make one comment. Joe, we've had the public hearing concerning all of these meetings, all of these special assessment projects. We had that last week. So, there's no need to go through any of that again. We're prepared, now that we have these finalized numbers, to make a motion on the resolution?"

Mr. Norton said, "That is correct."

Chairman Winters said, "All right, thank you. Seeing no other questions, Commissioner Gwin."

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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Regular Meeting, May 17, 2000

Chairman Winters said, "Thank you, Joe. Appreciate your work on this. Next item."

NEW BUSINESS

E. AMENDMENT TO RESOLUTION #263-1999, A HOME RULE RESOLUTION PROVIDING FOR ADMINISTRATION OF CERTAIN NON-ELECTED DEPARTMENTS AND PERSONNEL.

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "You have before you a home rule resolution regarding the organization of the County, for administrative and budget purposes. What this amendment to the resolution does is move the responsibility of the Government Relations function from under a separate budget to the budget and managerial control of the County Manager. We recommend your approval."

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

MOTION

Commissioner Hancock 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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

Regular Meeting, May 17, 2000

Chairman Thomas G. Winters Aye

Chairman Winters said, "Next item."

F. AGREEMENT WITH WICHITA AREA COUNCIL OF CAR CLUBS FOR USE OF LAKE AFTON PARK JUNE 11, 2000 TO HOLD AN ANNUAL ALL WHEELS CAR SHOW.

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "This is an agreement that we've had for, gosh I don't know, 20 years, for the All Wheels Car Show at Lake Afton Park. It is a standard form agreement, subject to receipt of insurance. The date has been coordinated with the park and we would recommend your approval."

MOTION

Commissioner Hancock moved to Approve the Agreement and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

G. GRANT APPLICATIONS (TWO) FOR TITLE V JUVENILE JUSTICE AUTHORITY GRANTS.

- 1. TIYOSPAYE: \$106,250 FOR THE PUEBLO ADOLESCENT PROGRAM**

Regular Meeting, May 17, 2000

2. BOYS AND GIRLS CLUB: \$91,000 FOR THE TARGETED OUTREACH PROGRAM

Ms. Cecile Gough, Operations Administrator, Department of Corrections, greeted the Commissioners and said, “We are requesting that the Commission approve the submission of two Juvenile Justice Authority Title V Grant applications. Although this type of grant application is limited to units of local government, there is a provision for sub-applicants to serve as providers.

“On April 7th, two local non-profit agencies, Tiyospaye and the Boys and Girls Club, presented their proposals for Title V funding to our local Juvenile Corrections Advisory Board. The Advisory Board reviewed the requests and found them to be consistent with our Community Comprehensive Plan. The Advisory Board supported and recommended that they apply for these grants.

“Tiyospaye is applying for \$106,250, to be used to enhance the Pueblo Adolescent Program. The program serves adolescents who are at risk of using or abusing alcohol and illicit drugs, and engaging in anti-social behaviors associated with substance abuse. The program is already partly funded by a Sedgwick County Prevention Grant, which can be used as the required 50% cash match.

“The Boys and Girls Club is applying for \$91,000, to be used to enhance the Targeted Outreach Program. This program was developed to provide education services to students expelled or suspended from our schools. The program is funded by a Sedgwick County Prevention Grant, which can be used as the required cash match.

“We are requesting that the County allow these two agencies to make grant applications, as the County’s sub-applicants. Agency representatives are available here today to respond to any questions you may have regarding their proposals.”

Chairman Winters said, “All right, thank you, Cecile. Now, these grants have not been awarded by Juvenile Justice at this point in time, is that correct?”

Ms. Gough said, “That’s correct.”

Chairman Winters said, “So, these are applications and then Juvenile Justice Authority (JJA), in Topeka will be the final determining factor on whether these are awarded or not?”

Ms. Gough said, “That is correct. Statewide, there are \$365,000 available for all the different counties to apply for.”

Regular Meeting, May 17, 2000

Chairman Winters said, "All right. But, I guess Commissioners and Cecile, I ask you this, or Manager and others, it would appear that these would be two projects that we could wholeheartedly support because we know both of these groups because we have prevention money involved in them at the current time. So, even though we may not be part of the monitoring of that Juvenile Justice Authority would be involved in, we know that we monitor both of these programs, because we do make direct contributions, through our prevention funds. So, I see Jeanette in the background, Jeanette Partridge. Jeanette, would you come up for just a second? And I don't mean to put you on the spot, but wouldn't you see that these are both good partners of ours at the present time and we should think about moving forward with this?"

Ms. Jeanette Partridge, Contract Manager, Comprehensive Community Care (COMCARE), greeted the Commissioners and said, "They've been Sedgwick County Prevention Grant recipients for the last couple of years and we've had excellent results and outcomes from these two programs. When they approached me, this was one of the opportunities that was available for them and it was presented to the Team Justice and I would say we can wholeheartedly support these two programs."

Chairman Winters said, "All right. Is there someone from Tiyospaye and Boys and Girls Clubs, are their representatives here? Would they stand up, if they're in the room? All right, very good. Well, we appreciate your work and effort. We haven't taken a vote yet. Commissioner Hancock's lights flashing. Maybe he has a comment. Commissioner Hancock."

Commissioner Hancock said, "Just a question. The prevention money that the County provides is being leveraged as match money for these particular grants, on both cases?"

Ms. Partridge said, "Correct. Tiyospaye also has a couple of other grants that they are using to make the full 50% match, but yes, the County money can count as the match for the JJA money."

Commissioner Hancock said, "Amazing. Okay, thank you."

Chairman Winters said, "All right, Commissioners, other comments or questions? If not, what's the will of the Board concerning the support of these two grant applications?"

MOTION

Commissioner McGinn moved to Approve the Applications and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

Regular Meeting, May 17, 2000

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

VOTE

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

Chairman Winters said, “Thank you. We appreciate representatives from both groups being here and Jeanette or Cecile, if you’d let us know what the result of these grant applications are as soon as JJA makes their decision, we’d appreciate it. All right, thank you all very much.

“Next item.”

H. ADDENDUM TO FOREIGN-TRADE SUBZONE OPERATIONS AGREEMENT WITH ABBOTT LABORATORIES PROVIDING VOLUNTARY SUSPENSION OF THE SUBZONE.

Ms. Louanna Honeycutt Burress, Economic Development Specialist, Division of Community Development, greeted the Commissioners and said, “I know that you are aware that Foreign Trade Zones are areas that are considered outside customs territories. A company can take advantage of a number of incentives by using a Foreign Trade Zone. Most frequently it is to defer, delay or eliminate custom duties on product that is imported into the United States.

“Back in 1989, Sedgwick County was designated grantee of Foreign Trade Zone #161. The general purpose zone is located out at the Garvey Industrial Park. However, since that time we have assumed responsibility as grantee of two special purpose sub-zones. A sub-zone is simply a Foreign Trade Zone that is restricted to a single plant and has one user. We have Special Purpose Subzone #161-A, which is Abbott Laboratories in McPherson and FTZ #161-B, which is a Frontier El Dorado Refinery in El Dorado.

“Some months ago we were notified by Abbott Labs that they no longer needed to have the special purpose subzone status. The reason for this is that, over the years, they have imported chemicals into their site and used this in the manufacture of pharmaceuticals. Some time ago, custom service had eliminated

Regular Meeting, May 17, 2000

all duties on the chemicals that they import. Therefore, there is no reason for them to remain as a subzone within our project.

“Now, I have visited with representatives of Abbott Lab and the law firm that represents them and we have come to an agreement on how best to handle their new situation. Typically, when a subzone no longer needs the status that it has, it deactivates, which means it no longer acts as a foreign trade zone. However, there is a good deal of red tape and expense involved with achieving this status and Abbott Labs realizes that customs duty regulations change from time to time, so sometime in the future they may want to reactivate as a subzone.

“What has been proposed that we do to eliminate some of this red tape and reduce the expense and so forth that would go along with deactivation is that instead of formally deactivating they go into a mode termed voluntary suspension. Which, in terms of customs and, for most purposes, is practically identical to deactivation. However, should they decide that they want to again operate as a subzone, it’s much easier to, again, go into an activated mode.

“What they have to do, if they do want to resume operations, is give us a two week notice in writing that they want to reactivate. If they do want to ever actually deactivate, they have to give us a 60 day notice, which is considerably longer.

“Makes sense to allow them to do this. The down side, really, for the County, would be that we would no longer receive an administrative fee that we receive from active subzones. They pay us \$10,000 a year to cover our out of pocket expenses. This is paid in four quarterly installments each year. Abbott Labs has brought their account with us up to date and if you approve the addendum today, then until such time occurs that they do start operating as a foreign trade subzone again, they will not be forwarding any additional administrative fees to us.

“I recommend that you approve the addendum to the operations agreement with Abbot Labs and authorize the Chairman to sign. If you have questions, I’ll address them.”

Chairman Winters said, “All right, thank you. Commissioner Sciortino.”

Commissioner Sciortino said, “Thank you, Mr. Chairman. Louanna, feel free to answer these questions as succinctly as you want. How many subzones do we have presently?”

Ms. Burress said, “We have two.”

Regular Meeting, May 17, 2000

Commissioner Sciortino said, "So, this will be a reduction of 50% of the income that we have coming in."

Ms. Burress said, "Yes, that's correct."

Commissioner Sciortino said, "That's all I had."

Chairman Winters said, "All right, thank you. Any other questions? Rich, I guess I'd ask you, I see that Clancy Holeman has checked off on this contract. So, I would assume that everything is in order from a legal standpoint."

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Yes sir, it is."

Chairman Winters said, "All right, thank you. Any other questions? What's the will of the Board on this amendment to our present agreement?"

MOTION

Commissioner Hancock moved to Approve the Addendum to Agreement and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Regular Meeting, May 17, 2000

Chairman Winters said, "Thanks, Louanna. Next item."

I. "ENHANCING THE DELIVERY OF PUBLIC SERVICES BY NONPROFIT AGENCIES" PROJECT AGREEMENTS.

1. MEMORANDUM OF AGREEMENT WITH KANSAS HEALTH FOUNDATION PROVIDING GRANT FUNDS FOR THE "ENHANCING THE DELIVERY OF PUBLIC SERVICES BY NONPROFIT AGENCIES" PROJECT.

Ms. Stephanie Payton, Assistant to the County Manager, greeted the Commissioners and said, "You have before you two related items. The first of which is a memorandum of agreement with the Kansas Health Foundation for a grant award totaling \$25,000 to help fund the study "Enhancing the Deliver of Public Services by Nonprofit Agencies".

2. AGREEMENT WITH WSU PROVIDING A STUDY AND RECOMMENDATIONS REGARDING "ENHANCING THE DELIVERY OF PUBLIC SERVICES BY NONPROFIT AGENCIES" PROJECT.

"The second of which is an agreement with Wichita State University to pursue the study "Enhancing the Delivery of Public Services by Nonprofit Agencies.

"First, a bit of background, Commissioners. On March 16th of this year, Sedgwick County and several other principle funders of non-profit 501C3s, which have included City of Wichita, the Kansas Health Foundation, SRS (Social and Rehabilitation Services) and the United Way, met to discuss what has become an ever increasing problem with Board accountability and governance of non-profit organizations.

"Over the past several months, Sedgwick County has experienced difficulties with three such Boards, which have included Child Guidance Center, Starkey, and Hunter Health Clinic. Each organization has had very different issues with their governance, with administration, with organization and with financial management. Through this proposed study with Wichita State University, Wichita State University will identify some of the early warning signs and pathologies that are endemic to these institutions. They will identify practices and develop standards for assessing the governance, administration and financial management of non-profits who are charged with delivery of public services.

Regular Meeting, May 17, 2000

“WSU will then take this assessment and codify it into a practical monitoring system. Sedgwick County has been awarded a grant from the Kansas Health Foundation in the amount of \$25,000 to help fund this study. WSU, through the Hugo Walls School of Urban and Public Affairs, and the Self-help Network will conduct the study and present the recommendations for the Sedgwick County Board of Commissioners.

“I would ask that the Commissioners firstly, approve the Memorandum of Agreement with the Kansas Health Foundation for the \$25,000 grant award and authorize the Chairman to sign and secondly, that they would approve the Agreement with Wichita State University to engage in the study, “Enhancing the Delivery of Public Services with Non-profit Organizations”. Prior to doing so, however, I do have Dr. Nancy McCarthy-Snyder here, who will be leading up the study on behalf of WSU, to answer any questions that the Commissioners may have with regard to the intent of the study or any methodologies that will be employed.”

Chairman Winters said, “All right, thank you, Stephanie. Commissioners, are their questions or comments? Commissioner Hancock.”

Commissioner Hancock said, “When this item first came before us, we became aware that we were going to do this, the only question that I had was ‘how do you do this’? Do you go back and find organizations who were not successful and find out why they weren’t?”

Chairman Winters said, “Dr. Snyder is on the way to the podium.”

Dr. Nancy McCarthy-Snyder, Hugo Walls School of Urban and Public Affairs, WSU, greeted the Commissioners and said, “We’re going to try to employ a number of methodologies to get at current good practice in contracting with non-profits for public services. One method will be to conduct interviews and focus groups with a number of non-profit agencies in Sedgwick County and to ask them to identify good practice in Board governance, administration and financial management. Those are the three focus areas of the study.

“We’ll also be reviewing national literature, finding out other jurisdiction’s contracting practices in this area. It’s a very hot topic in public administration right now. There’s a lot going on in contracting and privatization kind of issues and monitoring and outcome assessment.”

Commissioner Hancock said, “Interesting. Okay, very good. I was just curious how you would approach . . . of course, being the lay person that I am, I’d try to track down everybody that went broke and ask them why they did that. So, I’m not . . . that’s not a very good way to do that.”

Regular Meeting, May 17, 2000

Ms. McCarthy-Snyder said, “Well, there are a number of existing resources: The National Center for Non-profit Boards, there’s an Association for Research on Non-profit Activity. So, we want to be able to pull together existing studies, not reinvent the wheel, but pull together something that’s going to be very practical and useful for the County and for other funders in the area.”

Commissioner Hancock said, “Well, it will be a good tool for us to use and, of course, all the information that we gather we’d certainly be willing to share with anyone who requests it. It’s going to be, I think, informative and helpful for a number of institutions that utilize non-profits and contract with other agencies. It will be wonderful. Thank you very much.”

Chairman Winters said, “All right, and I would follow on that, too, Dr. Snyder, on, Commissioner Hancock’s comments. I don’t think it’s our intention to try to figure out more rules and regulations and bureaucratic kind of red tape that people need to follow. I think sometimes you have to have some kind of real accountability. I think most boards set out with the very best of intentions and they don’t set out to do things in an inaccurate way but something happens along the way and what are the real issues that let them either be successful or not and there are a lot of very good, very well run non-profits providing excellent services. How can we capture some of those things that they do, as Commissioner Hancock said, and share that with boards of other institutions in a positive . . . we’re here to help you kind of mentality, as we’re here to have one more heavy hand over you.”

Dr. McCarthy-Snyder said, “Well, and that’s exactly the goal of looking at the study. Part of the focus groups and interviews will be with COMCARE staff, as well as with the non-profits themselves, to identify good practice in this area. We’re going to talk to board members and to executive directors and to staff to help us do that. And then part of the proposal includes a conference in the fall, where we’ll be able to share all of the findings and the recommendations with the community at large.”

Chairman Winters said, “That’s great. Commissioner Sciortino has a comment and I’d say we’d like to be involved in that. There are several of us who have become more involved with non-profits this past year than we have in the past. I think it’s been to the plus but as you get to that end of the road deal and conference, I’m sure there are several Commissioners who would like to be involved in that process.”

Dr. McCarthy-Snyder said, “We would welcome that.”

Regular Meeting, May 17, 2000

Chairman Winters said, "Mr. Manager."

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "The intent is that WSU and Hugo Walls Center would help coordinate but it will be your conference."

Chairman Winters said, "Good. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. Needless to say, I'm going to be very supportive of this because I think our focus has always been and will continue to be to insure the fact that the clients of these not for profit organizations that their health, their safety, their well-being are being attended to and secondly, that the public money that goes into these from us, directly or indirectly, is being spent in an appropriate manner. I think this is an excellent step for us to take and I'm glad that we're doing it."

Chairman Winters said, "All right. Dr. Snyder, you know that if you need any assistance, during this process, don't hesitate to call any of us. All right, Commissioners, you've heard this report. We'll take them one at a time. The first one is the agreement with Kansas Health Foundation to receive the grant funding. What's the will of the Board?"

MOTION

Commissioner Hancock moved to Approve the Memorandum of 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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye

Regular Meeting, May 17, 2000

Chairman Thomas G. Winters Aye

Chairman Winters said, "And secondly, we'll take up the action regarding the enhancing of the delivery of public services by non-profits with WSU."

MOTION

Commissioner Gwin moved to Approve the Agreement 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	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Dr. Snyder, thanks very much for being with us today. Next item."

J. RECLASSIFICATIONS AND REALLOCATIONS.

Ms. Jane Moralez, Compensation Specialist, Division of Human Resources, greeted the Commissioners and said, "I'm here today to present to you the fourth quarter of 1999 and the first quarter of 2000 reclassification studies that Human Resources has completed."

POWERPOINT PRESENTATION

"The process that we use is surveying public sector benchmarks, performing reclassification studies. The study includes questionnaire completion, interviews with the incumbent and supervisor, and evaluating the position using the Sedgwick County Position Management Plan."

Regular Meeting, May 17, 2000

“Currently, we’re using a three year schedule for looking at all classifications within the County system. Currently, we have 483 job classifications. We look at one third of the classifications each year.

“To date, we have look at 80 classifications within the last two quarters. We are denying 28 of the classification upgrades due to not meeting criteria for reclassification. We’re deferring seven of the classifications to a later time. Nine of the classification requests will be included with the 2000 budget for the departments that have requested them and we’re presenting 36 of the classifications to be reclassified or reallocated at this time.

“Currently, the percentage of increase for the request that we’re presenting today for the fourth quarter of 1999, the current increase, using where they are right now on the pay scale, would be 5.78%. With the proposed increase, the incumbents would receive an average of 8.28%, for a total average increase of 14.06%. For 2000, the current would be 4.65%, the proposed % 3.35 and the overall average of 8%.”

Commissioner Sciortino said, “Is that 1999.”

Ms. Moralez said, “1999. That’s the fourth quarter. That’s requests that were put into our system from October 1 through December the 31st of 1999.”

Commissioner Sciortino said, “Okay, so if that’s approved we’ll do it retroactively?”

Ms. Moralez said, “We’re looking at doing all the implementation on this for April 1.”

Commissioner Sciortino said, “Okay.”

Ms. Moralez said, “Now, the total budget changes we’re looking at for the fourth quarter of 1999, we would have, for the year 2000, a salary saving of \$2,006 overall and for the 2001 salary savings of \$401. This savings is caused by, we are deleting one position within the Aging Department, a range 25 Assistant Director.

“For the first quarter of 2000, the 2000 budget impact will be \$30,864 and for 2001, the budget impact will be \$51,476.

“Human Resources is recommending these reclassifications and reallocations and would like your approval. If you have any questions, I’ll be glad to answer them.”

Regular Meeting, May 17, 2000

Chairman Winters said, "All right, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "Just one real quick question. On the reclassification of the 30,000, I assume that's plus, not minus."

Ms. Morales said, "That's plus."

Commissioner Sciortino said, "And where will those funds come?"

Ms. Morales said, "Those will be absorbed within the department's budgets. They have to . . . We will not give them any additional monies. They have to absorb them within their own budgets."

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

Chairman Winters said, "All right. Thank you. Commissioners, are there other questions or comments of Jane?"

MOTION

Commissioner Hancock moved to Approve the reclassifications and reallocations.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you for your work on this, Jane. Next item please."

K. KANSAS COLISEUM.

Regular Meeting, May 17, 2000

1. AGREEMENT WITH APPRENTICE PERSONNEL CORPORATION FOR ADVERTISING RIGHTS AT THE KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, “This is our standard agreement for advertising rights. In this case the client is Apprentice Personnel, one of the outfits we use to provide temporary labor for cleaning up, setting up and servicing the events. The Apprentice Personnel are taking two signs, one at our entry gate marque location and another inside the concourse area of the Coliseum. We will be giving Apprentice the official designation, that is not exclusive, it is just so that they supply personnel to the Kansas Coliseum. We recommend approval.”

MOTION

Commissioner Hancock moved to Approve the Agreement and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

2. AGREEMENT WITH S&R SPORTS ENTERTAINMENT, L.L.C. FOR USE OF THE KANSAS COLISEUM BY ITS INDOOR SOCCER TEAM, THE WICHITA WINGS, DURING THE 2000/2001, 2001/2002 AND 2002/2003 NATIONAL PROFESSIONAL SOCCER LEAGUE SEASONS.

Regular Meeting, May 17, 2000

Mr. Nath said, “We are real pleased to be able to come to you today and say that the Wings are going to stay in our community for another three years. This agreement is a straight up business deal. If you would take all the twelve agreements in the NPSL (National Professional Soccer League) and rank them as the most expensive to the team to the least expensive to the team, this agreement would sit in the side where it’s least expensive to the team. However it is still a very fair agreement to us and to the Wings. It is patterned right after the agreements that we have in place with the hockey team and the football team and we recommend approval.”

Chairman Winters said, “All right. Thank you. Commissioners, you’ve heard John’s report about the Wings and this contract. Are there questions, comments?”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, “Good job on that one, John. Next item.”

3. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

Regular Meeting, May 17, 2000

Mr. Nath said, "April was a very good month for us. We had over 61,000 people attend the events at our facility. Fifteen of those events resulted in 22 individual performances. Our net revenues for the month were \$111, 800. Not bad for a spring month that is normally pretty quiet.

"Highlights for the month: we had the opening and the first game of the indoor football league season. Forty-eight hundred people attended that game. They've been exciting, especially this last Friday, where it was 63/ 61, decided in the last two seconds. If our wide receiver was two inches taller, it had been a Hail Mary pass, we would have won that day. It was a lot of fun. It was great. Back yard football, in your face returns for touchdowns on kick offs, it was a lot of fun. As you can tell by the fans, when the team scores a guy jumps up . . . the people are into these games. They are having a ball.

"This is a new league. As you know, this team, this whole league has expanded dramatically. Last year they operated with 8 teams. This year they've got 21, and this kind of gives you a little bit of an idea of the upper part of the Midwest into the West into the East Coast a little bit, there are two teams in Pennsylvania. It kinds of gives you how they're spread. They may have 32 teams next year, although that's still to be decided. That gives you an idea on how the league is laid out in the country.

"We did some fun things. After one of the games there in April, we're doing tail-gate parties. We have a beer sponsor, which is Pony Express Brewery out of Kansas City. It's sponsoring part is to bring a band in. The team comes out, behind the Coliseum, after the game and signs autographs for the fans but we also have some refreshments available and people belly up to the bar and we have like a little party afterwards and it was a lot of fun. We had about 800 people stay for that. We're going to do another one on the 28th of June. It will be our second party. We're going to continue that through the year. We're going to do a party after a hockey game in the fall and theme it much like we did the official rodeo dance, where the people stay on the property after the rodeo on Saturday night and they go and they dance to a band and just continue to party a little bit. Another way to create another event.

"Coliseum sports were a big part of April. We actually had all three teams playing. The Thunder and the Wings finishing the regular season and into the playoffs and with the Warlords playing we actually had three different sports setups that we had to set up during the month.

"Another big highlight of the month was the Sunflower Cluster Dog Show. This is an annual event. Sometimes you just don't understand how big of an impact this event has. But over 30,000 came to the dog show over the three days. It is quite the setup. It's a cluster because there are three or four of the local kennel clubs that bind together and they put on this event every year. It's a lot of fun. If you're a dog lover, you'll really have a good time out there.

Regular Meeting, May 17, 2000

“Another use that we have for our Pavilion II, as you know we rehabed that pavilion a couple of years ago, so that we could do events like this and this is the third year where we’ve had the F and E Food Show. This year, they theme it every year and this year they used a jungle theme. They really had a great time. This is all done by them. They really transformed something that used to be a horse barn into a food service show. And they just had a great time. They had about 2,500 people come. It’s an industry trade show. It’s not open to the public but it’s all food service professionals. We really had a good time with that.

“Last month Commissioner Winters asked a question about the division of how the events work, on a yearly basis out there. How many events and what is the division between the Coliseum and the Pavilions. Well, we took 1999 actuals as an example and, as you can see, 64% of our revenues come from the Kansas Coliseum but 36% of the revenues that we get every year come from events that are held in the pavilions. Now, these are events that do not fit into a coliseum. These are trade show, these are horse shows, these are the dog show. So, that is a real big part of our yearly business. Without that capability, we would have to be subsidized. That is a big part of our business. As you look at attendance, it’s actually 40% of our yearly attendance. Almost nearly 300,000 attend events over at the pavilions, 420,000 this past year, 1999, attended events. It’s about a 60/ 40 breakdown.

“Commissioners, that’s the end of my report. If there’s any questions, I’d be happy to answer them at this time.”

Chairman Winters said, All right, thank you, John. Commissioners, you have comments or questions? Commissioner Gwin.”

Commissioner Gwin said, “Just to echo John. If you haven’t attended a Warlords football game, you’ve missed a great time. Aren’t those fun?”

Mr. Nath said, “Yeah, they are a ball. We have a little presentation for you today. Chad Taylor was supposed to be here, from the team, but I guess he was called away. What they’d like to do is make you honorary Warlords.”

Commissioner Gwin said, “I’m so excited. Now I can wear this to the game. I’m telling you, these games are just a ball and the fans have been in them since the very first game.”

Mr. Nath said, “If you could, once you get your jersey, if you could just get together, we’d like to have a photo opt to send back to the league. Now, you’re official honorary Warlords.”

Regular Meeting, May 17, 2000

Commissioner Gwin said, "I know what I'm wearing this Friday."

Chairman Winters said, "All right, Commissioners, other questions about John's report? If not, what's the will of the Board?"

MOTION

Commissioner Gwin moved to Receive and file.

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you very much, John from the Department of Fun.

"Commissioners, Commissioner McGinn would like to take a moment to recognize some special guests in the audience today."

Commissioner McGinn said, "Thank you, Mr. Chairman. We have a group from DetMac, I understand, which is a school on 21st Street that helps people learn skills to work in some of our manufacturing areas and Tawn Nguyen, could you stand up and your whole group . . . Tawn, could you just share with us, why everybody's here?"

Mr. Tawn Nguyen, DetMac, greeted the Commissioners and said, "I'm an academic instructor there, translator. One of the new things that we're doing with students with SRS (Social and Rehabilitation Services) is they've come up with a new type of special class, besides just the typical sheet-metal class and teaching them, they've gone very, more diverse now, going to different ethnics. This class, specifically,

Regular Meeting, May 17, 2000

was mostly made up of Vietnamese students. Because of the language barrier, they hired me as a special instructor. They complete their 15, 14 weeks of sheet metal training and regular academics and what SRS has had them do is, for the last 3 weeks and next week their class will end, so another extra month worth of training, specifically over English: English speaking, listening, gaining a way to get more cultured with the community. So they've gone to like City Hall and today the County Commission to see how things are and just to get a feel of like what their community's like and what's available to them."

Chairman Winters said, "All right, well thank you very much Ton. Commissioner Sciortino."

Commissioner Sciortino said, "Yeah, I just have one comment. The best way to overcome the language barrier is to go to one of the Vietnamese restaurants and eat their food. I can speak fluent Vietnamese after one of those delicious soups. Thank you."

Chairman Winters said, "Commissioner McGinn."

Commissioner McGinn said, "Thank you. This is owned by George and Pamela Johnson? I had an opportunity to visit the facility about a year ago and I was just amazed at some of the things they're doing down there. So, I appreciate you all coming in here today and glad you're taking part in County government."

Chairman Winters said, "All right, Madam Clerk, will you call the next item please."

L. METROPOLITAN AREA PLANNING DEPARTMENT MONTHLY REPORT.

Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, "April, we had 42 cases filed with our Planning Commission. That is, again, above the level that we've had, year to date, in the year 2000. Although, as we discussed yesterday, the revenues aren't quite the same for the number of cases.

"The Planning Commission, among other cases, approved a request for a wireless communication tower out near 159th and Kellogg. Original request was moved to a new location, where it was further away from property owners who objected to the original case and that second case was not protested with any

Regular Meeting, May 17, 2000

valid protest petitions and so it was approved. We received another one, another request the Planning Commission heard north and east of Jabara Airport, in a very rural area. There was neighborhood opposition. There were some questions that staff had about the application and that case has been deferred and will come back to the Planning Commission later. Related to wireless communications, the current Plan staff finished the, what we hope are the final revisions to zoning amendments and to what was called the wireless master plan. The Wichita City Council reviewed those in a workshop session last month and they agreed that it could be passed on to the Planning Commission for a formal public hearing and we tentatively have a hearing scheduled to consider those amendments in mid-June.

“The Planning Commission heard a presentation by the City Storm water Drainage Engineer on new design standards for backyard drainage issues. They’ve been working with the County Engineer and with the Home Builders Association on these proposals and I think are formally going to the City Council later this month.

“The Land Use Division prepared materials that were used in Chairman Garofalo’s presentation on the Planning Commission’s recommendations to the Comprehensive Plan to the governing bodies at your En Banc meeting that you held last month. We also have been working with the consultants to finalize neighborhood plans for the Hilltop and Mid-Town North area and drafted contracts for new studies of the Delano neighborhood, South Wichita/ Haysville area and the Oaklawn area. We prepared a presentation also to the City Council, at that same workshop, on the issue of access management, on how to have good control of driveways, the number and the spacing of driveways, signals and turn movements, in order to keep arterial roadways as safe as possible and carry the maximum capacity. The City Council agreed that it would be appropriate to undertake a more detailed study, develop more detailed standards. They’re interested in appointing a task force, a special task force who would review that. We think that this is a county, as well as a city issue and we hope that there will be some cooperation on that. We would intend to fund a consultant study with UWP funds, with federal funds from some salary savings that we have on that account, to undertake that study.

“We also, in transportation, have been working the past month or so on the amendments to the TIP, the Transportation Improvement Program. This is a required, mandated document by the Federal Government that shows all the federally funded projects, both surface and air transportation, that are

Regular Meeting, May 17, 2000

coming up in the next five years. And it includes a special fund of money that comes to what is called the Wichita Urbanized Area, which is Wichita and about a half a dozen of the small cities in Wichita. They are surface transportation funds that are passed through by KDOT (Kansas Department of Transportation) and the Planning Commission, in this case, has this sort of unusual responsibility of a project that is in neither the Wichita or the Sedgwick County CIP (Community Improvement Program). It's looking at either funding Woodlawn, between 37th and 45th Street or funding 37th Street, between Oliver and Woodlawn. As I think some of you know, Bel Aire has made a request to prioritize Woodlawn in this program. The City of Wichita believes the 37th Street is the higher priority but no one has identified a source of local funding for 37th Street and without an assured local funding source, a project can't be placed on the Transportation Improvement Program. The Planning Commission will be discussing that issue again on May 25th. We're hoping that we can talk to the City of Wichita officials about some changes in the program. If that fails, then the Planning Commission would like the recommendation, officially, of the County Commission before they act on their transportation plan a week from Thursday.

"I'll answer any other questions you have about that issue or any other issue."

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

Commissioner McGinn said, "Thank you, Mr. Chairman. Marvin, I get a lot of calls about where we are at on the Comprehensive Plan; when we're going to start working on it and when the committee is going to be formed and that kind of thing. What is the City's schedule on that?"

Mr. Krout said, "We don't have a definite schedule. I would say that there have been a number of conversations about possible changes in language to the Comprehensive Plan about the mission and the focus of items that a review committee would undertake and consider. At this time, we're hoping . . . there seems to be no great obstacles that would prevent us from coming, potentially, to the City Council and the County Commission on June 6th and June 7th. It may get delayed but that's the time frame we're aiming for now. I think that the Review Committee is going slower, in terms of identifying the actual appointments and the system that was discussed would involve individual appointments by City Council Members and County Commissioners and then the Mayor and the County Chair getting together and trying to fill gaps and fill up a group of about 25.

"My guess is that that review committee will be . . . the membership of that review committee, the

Regular Meeting, May 17, 2000

facilitator who would work for that committee, a chairman for that committee would be probably appointed at a later date, after the June 6th and June 7th date by the Mayor and the County Chair jointly. We're thinking that there probably needs to be a couple of background papers that would be helpful to prepare, in advance of that review committee starting off, so that they can start off with some background information. They might start off and maybe then in about August or early September of this year, after the background reports, and probably work through the end of the year on considering their issues."

Commissioner McGinn said, "Okay, so I thought the process was clearly defined, as to how many was going to be on that and who was going to pick?"

Mr. Krout said, "I think that is fairly well set up now."

Commissioner McGinn said, "Okay, and so, I guess kind of why I'm wondering is because of the calls I get, is I don't understand why we're waiting so long, because I know you've been around and talked to us all individually. I don't know if you have with the City Council yet or not."

Mr. Krout said, "I've miss two City Council Members so far but there seems to be a consensus over there but I haven't gotten names from City Council Members and really, I need to meet with the Chair to talk about County Commission appointments also but that may come a little bit slower than actually getting the plan on your agenda."

Commissioner McGinn said, "Okay, thank you."

Chairman Winters said, "All right, thank you. Any other questions of Marvin? Seeing none, what's the will of the Board?"

MOTION

Commissioner Hancock moved to Receive and file.

Commissioner McGinn seconded the Motion.

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

Regular Meeting, May 17, 2000

VOTE

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

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

M. RESIGNATION OF DEANNA S. WHEELER FROM APPOINTMENT TO THE METROPOLITAN AREA PLANNING COMMISSION.

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "I would ask that you accept this resignation."

Chairman Winters said, "Commissioners, we have a resignation of Deanna Wheeler from MAPC. What's the will of the Board?"

MOTION

Commissioner Hancock moved to Accept the resignation.

Commissioner Sciortino seconded the Motion.

Chairman Winters said, "Any additional discussion?"

Commissioner Hancock said, "Just one thing. I don't suppose Deanna is watching this morning. She's very busy but if she is, I want to thank her for her time. Service on the Metropolitan Area Planning Commission is very demanding and one of the most important functions we can make appointments for. She's done a wonderful job. Just want to thank her very much and hope that I can find someone that's just as good as she is. It will be very difficult to fill her shoes."

Chairman Winters said, "All right. Thank you, Commissioner. Is there any other comments? We have a Motion. Call the vote."

Regular Meeting, May 17, 2000

VOTE

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

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

N. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MAY 11, 2000 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the May 11th meeting of the Board of Bids and Contracts. There are two items for consideration this morning.

**(1) ROAD IMPROVEMENTS- PUBLIC WORKS
FUNDING: SALES TAX**

"Item one, various road improvements for Public Works; project #612-11. It was recommended to accept the low bid of APAC Kansas, \$584,736.60.

**(2) RECYCLED CONTENT BOND PAPER- DIVISION OF INFORMATION AND OPERATIONS
FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

"Item two, recycled content bond paper for the Division of Information and Operations. It was recommended to accept the low bid of Southwest Paper. That amount, \$22,050.

Regular Meeting, May 17, 2000

ITEMS NOT REQUIRING BOCC ACTION

**(3) CONSULTANT SERVICES WEAPONS OF MASS DESTRUCTION HAZARD
VULNERABILITY- EMERGENCY MANAGEMENT
FUNDING: EMERGENCY MANAGEMENT**

“There was just one item that was tabled for review and actually no proposals were received and that was a consultant for services weapons of mass destruction hazard vulnerability for Emergency Management. I’m working with Mr. Duncan and we will resolicit proposals in the near future.

“I’ll be happy to take questions and would recommend approval of the Minutes from the Board of Bids and Contracts.”

Chairman Winters said, “All right, thank you. Commissioners, we have two items on this Board of Bids and Contracts. What’s the will of the Board?”

MOTION

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

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

Regular Meeting, May 17, 2000

CONSENT AGENDA

O. CONSENT AGENDA.

- 1. 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>
V96042	\$229.00	\$233.00
C97037	\$325.00	\$335.00
C93063	\$302.00	\$302.00
V2032	\$370.00	\$354.00
C2017	\$270.00	\$585.00
C950129	\$42.00	\$214.00
V99050	\$205.00	\$206.00
V99056	\$71.00	\$275.00
C98014	\$000.00	\$241.00
V99065	\$150.00	\$575.00

- 2. Agreement with Mennonite Housing Rehabilitation Services, Inc. providing Community Developmental Disability Organization status.**
- 3. Order dated May 10, 2000 to correct tax roll for change of assessment.**
- 4. Plat.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 1999 and prior years are paid for the following plat:

Duncan Corner Addition

Regular Meeting, May 17, 2000

- 5. General Bills Check Register of May 12, 2000.**
- 6. Budget Adjustment Requests.**

Mr. Buchanan said, “Commissioners, just a comment on the last issue. It should be noted that the bond paper was recycled content. I believe that content was 30%. It’s kind of a new area that we’re going into and we expect results but it continues to be our effort to trim our waste and continue to try to be responsible for what occurs in the waste stream.

“You have the Consent Agenda before you, and I would recommend you approve it.”

MOTION

Commissioner Gwin moved to Approve the Consent Agenda as presented.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, “Is there other business to come before this Board?”

Mr. Euson said, “Last week I’d asked for an Executive Session regarding matters pertaining to adult entertainment. I am going to request that we not have that. The process of developing the adult entertainment regulations is a very difficult one. It seems to me that the more that I talk about the process and the more that I talk about the substance of it, the more questions are raised and I don’t think it’s in the best interest of the County to discuss those questions. I think we need to develop these regulations in the manner in which we develop other regulations and not treat adult entertainment regulations any differently. So, I would like the opportunity to continue to work with Commissioner Sciortino in furthering

Regular Meeting, May 17, 2000

this process but I don't believe that it is necessary to have an Executive Session regarding this item."

Chairman Winters said, "All right. Commissioner Sciortino."

Commissioner Sciortino said, "Well, I'm glad that Mr. Euson explained that because I was getting a little confused about when we were going to get the recommendations. Just publicly, I want to state one more time, I mean, there were over 1,400 constituents express a grave concern for these type of businesses being in a close proximity to schools, churches and residential areas and I, for one, wholeheartedly agree with their position. I don't think these type of businesses need to be in this close proximity. I ask you to bear with us a little bit. I understand there's a need to be methodical on this because I want to make sure that whatever we ultimately decide to do will stand up in court and stand that test because I don't want to jump in and do something and then the public feel that we've solved their problem and then some judge throws it out. Whenever this large of a group of people come and ask us something I'm always going to be somewhat outspoken on this and continue to do so until this matter is resolved. So, bear with us just a little bit longer but we're going to be working on this in a timely manner."

Chairman Winters said, "All right, thank you, Commissioner. Commissioner Hancock."

Commissioner Hancock said, "Thank you. I'm going to have to admit that . . . it's fine. I'm a little bit confused. I know that in these discussions we've been considering the legal aspects, as far as law suits are concerns and no doubt, any action that we take will generate one. It's been my experience, in the past, each time that at least one has been filed somewhere. It's one of the most difficult issues and most exasperating issues I've ever had to deal with, as far as Commissioners concerned. But I presume anytime that we discuss this, Richard, that it would be within that parameter of what we are about to do will probably generate some kind of legal action that we'll be forced to defend. Is that probably the case?"

Mr. Euson said, "It may or may not. Any decision you make, in regard to regulation has some legal impact. Those impacts need to be considered in a proper setting before you can publicly consider what to do with your options."

Commissioner Hancock said, "So, what you're saying is that you will work to bring us back either a regulation or a suggestion for one to deal with issues at hand and then have us consider it here in a meeting? I'm not sure I know where we're headed."

Mr. Euson said, "Well, I'm been purposely vague about it. I don't think it's appropriate for public

Regular Meeting, May 17, 2000

discussion at this point. It's not the way we develop regulations. I'll discuss it, of course, if the Board wishes."

Commissioner Hancock said, "I understand. Very good. Well, I was just wanting to clarify what our procedure is going to be. The issue is, as Commissioner Sciortino has stated so well, we have a situation where adult entertainments have seemed to have cluster around a community that has to deal with it too close to churches, too close to schools, too close to other businesses and residential areas and we're just trying to solve a problem that we wish didn't exist. I appreciate the effort and hopefully we'll be successful."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. I agree with where Mr. Euson is going with this. I don't believe we need to change our policy on dealing with regulations on the adult entertainment than we would any rules and regulations and I'm happy to see that he's going that way. I could be naive. I mean, it would be great if we could just sit down and get them to voluntarily agree to get the heck out of there but I don't know that would bear merit but, anyway, I hope that we can get, at least the recommendations to us as quickly as possible and that I can get some consensus support on this Board to go forward and try to resolve the problem that is of concern to a great number of people in the area. So, thank you."

Chairman Winters said, "All right, thank you. Is there any other business to come before this Board? If not, I'll adjourn the Regular Meeting of the Board of County Commissioners."

P. OTHER

Q. ADJOURNMENT

Regular Meeting, May 17, 2000

There being no other business to come before the Board, the Meeting was adjourned at 10:55 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

CAROLYN McGINN, Chair Pro Tem
Fourth District

BETSY GWIN, Commissioner
First District

BILL HANCOCK, Commissioner
Second District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 2000