

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

### **REGULAR MEETING**

**MAY 10, 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 10, 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; Ms. Dorsha Kirksey, Director of Housing and Community Services, Department on Aging; Mr. John Burkhart, Project Manager, Crisis Intervention Services, COMCARE (Comprehensive Community Care); Mr. Chris Chronis, Chief Financial Officer, Division of Finance; Ms. Michelle Daise, Assistant County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. John Nath, Director, Kansas Coliseum; Mr. Randall C. Duncan, Director, Emergency Management; Ms. Susan Erlenwein, Director, Environmental Resources; Ms. Deborah J. Donaldson, Director, Division of Human Services; Mr. David Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Linda Leggett, Deputy County Clerk.

### **GUESTS**

Mr. Joe Norton, Bond Counsel, Gilmore & Bell, PC.  
Ms. Connie Masters, 1526 Rockwood Blvd., Mulvane, KS.  
Ms. Vicki Shepard, Director, Tri-County Senior Center.  
Ms. Kathy Knak, Downtown Senior Center, Senior Services Inc.

### **INVOCATION**

The invocation was given by Reverend Jerry Calvert of Trinity United Methodist Church.

### **FLAG SALUTE**

### **ROLL CALL**

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

**CONSIDERATION OF MINUTES:           Regular Meeting, April 19, 2000**

## Regular Meeting, May 10, 2000

The Clerk reported that all Commissioners were present at the Regular Meeting of April 19, 2000.

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

### MOTION

Commissioner McGinn moved to approve the Minutes of the Regular Meeting of April 19, 2000.

Commissioner Sciortino seconded the Motion.

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

### VOTE

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

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

### YOUR COUNTY SERVICES

#### **A. DEPARTMENT ON AGING.**

**Chairman Winters** said, "Each week, we have decided that we'll take a few minutes to spend some time discussing one of the various County Departments and the function that they provide citizens of Sedgwick County. This morning we're glad to have the Department of Aging here."

**Ms. Dorsha Kirksey**, Director of Housing and Community Services, Sedgwick County Department on Aging, greeted the Commissioners and said, "I'm here to talk a little bit about who we are as a department, what we do, and why there is a need for us to exist. It is real fitting that we're doing this today because May is National Older Americans Month, which is a time we've set aside to celebrate the contributions of older adults in our community."

## **Regular Meeting, May 10, 2000**

### **POWERPOINT PRESENTATION**

"First of all, who we are, the Sedgwick County Department on Aging is also part of the Central Plains Area Agency on Aging, along with Harvey and Butler Counties. Sedgwick County is the lead agency in that partnership and we do administer the Central Plains Area Agency on Aging, or CPAAA as we like to call it. CPAAA and over 600 other AAA's across the nation were created in 1965 as a result of the Older Americans Act. So, the Central Plains Area Agency on Aging is one of, as I said, over 600 area agencies on aging across the nation. We are one of eleven AAA's here in Kansas.

"We talk about who we are. Of course, we have to talk about funding and our programs. We are able to receive monies from three different sources here at the Sedgwick County Department on Aging. First of all, we get money from the federal government, and through that, we are able to administer the Older Americans Act and Home and Community Based Services Programs, which we'll talk a little bit about in a few minutes. We also receive state monies. Through that, we are able to provide the Senior Care Act and Income Eligible Programs. Then, of course, we receive local dollars, our mill levy dollars here in Sedgwick County that allow us to provide services for residents here in Sedgwick County. Harvey and Butler County also receive mill levy money, which allows them to serve their residents in those counties.

"The mission of the Sedgwick County Department on Aging is to be the recognized channel to a collaborative continuum of care, assisting older adults and persons with physical disabilities to maintain their choice of lifestyle. We propose to do that through education of older adults, of care givers, of the general public, because we are all aging, through advocacy efforts, and through services.

"What we do: we do several things, but in a nut shell, we provide case management, community services, and in-home services. Now when we talk about case management, case management is a very vital service because it is the bridge between our most frail older adults and the services they need. Once a person has been given a case manager, whenever they have a need, all they have to do is make one phone call to that case manager and then the case manager does all the leg work. The case manger makes sure that they can access the services that they need. So that is a very vital service.

## **Regular Meeting, May 10, 2000**

"I'll talk a little bit more about community services and in-home services. Community services include things like transportation, which we all know is a real issue across our nation, providing public transportation that is adequate. We are on the cutting edge here in Sedgwick County with our transportation brokerage. So with that, we are able to provide transportation to older adults, to persons with physical disabilities, and to those individuals that are just in the rural areas of Sedgwick County and do not have other transportation options. So that is a really great program that we're very proud of.

"Also in community services, we provide health screening and counseling services, information and assistance, which is part of what I'm doing today, getting out there and letting people know about the services that are available and then helping them access those services. Service coordination is another gap filler. It fills that gap between information and assistance and case management. It is for those individuals who need more than a phone call but they're not at the level of needing case management services yet. So our service coordinators are able to provide some personal information sharing, one-on-one, short-term, with those individuals that need that service.

"Senior centers, and we're going to be providing a Proclamation today for Senior Center Week and so I'll let them expound on that, but they are another very vital part of the aging network. In-home services, we have minor home repair and with minor home repair we're able to go out and assist those individuals who need some sort of modification to their home to help them be able to remain in their home. Then, of course, meals, we all need to eat, and so through meals, we're able to provide those meals that we take to the home, such as programs like Meals on Wheels. We're also, under that, have our congregate meal sites, or meal sites that those individuals who are able to still get out can come and have some fellowship with some other people their age with the same interests.

"We have chore and pest control. Pest control is kind of self explanatory, but the chore service is a one time, once a year deep cleaning of someone's home. As we get older, we notice that we're sometimes not able to do those little small things that over a period of time can really build up and become big things. So that's how we're able to address those needs.

"Then, legal services we're able to provide. Also in that are attendant care services, things like medication management, administering medication, helping folks possibly bath or something like that. Home maker services, which we can come in and prepare light meals, do some light housekeeping, laundry, things of that nature. We're also able to provide respite services to give those care givers a much needed break under that service.

## **Regular Meeting, May 10, 2000**

"We are not a huge department, so we're not able to send people out to provide all these services. What we do is we provide a few of those ourselves, such as service coordination, case management, information and assistance, and transportation. But for the rest of those services, we contract with local agencies who are the experts in those fields. We allow them to go out and provide those services for us.

"Finally, as we examine aging in the new millennium, we have to take several things into consideration. First of all, the older population, or those individuals 65 years of age and older, are the fastest growing segment of our population in the United States. With that, folks are living longer. We're seeing many more centenarians or those folks who have reached the age of 100 or more. So when we look at those two facts, it goes to say that we need to talk to people and educate people about how to age healthy, how to stay as healthy as possible for as long as possible. Then, the new older adult, as we see the baby boomers moving into that older adult range, we've noticed that they have different needs. They're making different demands on our system. So we have to make sure that we remain creative in our service delivery.

"In conclusion, I'd like to say of course that if anyone would like to contact us about accessing any of our services, they can do so by calling our information and assistance number, which is 383-7824. We'd be glad to give them any information they may need and help them get into that aging network of services. That concludes my presentation. I'd be glad to entertain any questions at this time, Commissioners."

**Chairman Winters** said, "All right, Dorsha. It was a very good report. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. One advantage and the only thing worse than getting old is to have already arrived. I found that it is a lot easier to be pushing 50 than to turn around and start pulling it. I want to ask you this, to expand a little bit on the transportation thing because that kind of intrigues me. Can any senior citizen avail themselves of this service or is there an income level of anything? What happens there?"

**Ms. Kirksey** said, "Any senior citizen can avail themselves of that program. The difference in that is that that transportation brokerage, what makes it so unique is that it receives funds from a number of different sources. So they're able to, according to the person's situation, access different services to help with the costs of that transportation so that usually a person is not paying more than about \$2.00 per way per ride."

**Commissioner Sciortino** said, "So we do, for a nominal fee that the individual is charged. Like if they live in Derby and they want to go to the Extension Office for a program or something, there is a nominal

## Regular Meeting, May 10, 2000

fee charged, maybe based on the distance, too?"

**Ms. Kirksey** said, "Based on their income status is what we base that on. There are a number of different reasons, for socialization, for doctor appointments, things of that nature. So it is really a great program."

**Commissioner Sciortino** said, "So, there is no denial of any senior, but based on their income level, there could be a modest charge."

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

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

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

**Commissioner McGinn** said, "Thank you for taking a portion of my question. Let seniors go first."

**Commissioner Sciortino** said, "I was going to say age before beauty."

**Commissioner McGinn** said, "I do want to go ahead and talk just a little bit more about transportation. You said it was on the cutting edge. To me, that sounds like maybe we're one of the few counties in the nation that are doing this?"

**Ms. Kirksey** said, "Yes, we are. We are one of the few counties in the nation. We are a model for the rest of the nation, in this regard. Our director of our transportation brokerage has been going around the nation, at different conferences and things, and telling people about our program. They are very interested. Many of them are studying our model and modeling their system after ours."

**Commissioner McGinn** said, "And how many years have we been into this?"

**Ms. Kirksey** said, "Into the transportation brokerage? The actual brokerage has been into affect for about two years now. We were providing transportation before that, but not in that manner."

**Commissioner McGinn** said, "And then, I guess, the last thing, it was interesting to me to hear that the ride system has more to do with your income status than it does the distance of where you want to go."

## **Regular Meeting, May 10, 2000**

**Ms. Kirksey** said, "That's correct. The distance has no bearing on that ride at all or on the cost at all."

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

**Chairman Winters** said, "Thank you. Two quick comments I guess I'd like to make. One, I think it is important to remember that years ago the citizens of Sedgwick County voted that we do have a mill levy dedicated to senior citizens in Sedgwick County. I think it indicates that all of our citizens want to do the best we can for our senior citizens in making their senior years the best they possibly can be. I think we're glad to be part of that. We kind of, in a sense, are just a mechanism to really deliver a service the citizens have said they want to provide. Secondly, could you just give your phone number again. If there are seniors out there watching today and saw those lists of opportunities or programs that we're involved in and they wonder if maybe they're eligible for some of that and they're not taking advantage of that now, could you just give your phone number a couple of times and encourage people to call and ask about their particular circumstance?"

**Ms. Kirksey** said, "Sure, that number again is 383-7824."

**Chairman Winters** said, "Very good. That is the Department on Aging."

**Ms. Kirksey** said, "Yes, it is. The Department on Aging, those are our information and assistance specialists. They can tell you everything you need to know."

**Chairman Winters** said, "One more time on the phone number."

**Ms. Kirksey** said, "383-7824."

**Chairman Winters** said, "Thank you very much. It was a very good report and Annette Graham, who is the Director, is in the audience this morning. Annette, thank you for all you and your staff do to support the senior citizens of Sedgwick County. Thank you very much. Next item."

**Regular Meeting, May 10, 2000**

**PROCLAMATIONS**

**B. PROCLAMATIONS.**

**1. PROCLAMATION DECLARING MAY 14-20, 2000 AS "SUICIDE PREVENTION WEEK."**

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

**PROCLAMATION**

**“WHEREAS**, there are more than 30,000 reported suicide deaths in this nation every year. The majority of persons who die by suicide use a handgun or rifle to kill themselves; and

**WHEREAS**, most suicides occur in homes, and guns stored in the home are used for suicide 40 times more often than for self-protection; and

**WHEREAS**, the risk of human self-destruction can be reduced through awareness, education, and treatment; and

**WHEREAS**, it has been acknowledged that suicide is a major health problem and support must be given for educational programs, research projects, intervention services, and hand-gun legislation.

**NOW THEREFORE BE IT RESOLVED**, that Tom Winters, Chairman of the Board of Sedgwick County Commissioners, does hereby proclaim May 13-20, 2000 as

**“SUICIDE PREVENTION WEEK”**

in Sedgwick County.

"Here to accept this morning is John Burkhart. He is the project manager for our Crisis Intervention Services at COMCARE."

**Chairman Winters** said, "Thank you. Commissioners, you've had an opportunity to hear the

**Regular Meeting, May 10, 2000**

Proclamation, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to adopt the Proclamation.

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, "Welcome, John."

**Mr. John Burkhart**, Project Manager, Crisis Intervention Services, COMCARE (Comprehensive Community Care), greeted the Commissioners and said, "Thank you for this opportunity to be here and visit with you for a few moments about a very serious topic, as you can already tell from the Proclamation. Suicide definitely is a major concern in our country and in our community. The Surgeon General has declared it a major health problem, and rightfully so when we stop to realize it is the eighth leading cause of death among all individuals and the third leading cause of death among young people between the ages of 15 and 24. Additionally, we know in our country that over three fourths of a million people attempt suicide annually. So it impacts us across the board and certainly impacts us here in our own community.

"Here in Sedgwick County, during the 1990's, we have seen suicide deaths ranging between 40 to 45 annually throughout that decade. If there is any positive side to that, I guess it is to look at the fact that we have seen an increasing population base. We also know that there is an increased reported number of attempts. So hopefully some people are being helped and intervention being done along the way.

## **Regular Meeting, May 10, 2000**

"Our program, Crisis Intervention, is the suicide prevention service for the community. We're there 24 hours a day, staffed with mental health professionals from COMCARE. This past month, April, was our busiest month on record. We processed 3,818 calls, through our crisis lines, during that month. Of that number, over 200 of them were individuals where the primary concern was suicidal risk. That was number one as far as what needed to be done at that time. Fortunately, most of those individuals were calling us or being referred to us at a point where they had not already harmed themselves. We were able to provide services, offer them alternatives. However, in some cases, our moment of getting involved with them occurs during the time that the suicide attempt is happening or following it. During those times, we work very closely with 911, law enforcement, and EMS (Emergency Medical Services) to provide the kind of services and responses necessary to help the individual.

"Suicide is often, but not always, a preventable death. Certainly, one of the keys is what we find here today, this Proclamation, an opportunity to remind the community to do some public awareness as to the seriousness of this topic and to alert them to the availability of services. I do appreciate this Proclamation and appreciate the support that you've shown for our program."

**Chairman Winters** said, "Thank you very much, John. We do appreciate your work and all of the staff who work with you. It is very important business. Please accept our appreciation for the work that you do. Thank you. Next item."

### **2. PROCLAMATION DECLARING MAY 14-20, 2000 AS "SENIOR CENTER WEEK."**

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

### **PROCLAMATION**

**WHEREAS**, Older Sedgwick County citizens are significant members of our society, investing their experience and wisdom to help enrich and better the lives of younger generations; and

**WHEREAS**, the 20 Sedgwick County Senior Centers served 4,090 residents fifty-five years and older in 1999; and have acted as a catalyst to bring together the creativity, understanding, energy, vitality and commitment of the older residents of Sedgwick County; and

**Regular Meeting, May 10, 2000**

**WHEREAS**, through the wide variety of services, educational programs and activities, Senior Centers empower older citizens of Sedgwick County to contribute to their own health and well-being and the health and well-being of their fellow citizens of all ages; and

**WHEREAS**, the Sedgwick County Senior Centers affirm the dignity, self-worth, and independence of older persons by assisting them in their decisions and actions; focusing on their experiences, skills and knowledge; and encouraging their continued contributions to the community.

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

**“SENIOR CENTER WEEK”**

and call upon all citizens in Sedgwick County to recognize the special contributions of the Senior Center participants, and the special efforts of the staff and volunteers who work every day to enhance the lives of the older citizens of our community.

"We do have Vicki Shepard from Tri-County Senior Center and Kathy Knak from Senior Services Incorporated here to accept the Proclamation."

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

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

## Regular Meeting, May 10, 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, "Vicki and Kathy, please step forward and introduce yourselves for the record. Please give us a few comments."

**Ms. Kathy Knak** said, "Good morning and thank you for recognizing us here. I'm Kathy Knak. I'm from the Downtown Senior Center, Senior Services, Inc."

**Ms. Vicki Shepard** said, "I'm the Tri-City Senior Director for Maize, Bel Aire and Park City. I'm here to represent the rural areas in Sedgwick County. I, too, would like to thank you for this Proclamation. I think this very much shows the importance of Senior Centers and the services and programs that we provide. I want to thank you for that. Thank you."

**Chairman Winters** said, "All right. Kathy, anything else?"

**Ms. Knak** said, "Just that we really appreciate it. I know our participants appreciate the support. The centers provide many services, information, activities, educational activities, such as computer classes to exercise classes. We really appreciate your support."

**Chairman Winters** said, "All right, very good. A couple of quick comments, Commissioners and for those watching, we all remember last year that Vicki has certainly got a couple of hundred folks at least that think she is about the best thing that ever happened at a senior center. During budget time last year, they were here telling us about the work that she did. We're certainly enthusiastic about keeping her on board. Again, Vicki, you certainly do have a lot of good supporters."

"If a senior citizen is out there today and is not participating in any senior activities and wonder if there is someplace they could get hooked in to an activity, what should they do? Who should they call? We had a report by our Department on Aging and they can of course call that number, but are there other numbers

## Regular Meeting, May 10, 2000

or are there other places they could get in touch with people?"

**Ms. Shepard** said, "I believe all the senior centers are listed in the telephone director under their location and their area. You don't have to live in my area for me to help you. My number is 744-1199. If I can't help you, I'll refer you to someone else. Please, anybody who is interested in activities or even trying to find services or information resources, we're there to help you for anything we can."

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

**Commissioner Sciortino** said, "I just want to know, do you ever have pot-luck lunches and things?"

**Ms. Shepard** said, "Yes, we do."

**Commissioner Sciortino** said, "Do you want to let me know when?"

**Ms. Knak** said, "At the Downtown Center, we've been having a monthly lunch. We're not a nutrition site so we don't do a daily lunch. We have potlucks whenever."

**Commissioner McGinn** said, "Do you want to give the downtown number, too?"

**Ms. Knak** said, "It is 267-0197."

**Chairman Winters** said, "Thank you very much, for all of the work you both do in the community. It is very important and we appreciate your work. Thank you. Next item."

### APPOINTMENT

#### **C. RESOLUTION APPOINTING DR. DELORIS CRAIG (BOARD OF COUNTY COMMISSIONERS' APPOINTMENT) TO THE COMMUNITY CORRECTIONS ADVISORY BOARD.**

**Mr. Richard A. Euson**, County Counselor, greeted the Commissioners and said, "We've prepared this Resolution, which is a reappointment of Dr. Craig for a two year term to this board. I recommend it for your approval."

**Regular Meeting, May 10, 2000**

**MOTION**

Commissioner Hancock moved to adopt the Resolution.

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, "I'll just make the comment that Dr. Craig is a very good member of this board. She works on a lot of projects for Sedgwick County and has been very helpful in all of our criminal justice issues, both adult and juvenile. We have a Motion and second, any other discussion? Seeing none, call the vote."

**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, "I don't see Deloris in the audience. She's not here, is she? No. Next item."

**PUBLIC HEARING**

**D. PUBLIC HEARING AND RESOLUTION REGARDING PROPOSED SPECIAL ASSESSMENTS FOR CERTAIN INTERNAL IMPROVEMENT PROJECTS IN THE COUNTY.**

**POWERPOINT PRESENTATION**

**Mr. Joe L. Norton**, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "You may recall, annually, we go through a special assessment process for various public improvements which

### **Regular Meeting, May 10, 2000**

have here fore been adopted and approved by the Board of County Commissioners, have been constructed, and are now at a point in time when we're ready to spread the cost of these improvements.

“As you may recall, on April 19 of this year, we brought before you a list of those projects and asked you to establish today's date and time for a public hearing in which those members of the public who are affected directly by these improvements will have the opportunity to address the Board of County Commissioners should there be any particular questions that they have. On April 28 of this year, a notice of this public hearing was published in the official County newspaper and an individual notice of the public hearing, as well as an amount proposed to be assessed for each of these projects, was mailed to each affected property owner. Today, we're asking for your consideration of holding that public hearing.

"The agenda does also talk about adopting a resolution, we'll discuss that here in a few moments. We're going to recommend maybe that the item be deferred for one week. As you may know, all across the country and especially here in Sedgwick County we've had some computer virus difficulties during the last week and as we're trying to refine some of these numbers and make sure they're accurate, we've had some difficulties in doing that. I think that on many projects we feel comfortable. We have the numbers but there are half a dozen or so that we're within two or three percent. We're just not quite sure at this point in time what that final number is so we're not going to ask you to finally approve these, but the numbers we have before you today are very close to what we think the finals will be and won't vary in any material aspect with respect to that problem. There is one project which we know we need to make an adjustment to that we will discuss.

"At the conclusion of this public hearing, after consideration next week of the assessment resolution should that be adopted, then that resolution will be published on the 19th of May and additional notice will be mailed to each of the affected property owners advising them of their actual special assessment and giving them a 30 day period in which to make a payment against that special assessment. If no payment is made or a partial payment is made, then the County will issues it's General Obligation Bonds and spread this assessment for 15 years on the tax rolls at the rate of interest in which the County receives on its General Obligation Bonds, which we anticipate to be sold in July of this year.

"I would like to point out that these costs statements have been prepared in conjunction with the Department of Finance and the Department of Public Works. I think representatives from Public Works are here to answer questions, should you have those. I would also like to note, a couple of people who

## **Regular Meeting, May 10, 2000**

worked into the wee hours of the morning getting these ready, Karen Bailey of Public Works and Robin Busenitz of my office did a yeoman's job of getting these ready today for the meeting. I'd like to acknowledge them.

### **SLIDE PRESENTATION**

"There are eleven projects for which we are going to talk about today. They are listed on the screen before you. What I would propose, if the Chairman would acknowledge this request, is that we will take each project separately, giving those persons an opportunity to address those if they have their questions or comments. That way they won't be confused about which project we are talking about. If that is agreeable with the Chairman, I would suggest that we open the public hearing and then I'll give a brief bit of information about each project and give the public the opportunity to address the Commission, if they desire."

**Chairman Winters** said, "Thank you. One more bit of clarification then. These will be the street projects, and then it is our intention, after we've had this public hearing, we'll recess into the Sewer District and we'll conduct hearings for anyone wanting to discuss the sewer projects."

**Mr. Norton** said, "That is correct and there are many projects that have both streets and sewers."

**Chairman Winters** said, "Okay. At this time, we will open the public hearing. Joe, will you please continue?"

**Mr. Norton** said, "The first project is the street improvement in Balthrop Addition. We'll kind of use this format throughout the public hearing. That is an area of the County that is located north and east of the intersection of Central and Greenwich Road, as indicated on the map. It is a very large project, as you may recall, in various phases. What we are talking about today is Phase 3, which is more towards the upper right or eastern portion of that map.

"The cost that we have for your consideration today lists a variety of things, construction, consultant fees, internal County expenses, bond issues, expenses, and so forth. The number we're focusing on is in green on the screen, which is the benefit district share, which is \$40,325.03. There are 205 parcels within this proposed addition to be assessed for this project. One hundred eight two (182) of those parcels are residential lots, which have an assessment of \$65.78 per parcel. Then there are several larger duplex or

### **Regular Meeting, May 10, 2000**

commercial tracts that range in size from \$460.48, one about \$4,000, one about \$7,000, up to a large tract of about \$14,143 for a church in that area. I might add that this project, as well as each of the projects we will discuss today, were initiated by a petition signed by 100% of the owners of property within the benefit districts requesting that these improvements be made and their property be assessed with the costs. Now it would be appropriate to hear from the public, for anyone that wants to discuss this Balthrop Addition streets."

**Chairman Winters** said, "Is there anyone here who would like to address the Commissioners concerning Balthrop Addition, Phase 3? Anyone here? Seeing no one, we'll continue."

**Mr. Norton** said, "The next project is a street improvement project in Belle Terre South Addition. As indicated on the map, this is at the northwest corner of the intersection of US 54 Highway and 159th Street East. There are actually two projects that we're going to talk about here.

"The first one is a Phase 4 improvement, which is basically an internal road. That is the area depicted in blue for those road improvements and the properties that abut that are within this proposed benefit district. The total cost of this project including all factors listed on the screen, again in green is the benefit district's share of \$343,080.36. There are 37 parcels of land within the benefit district, 36 of them are residential. They have an assessment of \$8,168.48. There is one large commercial tract that is assessed at \$49,011.48."

**Chairman Winters** said, "Can we ask for both of these at that time?"

**Mr. Norton** said, "We can go on to Phase 5 if you'd like, right now."

**Chairman Winters** said, "Why don't you do Phase 5, too."

**Mr. Norton** said, "Phase 5 is basically the entire Belle Terre South street improvements. The actual project for which we are going to assess is better seen on the map there in the red. This is paving a portion of 159th Street East, as well as in the lower left hand corner of the map, doing a bridge, provides additional entrances to this subdivision. Those costs are to be spread over the entire subdivision. The total costs of this improvement is \$836,246.35. There are 181 parcels within the benefit district, most of which are residential lots that are assessed about \$1,151.85. There are some larger commercial tracts that abut Kellogg to the south of this project. Their assessments range from \$31,000. There is one at about \$71,000 up to a large commercial tract that is assessed \$264,926.52."

### **Regular Meeting, May 10, 2000**

**Chairman Winters** said, "All right. Is there anyone here who would like to address the Commission concerning Belle Terre South Addition, Phase 4 or Phase 5? Anyone wanting to address the Commission concerning Belle Terre South? Seeing no one, we'll continue."

**Mr. Norton** said, "The next project is the only project in this series in which the costs are apportioned between the County at large and the benefit district. This is a payment of costs of the newly constructed interchange at K-96 and Greenwich Road. The proposed benefit district is all commercial property. There are varying sizes of lots. Basically, the assessment is on a fractional basis depending upon the size of the lot as it relates to the entire benefit district. The apportionment of cost, as you see on this map, there are two items to look at. The benefit district's share of \$605,013.83 is one half of the total cost of \$1,210,027.66. This is a project which was petitioned and the Board of Commissioners approved to share the cost of this interchange 50% each to the County and to the benefit district that abuts this interchange.

"There are 11 parcels within the benefit district. The amount of assessment is based on the relative size of those lots. They range from about \$9,600 up to a large tract of about \$197,235."

**Chairman Winters** said, "Is there anyone here who would like to address the K-96 and Greenwich interchange? Seeing no one, please continue."

**Mr. Norton** said, "The next project is Regency Lakes Commercial Addition, drainage improvements. This is a companion project to the K-96 Interchange that provides some drainage improvements in this particular area. Again, at approximately 21st Street North and Greenwich Road, 111th Street is shown on the map. Again, the proposed benefit district is like it was on the previous project. The method of assessment again is based on shares depending upon the size of the project property as it compares to the benefit district. The total cost of this improvement is \$388,866.17. Again, 100% to be assessed to the property. Depending upon sizes, those assessments range from about \$7,200 up to approximately \$150,000 for the larger commercial tracts."

**Chairman Winters** said, "Is there anyone here who wants to address the Commission on Regency Lakes Commercial Addition Drainage Project? Seeing no one, please continue."

### **Regular Meeting, May 10, 2000**

**Mr. Norton** said, "The next project is street improvements in Sand Pointe Addition. This is located south and west of the intersection of 63rd Street South and South Hydraulic. This is a residential community. You can see the benefit district's map that is created before you. The total cost of the improvement is \$139,359.70, as depicted in green under the benefit district share. There are 20 parcels in this benefit district. The proposed method of assessment is equally per parcel, which results in a cost of a little bit less than \$7,000 per parcel."

**Chairman Winters** said, "Is there anyone here who would like to address the Commission on Sand Pointe streets? Seeing no one, please continue."

**Mr. Norton** said, "The next two projects are an area of the County known as Savanna at Castle Rock Ranch 9th Addition. This is an area of the County located north and east of 143rd Street East and 13th Street North. For the general phase addition, the benefit district map is before you. Basically, it shows various phases of improvements but almost every parcel within this tract is therefore a general phase of improvement of streets. Again, we're talking about lead-in streets from 143rd Street that benefit the entire project subdivision. That cost of that project is approximately \$267,421. There are 47 parcels equally sharing the cost for an amount of approximately \$5,690 per parcel."

"Here is the Phase 1 street additions. Again, the same area that we talked about before. This is a new set of numbers that benefit individual internal residential streets in front of these properties. That project cost is \$139,356.18 as depicted in the green benefit district share item. There are 17 parcels within that subdivision equally sharing the cost, resulting in a amount of approximately \$8,200 per parcel."

**Chairman Winters** said, "So, we have two projects at Savanna at Castle Rock?"

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

**Chairman Winters** said, "Is there anyone here who would like to address the Commission regarding either of the projects at Savanna at Castle Rock? Seeing no one, please continue."

**Commissioner Sciortino** said, "Could I just see the map again where that is located?"

**Mr. Norton** said, "North of 13th and east of 143rd Street, right south of the railroad tracts, the Northern . . . There are several phases in that subdivision. This is one of the phases."

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

### **Regular Meeting, May 10, 2000**

**Mr. Norton** said, "The next project is Springdale East 2nd Addition street improvements. That is located south of 54 Highway, between 143rd Street East and 159th Street. The next map is the benefit district outlined in red, proposed to be assessed for this Phase 3 improvements in that particular subdivision. The total cost to be apportioned to the benefit district, \$182,565.36. There are 27 parcels equally sharing the cost, resulting in a principle amount of \$6,761.68 per parcel."

**Chairman Winters** said, "Is there anyone who would like to address the Commission concerning Springdale East? Seeing no one, please continue."

**Mr. Norton** said, "The next project is known as Gateway Center Addition street improvements. This is located east of Greenwich Road and south of 13th Street, adjacent to the K-96 Highway. This is a benefit district map. As you can see, there are tracts abutting both of those streets and one large commercial tract that will bear a major portion of the brunt of this assessment. The cost proposed to be assessed are \$46,510.61. Again, the 12 smaller parcels are assessed on the basis of their lot size. They range from about \$897 to about \$1,837. The large tract in the center of the development has an assessment of about \$34,943."

**Chairman Winters** said, "Is there anyone here who would like to address the Commission concerning the Gateway Center streets project? Seeing no one, please continue."

**Mr. Norton** said, "The next and final project in the street public hearing is for Arbor Lakes Estates street improvements. This is located south of Harry and west of 159th Street East, which is the County line. On the map before you is the benefit district, again, residential properties, proposed to be assessed for this street improvement equally. There are 30 parcels. This is the one project that I mentioned to you that there was discovered by the Finance Department of some additional project costs that were not included at the time that we mailed out the notice of public hearing. I thought I'd give you some relative comparisons here. This final project cost proposed to be assessed now is \$203,228.24 with an average cost per unit of about \$6,775. At the time that we mailed out the notices, we thought the project costs were \$196,441.30. So they've gone up about \$7,300. That results in a spread adjustment from about \$6,548 to \$6,774 or about \$230 per parcel of the 30 parcels proposed to be assessed these are for actual hard costs that were just not included at the time we had the notice of public hearing go out two weeks ago."

**Chairman Winters** said, "Is there anyone here who would like to address the Commission concerning the Arbor Lakes Estates Phase 3 street project? Anyone like to address the Arbor Lakes Estates Phase 3 project? Seeing no one, please continue."

**Regular Meeting, May 10, 2000**

**Mr. Norton** said, "At this point in time, I think it would be appropriate to close the public hearing. Again, as I mentioned before, in lieu of taking the recommended action on the agenda of adopting the assessment resolution, we would request a one week deferral on that so that the number we have before you at that time we are comfortable are accurate numbers. They will not vary by more than two to three percent in about a third of these projects. We just haven't had a chance to finalize those at this point in time. We would request your indulgence in that regard."

**Chairman Winters** said, "Before we close the public meeting, I'll just ask one last time. Is there anyone here who would like to address any of these street projects, if they wanted to address the Board of County Commissioners on any of these street projects that we have discussed? Seeing no one, we'll close the public meeting. Joe, any other comments, or what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to defer adoption of this Resolution for one week.

Commissioner McGinn seconded the Motion.

**Chairman Winters** said, "Joe, since we've had the public hearing, there will be no need for any additional public hearing or comment, we'll just make sure we've got all the numbers finalized?"

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

**Chairman Winters** said, "Commissioners, any other questions? Seeing none, call the vote."

**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 10, 2000**

**Chairman Winters** said, "Joe, since this is the advertised date for public hearing in the Sewer Department, it would be appropriate for us to recess this meeting and convene the Sewer District to hold public hearings there?"

**Mr. Norton** said, "I believe that would be correct. Thank you."

**Chairman Winters** said, "We will recess the Regular Meeting of the Board of County Commissioners."

**The Board of Sedgwick County Commissioners recessed to the Sewer District meeting at 9:50 a.m. and returned at 10:07 a.m.**

**Chairman Winters** said, "I'll call back to order the Regular Meeting of the Board of Sedgwick County Commissioners, May 10, 2000. Madam Clerk, I believe we're ready for Item E."

### **CITIZEN INQUIRY**

#### **E. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SEDGWICK COUNTY MENTAL HEALTH CARE GOVERNANCE.**

**Chairman Winters** said, "Thank you very much. Connie Masters, please come forward. This is the time on our County Commission agenda that if members or citizens of Sedgwick County wish to address the Board of County Commissioners, this is the time we allow for that to happen. If anyone else out there would like to address the Board, if they would contact the County Manager's office to schedule a time on the agenda, they're certainly welcome and free to do that. Please give your name and address for the record. Please try to limit your comments to five minutes."

**Ms. Connie Masters**, 1526 Rockwood Blvd., Mulvane, greeted the Commissioners and said, "I would like to thank you for the opportunity to hear my request today. My request today is for the Board of Commissioners to withdraw their current governing powers over the Sedgwick County Mental Health Care structure and reassign these duties to a mental health advisory panel, consisting of 14 appointed members by the Board of County Commissioners to serve a four year term.

"As nearly as possible, the 14 newly appointed Mental Health Governing Board would be represented by members of mental health organizations and advocacy groups, public health agencies, the medical profession, civil groups, business and education, consumers of mental health services, and other members appointed under provisions authorized by State and local mental health bylaws to serve at the pleasure of

## **Regular Meeting, May 10, 2000**

the Board of Sedgwick County Commissioners.

"The newly appointed governing board would adopt policies and procedures which would govern the board in all jurisdictions, powers, and duties in respect to Sedgwick County mental health care issues, clearly set out and differentiate the responsibilities, authorities, and roles of the members of the governing board, the officers of the center, and oversee the organization and operating procedures of the Sedgwick County mental health care system incorporated in accordance with State regulations, to address and ensure the provisions of adequate mental health services to the citizens of Sedgwick County and their families.

"I understand that the Board of County Commissioners has held the governing powers over the Sedgwick County mental health care system since around 1990. Prior to that, these duties were administered by a Community Mental Health Advisory Board. It appears that the transfer of powers to the County coincided with the implementation of the Kansas Mental Health Reform Act.

"The primary motivator of my request today comes after the death of my 19 year old son, Blake, while a COMCARE client, and the failure of public policy under our current mental health care system that preceded his death. Over the past five years, I've become aware of many deficiencies in the way our current mental health care system is currently structured. The legislative post audit committee recently conducted state-wide mental health performance audits and concluded that the need for major internal changes in the delivery of services under our current health care system.

"The committee reported that for fiscal year 1997, Kansas mental health centers spent an average of \$.58 per capita on administrative expenses for mental health programs. The report placed Kansas at 38th in the nation, with the national average being \$1.82 per capita. The post audit also revealed the Department of SRS planning, monitoring and evaluation of mental health programs has been hampered by a lack of reliable information from participating mental health centers about what services are being provided, who is getting them, and what those services cost.

"In the post audit analysis of 30 Kansas mental health centers, most centers withheld an average of 3.2 months in reserve funding. For fiscal year 1999, COMCARE withheld cash balances in reserve funding for 6.6 months. The legislative audit concluded that the system of grants that developed to fund the mental health centers appears to be more focused on perpetuating the status quo than on getting the funding to

### **Regular Meeting, May 10, 2000**

where the clients needs are. The result is a system in which money is unevenly distributed and lacks accountability for what services are provided to clients. Page 43 of the legislative audit.

"SRS audits in November of 1999 and January 2000 concluded that COMCARE returned over \$500,000 to the state in unspent mental health grant funding, including \$93,000 that had been earmarked for children's services. In return for grant funding, COMCARE and the County contractually agreed to accomplish specific amounts of service to this community, under provisions of the Mental Health Reform Act. It is a normal practice to set aside County grant funds for future expenses. However, if cash balances are excessive, centers may be holding funds that could be and should be used for providing additional mental health services.

"According to a recent COMCARE financial report, prior to late 1999, COMCARE's finances were accounted for in a hodgepodge of funds, departments, and programs. There is a pattern of critical deficiencies under our current managed care mental health system towards the most vulnerable citizens in Sedgwick County, with little or no. . ."

**Chairman Winters** said, "How much more do you have?"

**Ms. Masters** said, "I'm almost done."

**Chairman Winters** said, "Please continue."

**Ms. Masters** said, "Thanks. With little or no coordination in the deliver of mental health services. Intensive community outreach to the target population is non-existent. The Sedgwick County coroner's office report that in Sedgwick County we have a consistent yearly suicide rate of between 55 and 60 per year, at a per capita rate of 12%. Sedgwick County, therefore, ranks 20th in the nation with the highest county suicide rate. The average rate is 8% to 9% in comparison with similar counties.

"As stated in the legislative post audit report, state law requires an appeal process to be in place at both the local and state level to appeal mental health treatment decisions made for consumers. There is no such process in place and consequently sometimes consumers are left to their own devices. Mental health care should be in the interest of people with mental illnesses, not the system that serves them. My concern is that individuals with mental illnesses don't lose their lives in the only place designed to help them. The

## **Regular Meeting, May 10, 2000**

success rates for treating severe mental illness are very high and treatment works, if you can get it.

"I speak for my son today, when I request that the mental health governing powers be redelegated to a mental health advisory board that will plan, organize, administer and direct the activities of our mental health care system based on the needs of the citizens and community it is intrusted to serve.

"I believe addressing the mental health needs in this community warrants a full time position by an advisory board with primary concern being focused on community mental health issues for Sedgwick County citizens. In closing, I would like to extend my deep appreciation to the Board of County Commissioners for hearing my concerns and I am optimistic that the Commissioners will take appropriate action. If you have any questions, I'd be happy to try to address them."

**Chairman Winters** said, "I see no questions, but you do have our appreciation for addressing us and bringing this to our attention. We appreciate your coming. We appreciate your comments. Thank you very much for being here. Mr. Manager."

**Mr. William Buchanan**, County Manager, said, "If it would please the Commission, I'd like to take the opportunity to say a few things about Mrs. Connie Masters' comments."

**Chairman Winters** said, "Some comments now would be good. Thank you. That would be fine."

**Mr. Buchanan** said, "We've been in discussion with Connie Masters for the last six months, I think, and her father regarding the tragic situation that occurred. We continue to have these discussions about what the right approach might be from this point forward. Mrs. Masters addressed a couple of issues or points that I think need to be addressed. The first one is the governance issue. The governance issue has to do with should the Board of County Commissioners be involved in the governance of the mental health delivery system in Sedgwick County.

"Other models have had boards and agencies, an advisory board, a governing board, if you will, appointed by the Board of County Commissioners to administer the program. That board would come to you, try to obtain funds from you for their processes and projects and at the same time, try to get funds from SRS to try to deliver services. They would be appointed by you and could be removed by you, the Board, if they didn't satisfactorily perform. We know in the real world that once people are appointed to those boards, that removal is very difficult. That really only occurs when their term expires, usually, unless there

## **Regular Meeting, May 10, 2000**

are extraordinary circumstances.

"Appointees are very helpful to us in giving you advice but it seems to me to have full time elected officials, who can talk to constituents, who can understand their complaints, and can get a hold of staff who are responsible for those activities is a better governance model. I would suggest to you that people would be better served if more agencies would be directly responsible to the Board of County Commissioners. That is what democracy is about. Democracy is about the electorate having direct access to you and you being able to perform and make decisions about what needs to be done. So, the governance issue is one that we will look at and I will present a report to you and you may deal officially with her suggestion.

"The legislative post audit was interesting. As some of you know, we are in the process of preparing a staff briefing for you about what it said and how does it affect us and what will occur, and what we have learned from that because I think there are some interesting learnings. The State knows that we want to and I think we need to sit with the State and determine what are the appropriate levels of cash balances and what can they be used for and what are the rules, if you will, since there are none, of how we do that. So, we will be back to you shortly. I think that is scheduled either for next Tuesday or the following Tuesday to go over that post audit report.

"There has been a lot said about the \$500,000 that we had to return from Sedgwick County to SRS (Social and Rehabilitation Services). It was one of those business deals that SRS and the County sat down and negotiated how much money SRS would deliver to Sedgwick County for the closing of the state hospitals. People were removed from state hospitals, put back into the community. SRS recognized that there would be lots of up-front costs, that there would be lots of costs that would be spiked and then reduced and that would be phased in, because not all the folks would come from the state hospital back to the community at the same time. So, you'd gear up, in some cases to deal with some issues and spending a lot of money and other issues it would be a steady planned spending. Rather than creating a bureaucratic nightmare, the decision was that SRS would give us a bunch of money and say solve this problem and whatever is left over at the end of the process return what you haven't used and account for it and that was the deal that was struck at the beginning and that was the deal that we had in the middle and that was the deal at the end. It costs us less to perform the closing of state hospitals, particularly hospital closure and delivering people to the community and providing services than we anticipated. That's

## Regular Meeting, May 10, 2000

not a bad thing. That was the agreed upon deal with SRS before it was done.

"There was a suggestion about the numbers from the coroner's office. We have reviewed those numbers about how many suicides occur in this community. There are two different counts that we need to think about. The Mental Health Department counts suicides, the people who are residents in Sedgwick County who commit suicide. That is one number. The coroner's count is who commits suicide that we deal with. Some are out of County cases, some come to the hospital who died, who their offices deal with as a suicide, but are not Sedgwick County residents. That's why there are two separate numbers. So, we need to be careful when we're talking about suicide rates in Sedgwick County. Are we talking about the people who have committed or attempted to commit suicide in another County who are brought here to the hospital and then die, or who have come to our facility to be investigated. I would suggest that if we are going talk about the statistics about Sedgwick County we need to be talking about Sedgwick County residents who we are responsible for.

"So, I thought that might be helpful to discuss those issues. I will be back to you with a written recommendation about the governance issue within two weeks."

**Chairman Winters** said, "That sparked just a couple of questions with me, I guess. You mentioned that you do have some reports. Did you indicate the post audit report, that there was going to be feed back to us on that?"

**Mr. Buchanan** said, "Yes. We've all received copies of that, but I think it is important for us to sit in a public meeting and discuss what the findings were and what affect that may have had on Sedgwick County and how we might want to, with their recommendations, what our positions will be from this point forward."

**Chairman Winters** said, "Okay. I think that will be an excellent idea. I guess as just an overview, I think the Board of County Commissioners is, as a Board, we are committed to making COMCARE the best system that it can possibly be. I think that we have been involved in the past. We continue to be involved, but the way we do that is getting information and I think we need to do part of that in a public setting here at our Wednesday morning meeting to continue to work with improving that whole delivery of systems. I know that we're making some really very worthwhile changes in the operation there, particularly along the financial lines. I know that our Chief Financial Officer, Chris Chronis, is working closely with that group. I think we do need to have some feedback at our Wednesday morning meetings.

"Then the other comment that I had is, I guess, I'm interested in more information on the numbers on the

## **Regular Meeting, May 10, 2000**

suicide issues. This morning, earlier in the meeting, we had a Resolution proclaiming this as anti-suicide month and COMCARE's representative who works in there gave some staggering numbers about the number of contacts that they have every month, saying April was a record month. I'd like to know more about why that happened and how we look at that kind of numbers."

**Mr. Buchanan** said, "If it would please the Commission, I did have one other issue that I wanted to talk about that Ms. Masters also alluded to. It was about the appeals and grievance process. There is an appeals and grievance process in place. Consumers are given a client's rights form which explains the grievance process. Then if there are issues, the Regional Quality Enhancement Coordinator, from SRS, has reviewed the process issues that arise internally and then they indicate whether SRS involvement is needed or not. It is a cumbersome process. We need to do a better job of making sure folks understand the process, have access, and it is better advertised. We're in the process of going to do that. It is not an easy process for people to understand, as was the process we found with other agencies in the CDDO (Community Developmental Disability Organization) setting. We need to make sure that folks understand the process of quality assurance and if there is a grievance about service delivery, how they access that grievance process."

**Chairman Winters** said, "So you'll be back with us on what is being done on that area?"

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

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

**Commissioner Gwin** said, "Thank you, Mr. Chairman. The other thing I wanted to point out, even though the Board of County Commissioners is the governing body for the Mental Health Center here in Sedgwick County, I think the public needs to be aware that we do have an appointed advisory board. It is not just the five of us who oversee these decisions but each of us appoints three individuals who live in this community, who are either consumers themselves, who are family members who bring a wealth of information and experience to the table. I don't know about you all, but I count greatly on my input from my advisory board members. They help us look at programs. They help us when it comes to lobbying issues. They make recommendations to us at budget time as to where the appropriate expenditures are. So, I want folks to know it is not just the five of us, but an advisory board made up of folks who care greatly about this issue. I do count upon them. I didn't think that had been mentioned."

**Chairman Winters** said, "Thank you very much. Again, I have had a couple of conversations with Ms. Masters. They have all been very rational and well thought out. I thought her presentation this morning

## **Regular Meeting, May 10, 2000**

was very well done and, again, we appreciate you continuing to ask these questions. I think you have got five County Commissioners who are committed to continuing working with COMCARE to make sure that is the best it can possibly be. If there are no other questions or comments, please call the next item."

### **DEFERRED ITEMS**

#### **F. RESOLUTION REGARDING DELAYING CONGRESSIONAL ACTION ON INTERNET TAX MORATORIUM.**

**Mr. Chris Chronis**, Chief Financial Officer, greeted the Commissioners and said, "This item concerns the issue of whether or not we should be permitted to charge sales tax on transactions that arise from Sedgwick County residents by the Internet. It is an issue of tax fairness for main street businesses versus businesses that sell the same products at the same prices via the Internet.

"For example, right now, if I buy a \$1,000 computer from a store in Towne West mall, I'm going to pay that vendor a \$1,059 total, including the \$1,000 purchase price for the computer and \$59 of sales tax at our 5.9% tax rate. I can buy that same computer from Dell or Compaq or any number of other vendors via the Internet and they can charge me the same \$1,000 price but they will not charge me the \$59 of sales tax. So, they have a competitive advantage versus that outlet that is located at Towne West Mall or any place else in Sedgwick County. That competitive advantage, over the long term, we think is going to work to the economic disadvantage of this community. We think it is very important to have equal tax treatment of transactions, regardless of where the purchase is made or what method is used to make the purchase, for any transaction that occurs out of Sedgwick County.

"We are not the only ones who feel that way. This is an issue, as you know, that has had some considerable amount of discussion from governments, both State and local around the country, and by the associations that represent us, such as the National Association of Counties, the International City Manager's Association, Government Finance Officer's Association, and others. But it also is an issue of some concern to retail organizations, the National Retail Federation, for example, which represents main street businesses has spoken to Congress in support of allowing equal tax treatment of Internet transactions with those occurring in main street businesses.

### **Regular Meeting, May 10, 2000**

"The Resolution that you have before you expresses the County's support for two things. First, for simplification of the system of State and local taxes, because one of the concerns that has been voiced by Internet-based businesses is that the vast number of tax systems that occur in localities around the country creates a needless complication for their programming efforts. They contend they would have difficulty knowing how to compute the tax on any individual sale because of the very many different locations that that sale might come to them from. So, tax simplification is a way of standardizing the sales tax system. State and local governments have voiced support across the nation for the idea of simplifying our tax systems, coming up with some more uniform system of imposing sales taxes, so that Internet vendors will more easily be able to administer sales taxes regardless of where they sale product.

"The second thing that the Resolution does is express our support for an end to the current moratorium that has been imposed by Congress on the imposition of taxes on Internet based transactions. That moratorium currently is slated to end in 2001 and many of us in local governments and in state governments would like to see the moratorium not continued. However, we understand that the idea of tax simplification is one that's going to require some discussion and some considerable amount of effort to implement. So, we believe it would be useful to continue the moratorium for a brief period of time, perhaps as much as two years, but no more than that, in order to allow some consensus to develop about what tax simplification means and how to implement it. But at the end of that maximum two year extension, we believe, and this Resolution expresses support for the notion that all sales ought to be treated equally, regarding sales tax, regardless of where those sales take place. With that over view, I'll be glad to answer any questions and I would recommend your approval of the Resolution."

**Chairman Winters** said, "Thank you, Chris. I do have several comments. I'm going to be supportive of this. It is a deferred item from last week. Commissioner Gwin is going to need to leave the meeting pretty shortly and attend a funeral today. I guess the comments that . . . I don't if anybody else really wants to comment about this. The two points that I wanted to make is this is a very confusing issue because people continue to say that counties and cities and states want to tax the Internet. It is not taxing the Internet. There is no tax on Internet involving connection charges, service charges, if you're on the

**Regular Meeting, May 10, 2000**

Internet, if you're browsing on the Internet, if you're using those free services. This isn't about taxing that. This is about taxing a purchase that individuals make. I know that I use my local hardware store, Anderson True Value out in Westlink Shopping Center and when they are put at a disadvantage with garden.com and you can buy that shovel without paying that sales tax, I just think it is a matter of fairness, as Chris said, for our local main street businesses.

"The other thing about this is, I think, Congress is going to vote on this this week. If we are going to pass this, we've got the Resolution here. I think we need to sign it if it passes, hand it to the Manager and ask the staff to fax it to Congressman Tiaht's office. Again, to me, it is a matter of fairness. If others have comments, we can make them quickly and then move on. Are there other comments regarding this Resolution?"

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

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

**Commissioner Gwin** said, "Before you call the next one, may I say that this next item was deferred to this week and I apologize for not being able to stay to discuss it. If I were going to be here during the voting of this, I would support adopting this Resolution in this next item. I think it is important. I think it does a number of things that we need done but because of the time of the funeral, I'm not going to be here to discuss or vote on it. I apologize for that, but I need to excuse myself and leave the work to you all."

**Chairman Winters** said, "We probably need to act on it this week."

## **Regular Meeting, May 10, 2000**

**Commissioner Gwin** said, "I would think so. I just apologize for having to leave and I could certainly adopt the Resolution. I just wish I were here to take care of that."

**Chairman Winters** said, "Thank you very much. On the Internet sales tax, we will hand you that and if you could have staff fax that. I guess a point of discussion Commissioners, do we want to fax this just to Congressman Tiaht or would we want to send it to the other Kansas representatives also? All of them? Okay, thank you for that bit of interruption. Madam Clerk, call the next item."

**Commissioner Gwin left the meeting at 10:35 a.m.**

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

**Commissioner Sciortino** said, "Before this gets started, I need to let you know that I need to declare a conflict of interest as I have on the last two meetings this item came up. I'm declaring a conflict of interest and will not be participating, in any manner, in this discussion or when the vote comes up."

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

**Ms. Michelle Daise**, Assistant County Counselor, greeted the Commissioners and said, "As you will recall, last week there was some extensive discussion on the Alternative Correctional Housing Wichita/Sedgwick County Joint Board. Following that discussion, your Board did ask our office to explore the possibility of withdrawing Sedgwick County's participation in the Wichita/Sedgwick County Advisory Board as there are currently no alternative correctional facilities located within the unincorporated areas of Sedgwick County. As a result of that request, we did do some looking into this.

"Each of you received a copy of a Resolution this morning that amends what we had presented previously. What this Resolution will do is it will withdraw Sedgwick County's participation in that joint board. However, the Resolution does go ahead and incorporate minimum standards, as well as licensing requirements, for any facility that might in the future chose to be located in the unincorporated areas of Sedgwick County. This Resolution does establish a Sedgwick County Committee, but it does not require you to appoint any one to that committee until after a facility requests to be located within Sedgwick

## **Regular Meeting, May 10, 2000**

County in the unincorporated areas.

"The standards that this Resolution would adopt are similar to those recommended by the joint board previously and is also similar to that adopted by the City of Wichita. The primary difference in what you would be adopting today from what the City of Wichita has adopted is in regards to the employment of residents at the facilities or by the facility at a location out in the community. What this Resolution today will do is it will allow the employment of residents by the facility so long as that position is a non-supervisory position. At this time, if you have any questions, I'd be happy to answer those. I would recommend adoption of this Resolution."

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

**Commissioner McGinn** said, "Thank you. Michelle, what happens to the other board, the joint partnership?"

**Ms. Daise** said, "It will be necessary for the City of Wichita to amend their ordinance as well. It will also be necessary for them to amend their bylaws. What will basically happen is the individuals that you have appointed to that board will no longer be a part of it, unless the City so chooses to appoint those people to their City board, no longer a joint board. So, because there is a separate County Resolution and a separate City Ordinance, because of this, we're withdrawing our participation, they will need to make similar changes as well."

**Commissioner McGinn** said, "It seems like most of our appointees are on there because of their expertise in some of the areas and my guess is they would continue to offer that experience that they have. I think you said this will protect us. Right now, currently, there are no correctional houses out into the County and if one should move out there, we have our policy already in place, ready to go, and we would only have to appoint a board if we so desired."

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

**Regular Meeting, May 10, 2000**

**Chairman Winters** said, "Again, just a reclarification, there are none of these houses currently in the County."

**Ms. Daise** said, "That is correct."

**Chairman Winters** said, "Our regulations will stay in affect. If we need to crank this back up we can do it pretty quickly. If there are County employees or somebody with expertise we certainly don't have, as a County, any opposition to them serving on this board if it would assist the City of Wichita as they move forward and if they need to draw on any of our experts in the County they can certainly do that."

**MOTION**

Commissioner Hancock moved to adopt the Resolution.

Chairman Winters seconded the Motion.

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

**VOTE**

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

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

**NEW BUSINESS**

**H. AGREEMENT WITH WICHITA FESTIVALS, INC. FOR USE OF COUNTY**

**Regular Meeting, May 10, 2000**

**FACILITIES DURING THE 2000 WICHITA RIVER FESTIVAL.**

**Mr. Jarold D. Harrison**, Assistant County Manager, greeted the Commissioners and said, "It is official party time in Wichita, Kansas again. How do we know that? If we look at the calendar it is spring time. People all over town are selling these buttons. We have a contract on your agenda for your consideration for the use of County property for the River Festival Parade. The contract under consideration today would offer the use of the compound and parking lots and parking garages on property around the Courthouse and would also allow for the use of any surplus barricades we may have for the purposes of the River Festival Parade. It is subject to receipt of a certificate of insurance and we would recommend your approval."

**MOTION**

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

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

**I. AGREEMENT WITH WICHITA FESTIVALS, INC. FOR RENTAL OF PORTABLE BLEACHERS.**

**Regular Meeting, May 10, 2000**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "This is a document that we have created the last several years. Wichita Festivals rents some unique equipment that we have. In this case it is bleachers that they use as a grand stand for some of their events. They are required to present insurance for the equipment. They are also required to provide the transportation to and from the site. We recommend approval."

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

**MOTION**

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

Commissioner Sciortino seconded the Motion.

**Chairman Winters** said, "I guess we're pleased to make these available for the River Festival. Any other discussion? Seeing none, call the vote."

**VOTE**

Commissioner Betsy Gwin	Absent
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. Commissioners, I'd like to take a quick break if we could. We're going to be in recess for just five minutes."

**The Board of Sedgwick County Commissioners recessed at 10:42 a.m. and returned at 10:51**

**Regular Meeting, May 10, 2000**

**a.m.**

"I'll call back to order the Regular Meeting after being in a short recess. Madam Clerk, next item."

**J. AGREEMENT WITH DEPARTMENT OF DEFENSE PROVIDING AN EQUIPMENT LOAN TO SEDGWICK COUNTY EMERGENCY SERVICES.**

**Mr. Randall Duncan**, Director, Emergency Management, greeted the Commissioners and said, "I serve you as your Emergency Management Director. This agreement that we're here to discuss this morning basically formalizes the presentation of equipment for training and other uses that the Department of Defense has provided us under the Nunn-Lugar-Domenici Act. We've been provided approximately \$350,000 worth of equipment to help us with our training efforts in the area of weapons of mass destruction. If it meets with your approval, I would ask for you all to authorize me to sign that on your behalf."

**MOTION**

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

Commissioner McGinn seconded the Motion.

**Chairman Winters** said, "Randy, it says this is a loan of the equipment. Do we have to give it back?"

**Mr. Duncan** said, "Well, the strict language of the contract is indeed a loan and I think the reason for that is that federal regulations prohibit the Department of Defense from outright giving us that equipment. I fully expect that we will not be required to give that equipment back. There are provisions within contract that allow us to use the equipment and consume it, if we need to, in the process."

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

**VOTE**

Commissioner Betsy Gwin  
Commissioner Bill Hancock

Absent  
Aye

**Regular Meeting, May 10, 2000**

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

**Chairman Winters** said, "Randy, while you're here, Commissioner McGinn has a comment."

**Commissioner McGinn** said, "Last week we had you come forward to talk a little bit about the year after the tornado and we ran out of time. I was just wondering if you could give us a little update on that, how things are going."

**Mr. Duncan** said, "I was just reflecting this morning as I was sitting, waiting to make my appearance in front of you. Probably about this time last year I was giving you all a briefing on the immediate aftermath of the tornado. I'm much more pleased to be giving you the news that I'm giving you this morning, which is, indeed we have made a significant journey back toward recovery. Typically, we look at recovery from two different phases. We refer to those actions that take place inside a year as short term recovery and there usually are some issues that hang over longer than a year which branch out into long term recovery. I think we've done extremely well in our short term recovery. I hear Mayor Norton say, the other day, that his view of the situation is that it looks like there is about a 70% return to normalcy in that area. I would not dispute those figures. I certainly don't have anything different to add to them.

"I think the long term issues are going to be coming out a little bit yet, in terms of the fact that it has been a year. Many folks have been able to get their homes back. New homes just don't still quite have the feeling of old homes that we have lived in and we've made that transition from the house to the home. I think we're doing extremely well. The community spirit really showed through in this disaster and in the April 26, '91. There is simply no way that this community is going to allow an event like that to hold it down, either in terms of economics or people. This is still a good place to live and bring up your kids and work. So, I'm pleased to be a part of this community and I hope that I don't have to come up here and give you any more briefings on disasters."

**Commissioner McGinn** said, "I hope you don't have to either. You all did a nice job handling that situation, but I would have to guess that any time you have a disaster situation you're going to learn from it. I'm sure you probably learned some things through that and maybe made a few changes."

## **Regular Meeting, May 10, 2000**

**Mr. Duncan** said, "Yes, we did learn some very valuable lessons. Sometimes they were very simple things and sometimes they were more complex issues, relating to how do we work together in an environment like that. Unfortunately, or fortunately, we have the benefit of working through a number of those situations: The May 3rd tornado, the Halloween '98 floods, the May 13th, 1999 rescue of baby Jessie. Our front line emergency responders are experts at doing this. We now have that practice at coordinating together in large scale events. I hope that you all and through you all, the people of Sedgwick County, feel like they are as safe as they can possibly be."

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

**Chairman Winters** said, "Thank you for that update, Randy. Next item."

### **K. GRANT APPLICATION TO KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR HOUSEHOLD HAZARDOUS WASTE GRANT FUNDS.**

**Ms. Susan Erlenwein**, Director, Environmental Resources, greeted the Commissioners and said, "The Kansas Department of Health and Environment receives money from the tipping fee at Brooks Landfill and other disposal facilities across the State. Some of this money is used as grant monies to fund solid waste issues. One of those issues is the disposal of household hazardous waste. We have a current facility located at Wichita Sewer Treatment Plan #2, at 57th Street South and Hydraulic. That is operated through the Health Department. It is funded through the tipping fees at Brooks Landfill. That landfill will close October 9, 2001. So we've been investigating what to do for a new facility, once the funding for the current facility ends.

"The staff has looked at locations that are more centrally located than the current facility and can handle more of a volume flow through and be open longer hours. We have a grant application to the State for \$350,000 to receive monies to help build this new facility. The grant application includes concept drawings of what a facility could look like and a possible lay-out for a facility and costs associated with that.

"All of that information is required by the State for the grant application. The application can be amended, once we have determined the actual site design and costs associated with the new design. The State will not even give us the money until we have a permit application and that would be related to the final design and cost. So, I'd recommend that you approve the application to send to the State which is due this Friday. I'd be happy to answer any questions."

### **Regular Meeting, May 10, 2000**

**Chairman Winters** said, "Thank you, Susan. There are a couple of questions. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. I think I talked to Irene Hart on this one, Susan. I think I know the answer but I want to ask it publicly. We're submitting figures that were like for the household hazardous waste, of one point something million dollars or something for the facility. If the Board approves a facility substantially less than that, maybe closer to what you saw up in Colorado, \$150,000, is that still going to be an option that we can do it, or do we have to commit to that figure?"

**Ms. Erlenwein** said, "We do not have to commit to that figure. As we develop new costs and the costs are associated with those designs, it would be reflected in our final grant. It is a 60%,40% match for the grant. So the state pays 60% and we would pay 40%. So their portion would be adjusted accordingly."

**Commissioner Sciortino** said, "Okay, thanks. That's all I have."

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

**Commissioner McGinn** said, "Thank you. I had asked Susan if she could bring some pictures from our trip and we weren't able to get that put together at a late time but for the public, I guess, Commissioner Winters and myself and several staff went to Fort Collins and looked at their household hazardous waste facility and they had a very nice one, very organized and that type of thing. I'd like for the public to see that. Also, we've looked at some different ones in Kansas City, I guess, and so hopefully, I guess, here in the next few weeks we're going to be starting to have a discussion about how we're going to build this thing and that type of thing. I was most impressed with the swap and shop and it seemed to be very popular. That is something I hope, as we go forward to build ours, that that is something we have included in that. It was interesting to see how many people came through that facility, just while we were there, and used a lot of that. I'm wondering if I'm correct here, but it seemed like the guy said that more stuff goes out."

**Ms. Erlenwein** said, "It depends upon the type of material. Paints and such that they put out, yes, a lot

## Regular Meeting, May 10, 2000

of material goes out."

**Commissioner McGinn** said, "But there were others that they had to deal with in a different way. I thought it was great to see that. I'm sure their community is a lot smaller than ours so I'm sure we may not be able to stay with exactly that cost that they had."

**Ms. Erlenwein** said, "We need to look at what they did and how they did it and see what can fit in our current code situation and how we could develop it. Kansas City, when Joe Brunk and I went and visited that household hazardous waste facility, also had a swap shop that, while we were there, quite a few customers came in, not dropping off any material but just there to pick up material for their personal use. So it is quite a popular feature."

**Commissioner McGinn** said, "It is inspiring to see that our numbers are going up year after year even with the small facility that we currently have. It looks like we can make it better. Thank you."

**Chairman Winters** said, "Thank you, Commissioner. Just a follow-up on that. I asked Irene to check this. Irene Hart was on that trip also. I heard her say one thing the other day. What I remember the director of their household hazardous waste facility saying is that because of the stop and shop component, that he estimated that they saved 20% of their disposal cost. Irene was thinking it was 20% of the product, but it was 20% of the cost to dispose of product had been reduced by the fact that they were able to continue to allow other customers, other citizens to use the product. That is actually the very best way to consume a hazardous waste product is use it how it was intended to be used. If it is paint or pesticides, if it is used in the proper manner, that is actually the best way of disposal."

"I guess to follow-up on both Commissioner McGinn and Sciortino's comments, one of the things that was interesting about that facility is it was very neat, it was very well kept, and I would describe it as austere but adequate. I think that might be something that the Commissioners are going to be looking for, as we move forward with a facility and how it is going to function. Commissioners, you've heard Susan's report, are there other questions for Susan?"

### **MOTION**

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

Commissioner Hancock seconded the Motion.

**Regular Meeting, May 10, 2000**

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

**VOTE**

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

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

**L. GRANT APPLICATION TO KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES/MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT AND RECOVERY.**

**Ms. Deborah Donaldson**, Director, Division of Human Services, greeted the Commissioners and said, "This is our annual grant renewal to provide substance abuse services. This particular grant allows for payment for each individual served in a certain amount, depending upon what service is provided. That grant also has a cap on it, so there is only a certain amount that you can bill through the year and that current cap is \$149,916. We are requesting, in this application, for that to be increased to \$240,000. We're finding that as of recent months we're billing up very close to that cap and you have to understand that once you reach that, services provided are uncompensated.

### **Regular Meeting, May 10, 2000**

"I'd like to also talk about some of the things we've been doing. We have certainly increased accessibility to services. We continue to fill that gap as we are in the unique position to do to those individuals who have a substance abuse problem and a mental health problem. In previous years, individuals were sometimes told 'go solve the substance abuse problem and we'll see you for mental health counseling'. That did not work well because sometimes some mental health issues got in the way of recovery and then we moved to a model where somebody was sent to substance abuse counseling and someplace else for mental health counseling. So, in the public system so we were sending people two places to get what they needed. What we have developed here is an integrated treatment approach where people go one place to get the services they need. It is more efficient and the research is showing it is more successful. We're seeing better results because of that. So, we continue to develop and work on that. A unique feature that we do have. We've also increased physician services there due to that. So, I'm recommending that the grant application be approved and the Chairman sign. I'd be glad to answer any questions."

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

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. Debbie, why was a cap placed to begin with?"

**Ms. Donaldson** said, "It is just part of the managed care program that the State went into in their substance abuse arena. So, they placed caps on all the providers to contain the money to a certain level."

**Commissioner Sciortino** said, "The State placed the cap?"

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

**Commissioner Sciortino** said, "So we can remove the cap?"

**Ms. Donaldson** said, "No, we're asking just to have it raised."

**Commissioner Sciortino** said, "I see. That's all I have. Thanks."

**Chairman Winters** said, "Thank you. Are there other questions? Debbie, I see that Judy Addison is here today. What does Judy do? She must have a relationship or she probably wouldn't be here."

**Ms. Donaldson** said, "Judy Addison is here today. She's the clinical director and the programs that she does supervise include not only out patient but also the addiction treatment services and the women's

**Regular Meeting, May 10, 2000**

alcoholism treatment services."

**Chairman Winters** said, "Very good. It is nice to have you here, Judy. Commissioners, you've heard the report, are there other questions or comments?"

**MOTION**

Commissioner Hancock moved to approve the Grant Application 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	Absent
Commissioner Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

**M. PUBLIC WORKS.**

- 1. ESTIMATE BY KGE FOR COST OF INSTALLING BLACK LIGHT POLES ON SEDGWICK COUNTY PROJECT NO. 814-N-3110; BRIDGE ON ZOO BOULEVARD OVER THE WICHITA/VALLEY CENTER FLOODWAY. CIP #B-408. DISTRICT #4.**

**Mr. David Spears**, P.E., Director, County Engineer, Public Works, greeted the Commissioners and said,

**Regular Meeting, May 10, 2000**

"Item M-1 is consideration of an estimate by KGE for the installation of eight black light poles on the bridge at Zoo Boulevard over the Wichita/ Valley Center Floodway, designated as B-408 in the Capital Improvement Program, at a cost of \$5,640. Since this bridge is in an urban area, we think that black poles would be more appropriate than galvanized. I recommend that you approve the estimate."

**MOTION**

Commissioner Hancock moved to approve the estimate.

Commissioner Sciortino seconded the Motion.

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

**VOTE**

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

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

- 2. ESTIMATE BY KGE FOR COST OF INSTALLING BLACK LIGHT POLES ON SEDGWICK COUNTY PROJECT NO. 639-30-690; BRIDGE ON 83RD STREET SOUTH OVER THE ARKANSAS RIVER. CIP #B-219. DISTRICTS #2 AND #5.**

**Mr. Spears** said, "This item is similar to the previous item. It is also consideration of an estimate by KGE for the installation of 10 black light poles on the Derby bridge at 83rd Street South over the Arkansas

**Regular Meeting, May 10, 2000**

River, designated as B-219 in the Capital Improvement Program at a cost of \$7,050. Recommend that you approve the estimate."

**MOTION**

Commissioner Sciortino moved to approve the estimate.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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

**N. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MAY 4, 2000 REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the May 4 meeting of the Board of Bids and Contracts. There are seven items for consideration.

**(1) HOTMIX OVERLAYS - PUBLIC WORKS  
FUNDING: PUBLIC WORKS**

"Item one, various hotmix overlays for the year 2000 for Public Works. It was recommended to accept the low bid of Ritchie Paving. That amount is \$117,962.

**Regular Meeting, May 10, 2000**

**(2) STINGER SPIKE SYSTEMS - SHERIFF  
FUNDING: SHERIFF**

"Item two, stinger spike systems for the Sheriff. It was recommended to accept the low bid of Baysinger Police Supply, \$19,825.

**(3) MEMORY UPGRADES - DIVISION OF INFORMATION AND OPERATIONS  
FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

"Item three, various computer memory upgrades for the Division of Information and Operations. It was recommended to accept the low total bid of Insight, \$25,334.

**(4) DISPOSITION OF OBSOLETE EQUIPMENT/MATERIALS & AUCTIONEER SERVICES - DIVISION OF FINANCE  
FUNDING: DIVISION OF FINANCE**

"Item four, the disposition of obsolete equipment and materials and auctioneer services. No responsive proposals were received for this. We will review and revise the specifications. We're also working with the Wichita Public Schools and will resolicit at a later date.

**(5) RSA SECURITY SERVER UPGRADES - DIVISION OF INFORMATION AND OPERATIONS  
FUNDING: DIVISION OF INS AND OPERATIONS**

"Item five is security system server upgrades, also for the Division of Information and Operations. It was recommended to accept the sole source bid of Fishnet Security, \$13,946. Fishnet is the publisher of the software upgrades.

**(6) EMERGENCY MEDICAL SERVICE VEHICLES - FLEET MANAGEMENT  
FUNDING: FLEET MANAGEMENT**

"Item six, emergency medical service vehicles for Fleet Management and Emergency Medical Services.

**Regular Meeting, May 10, 2000**

It was recommended to accept the low proposal of Wheeled Coach, that includes trade-in, for three each, \$187,991.

- (7) **COSATRON AIR PURIFICATION UNITS - DIVISION OF INFORMATION AND OPERATIONS AND FORENSIC SCIENCE CENTER**  
**FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

"Item seven, air purification units for the Division of Information and Operations. This is for the Forensic Science Center. It was recommended to accept the low bid of Central Air conditioning, \$19,184.

**ITEMS NOR REQUIRING BOCC ACTION**

- (8) **IBM 9672-R44 MAINFRAME COMPUTER - DIVISION OF INFORMATION AND OPERATIONS**  
**FUNDING: DIVISION OF INFORMATION AND OPERATIONS**

"There is one item that was tabled. That is a mainframe computer upgrade for the Division of Information and Operations. Those proposals are being reviewed. I will be happy to take questions and recommend approval of the Minutes from the Board of Bids and Contracts."

**MOTION**

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

Commissioner McGinn seconded the Motion.

**Chairman Winters** said, "Darren, just an idea on the disposition of obsolete materials and talking about in combination with maybe the school district. It might even be a possibility that we could combine with some other County and if you would move it to . . . I mean, if Butler County, Greenwood or some of the other counties that want to do it, if you move it to one of those smaller communities you might even get more response. Just an idea."

**Mr. Muci** said, "Thank you, sir. I will make sure that gets researched."

**Chairman Winters** said, "Is there any other discussion on the Board of Bids and Contracts? Seeing

**Regular Meeting, May 10, 2000**

none, please call the vote."

**VOTE**

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

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

**CONSENT AGENDA**

**O. CONSENT AGENDA.**

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

One Dedication Deed for Reserve "A" as platted in Southfork Addition, Salem Township, District #2.

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V96044	\$206.00	\$206.00
C97025	\$247.00	\$295.00
V99037	\$375.00	\$375.00
V96035	\$213.00	\$264.00
V99036	\$184.00	\$185.00
C97029	\$259.00	\$281.00
V99035	\$129.00	\$141.00

  

Contract	Old	New
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**Regular Meeting, May 10, 2000**

<u>Number</u>	<u>Amount</u>	<u>Amount</u>
V2016	\$425.00	\$379.00
V97059	\$500.00	\$332.00
V94081	\$170.00	\$228.00
V94081	\$228.00	\$201.00
V98007	\$250.00	\$172.00

**3. Juvenile Justice Authority Prevention Funding Adjustment for Calendar Year 2000.**

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

<u>Applicant Name</u>	<u>d/b/a</u>
Michael R. Billingsley	Course Strategy dba Clearwater Golf Course

**5. Order dated May 3, 2000 to correct tax roll for change of assessment.**

**6. General Bills Check Register of May 5, 2000.**

**7. Budget Adjustment Requests.**

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

**MOTION**

Commissioner Sciortino moved to approve the Consent Agenda as presented.

Commissioner Hancock seconded the Motion.

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

**Regular Meeting, May 10, 2000**

**VOTE**

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

**Chairman Winters** said, "Is there other business? Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, Mr. Chairman. I know about a little over three weeks ago we had . . . Rich, I'm kind of directing this to you, we had asked you to look into the adult entertainment facilities, specifically in Oaklawn. I was hoping that you could give us some kind of an update as to what is going on there? In just plain ordinary Kansas English, I want those three places out of there and I want to do whatever I legally can to get those places removed from those schools. There is absolutely no reason that we should have those kinds of businesses in that close a proximity to schools or residential areas. Can you tell us what we're doing?"

**Mr. Richard Euson**, County Counselor, said, "We were asked to look at that and it was our intent to have a report back to you within three weeks. The research and the interrelationships between or among the options that are possible for you have taken a little longer than we anticipated. Our plan, at this point in time, is to bring you those options and the pros and cons of each and discuss those with you in Executive Session as a matter of legal advice, at the conclusion of next week's meeting. From that, formulate a resolution to be brought to you in the following week's agenda."

**Commissioner Sciortino** said, "Thank you. I notice that we had some . . . Well, I pretty well put my position . . . I want to make sure that whatever we do, not only is legal, but I hope it will withstand court tests, or court cases or whatever. I'm sure that is probably what is causing some of the delay is to make sure that we've got something we can survive a court case on."

**Mr. Euson** said, "Yes, it may involve constitutional issues which can get complicated and it is important, at the outset, to be as careful as we can."

**Commissioner Sciortino** said, "Great. That's good. There's a lot of citizens interested in what we're going to do. Thank you. That's all I had."

**Regular Meeting, May 10, 2000**

**Chairman Winters** said, "Thank you, Commissioner. Is there other business to come before this Commission?"

**P. OTHER**

**MOTION**

Commissioner McGinn moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider legal advice and personnel matters of non-elected personnel, and that the Board of County Commissioners return from Executive Session no sooner than 11:25 a.m.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "We are in recess for ten minutes."

**The Board of Sedgwick County Commissioners recessed into Executive Session at 11:15 a.m. and returned at 11:43 a.m.**

**Chairman Winters** said, "I'll call back to order the Regular Meeting of the Board of County Commissioners, May 10, 2000. We've just returned from Executive Session. Madam Clerk, please let the record show that there was no binding action taken in Executive Session. Is there other business to come before this Board? Mr. Euson? Mr. Buchanan? Thank you very much. This meeting is adjourned."

**Q. ADJOURNMENT**

**Regular Meeting, May 10, 2000**

There being no other business to come before the Board, the Meeting was adjourned at 11:44 a.m.

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

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

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

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**BETSY GWIN**, Commissioner  
First District

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**BILL HANCOCK**, Commissioner  
Second District

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**BEN SCIORTINO**, Commissioner  
Fifth District

ATTEST:

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**James Alford**, County Clerk

APPROVED:

**Regular Meeting, May 10, 2000**

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