

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

JUNE 2, 1999

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, June 2, 1999 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Bill Hancock; with the following present: Chair Pro Tem Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Carolyn McGinn; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Mr. Paul Rosell, Chief Deputy County Clerk; Ms. Deborah Donaldson, Director, Department on Aging; Ms. Jo Templin, Career Development Officer, Personnel Department; Ms. Louanna Honeycutt Burress, Economic Development Specialist, Department of Housing and Economic Development; Mr. John Nath, Director, Kansas Coliseum; Ms. Irene Hart, Community Development; Ms. Kathleen Sexton, Director, Division of Operations; Mr. Kenneth W. Arnold, Director, Capital Projects Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Heather Knoblock, Deputy County Clerk.

GUESTS

Mr. Steve Shaad, Vice President, Wichita Baseball, Inc.;

Mr. Keary Ecklund, 6991 Highway 45 Neerah, Wi., Owner, Indoor Football;

Mr. Melvin C. Carter III, P.O. Box 20051, Boys and Girls Club of South Central Ks. 67208

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell;

INVOCATION

The Invocation was given by Deacon Ron Easley, from the Holy Savior Catholic Church.

FLAG SALUTE

ROLL CALL

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

Chairman Hancock said, "Thank you Mr. Easley for being here today. We appreciate your time very

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much. Next item please."

APPOINTMENT

- A. RESOLUTION REAPPOINTING BOB O'BRIEN (COMMISSIONER SCIORTINO'S APPOINTMENT) TO THE WICHITA-SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD.**

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "This is a reappointment to this 10-member City/County board for a full term to expire in May of 2003 and the Resolution is in proper form."

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

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. Is Mr. O'Brien here today? Very good. Come right up sir and we'll have the Deputy Clerk swear you in."

Mr. Paul Rosell, Deputy County Clerk, said, "Raise your right hand.

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"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the Office of Alcohol and Drug Abuse Advisory Board, so help me God."

Mr. Bob O'Brien said, "I do solemnly swear. I appreciate the appointment to this commission. I've had the pleasure of serving three months and we have new appointments. As you know, this is a joint City and County advisory board. We have new members on that board. I think the County Commission and the City Council both are going to be pleasantly surprised and pleased with the new program that we are suggesting be enacted by that board. We look forward to serving in that capacity. Thank you very much."

Chairman Hancock said, "Thank you for being here today. We appreciate your time serving on the Board. Next item please."

DONATION

B. DONATION OF \$1,000 FROM KEYS FOR NETWORKING TO SUPPORT THE FIRST ANNUAL KIDS F.E.S.T.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "This donation was used for KIDS F.E.S.T., which was really a celebration out at Cowtown with the families of children who have very serious mental illness. I have to tell you, it was very gratifying for me when I was there, I was looking out at the audience of kids and families who were there participating, thinking it wasn't that many years ago that many of these children would have been raised in state hospitals. Here they are, part of the community and out having a good time and celebrating their successes. I'd be glad to answer any questions."

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

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

AWARD PRESENTATIONS

C. PRESENTATION OF CAREER DEVELOPMENT CERTIFICATES.

Ms. Jo Templin, Career Development Officer, Personnel Department, greeted the Commissioners and said, "I am here today to present certificates to Sedgwick County employees who have shown a commitment to enhance their skills and abilities in their jobs. These employees have completed certificate programs, which have a number of required and elective courses. We will present them certificates and we do congratulate them on their commitment to excellence as County employees.

1. PROFESSIONAL DEVELOPMENT

! WILLIAM OLSEN, GEOGRAPHIC INFORMATION SYSTEMS (GIS)

! RONALD PORTER, GIS

! RHONDA THOMAS, NOXIOUS WEEDS

"The first is William Olsen from the Geographic Information Systems Department. Congratulations. Ronald Porter, who is also with GIS. Congratulations. Rhonda Thomas was not able to come. She's

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from the Noxious Weeds Department.

2. SUPERVISORY/MANAGEMENT

! KEITH HUTCHISON, SHERIFF'S DEPARTMENT

! CONNIE KELTY-WELLS, CORRECTIONS

"Now we have Connie Wells from Corrections, who has completed a Supervisory/Management Certificate Program. Congratulations.

3. FACILITATOR

! TERRY MAULDIN, FIRE DEPARTMENT

"Terry Mauldin, who is with the Fire District #1, and he has completed the Facilitator Certificate Program. Congratulations."

Chairman Hancock said, "I want to tell all the employees who are here and those who are not here, the Board of County Commissioners appreciate the extra work that it takes to do these things. We feel very strongly that this kind of training and education only add to the quality of work that we deliver to the citizens of Sedgwick County. I know it takes a lot of time. I've gone through one of these courses. I probably should go a whole lot more. My colleagues tell me I should go through a whole lot more. I know it takes a lot of time and a lot of effort. We do sincerely appreciate that kind of time and effort you give to the County and the people we serve. Thank you very much for being here today. Next item please."

PUBLIC HEARINGS

D. PUBLIC HEARING AND RESOLUTION CREATING A ROAD BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS

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THEREIN (THE GATEWAY CENTER ADDITION).

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "This morning we have a public hearing authorizing a road improvement district for Gateway Center Addition. You may recall we did a similar project for sewer improvements in this proposed addition last week.

SLIDE PRESENTATION

"This is an area bounded up against K-96 and 13th Street East, as depicted on the map on the screen before you. The proposed benefit district contains one very large tract and smaller tracts that abut Greenwich Road and 13th Street. The Bureau of Public Works has estimated the project costs to be approximately \$57,300, this right turn lane into this proposed addition. There are 12 lots on the screen before you and it has an average principal per lot of about \$4,800. It is a little bit deceptive because we have one large lot and 11 smaller lots. The petition was signed by 100% of the property owners who proposed an apportioned cost, based upon square footage area of the lots. So the one large lot, lot 12, has an assessment of about \$43,000, with the smaller lots about \$1,296 per lot. That equates to about \$125 per year for the smaller lots and about \$4,500 per year for the one large tract. Jim Weber from Public Works is here with me and we'll be able to try to address any questions the Commission has now or at the conclusion of the public hearing."

Chairman Hancock said, "Thank you, Joe. At this time, I would like to open the meeting for public comment on this item, Item D. Is there anyone here who would like to comment on the Gateway Center right turn lane? Is there anyone here who would like to comment on this item today? If not, I'll close the public hearing and limit comments to staff."

Mr. Norton said, "We have prepared a Resolution to implement the authorization of the project. As indicated at the public hearing, this property does abut the City of Wichita, which has given consent to the County to create this district and do the road improvements. I recommend adoption of the Resolution to implement this program."

MOTION

Commissioner Gwin moved to adopt the Resolution.

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Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

E. PUBLIC HEARING REGARDING A RESOLUTION PROVIDING THE TERMS AND CONDITIONS FOR AN AD VALOREM TAX EXEMPTION TO VULCAN CHEMICALS.

Ms. Louanna Honeycutt Burress, Economic Development Specialist, Department of Housing and Economic Development, greeted the Commissioners and said, "The Kansas State Constitution permits local government to grant Economic Development Tax Exemptions if the expansion creates jobs. This morning, I bring to you a request by Vulcan Chemical Company. That company has been active in Sedgwick County since 1957. They produce a number of products, chemicals and compounds which are used for various projects, most of which you use, if not on a daily basis, on a regular basis. We have notified the effected school district. We've published notice of public hearing in the official County paper. At this time, I would recommend that you conduct a public hearing and then approve the Resolution. I would at this time like to introduce a couple of people who are with us from Vulcan, Mr. A. J. Choga, he is the Plant Controller, and Ms. Sharon Moore, who is the Accounting Supervisor. If you have questions, any or all of us will attempt to address those at this time."

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

Commissioner McGinn said, "Louanna, would you explain a little bit about the economic impact, the multiplier? The multiplier that exists. The economic benefit that we have to go through."

Ms. Burress said, "What we have to do is to conduct a cost benefit analysis to show that the benefits that we receive by delaying putting the property on the tax role out weighs the cost of the incentives."

Commissioner McGinn said, "Do you know what elements go into that multiplier?"

Ms. Burress said, "Yes. It is all of the jobs, the sales tax, any benefits that are generated from the jobs that are created."

Commissioner McGinn said, "Okay. Then the other question I had. You said you made contact with the School District. Do you make personal contact or just by letter?"

Ms. Burress said, "We do this by letter. The County submits a letter to the superintendent of schools of the affected school district to notify them of the public hearing if they want to come address the Board."

Commissioner McGinn said, "Okay, thank you."

Commissioner Gwin said, "Thank you, Commissioner. Further questions or comments?"

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "Commissioner McGinn, the Cost Benefit Analysis that Louanna was talking about is developed and is a model that is used out of Wichita State University out of the Center for Economic and Business Research. It is a model used around the state. We get to use that cost benefit analysis and do some comparisons between not only what happens here at Sedgwick County but within the region. That's how that formula was developed."

Chairman Hancock said, "Okay. Louanna, this is the first time we've done this with Vulcan, isn't it?"

Ms. Burress said, "That's correct. Vulcan has been active in the community since 1957. This is the first time they have come to us. They notified me shortly after the first of the year that they would be taking advantage of this incentive."

Chairman Hancock said, "Very good. Thank you. Commissioners, further questions or comments?"

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If not, at this time, I'll open up the meeting to public comment regarding this item. If there is anyone would like to address the County Commissioners relative to Item E on today's Agenda, please come forward at this time. Is there anyone here who would like to address the Board of County Commissioners on this item today? If not, I'll close the public hearing and reserve comments to staff and Commissioners. Further comments or questions? If not, the Chair would entertain a Motion."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. Thank you, for being here today. We appreciate you coming. Next item please."

CITIZEN INQUIRY

F. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING POLICIES AND PROCEDURES FOR LEASING THE KANSAS COLISEUM.

Mr. Steve Shaad, Vice President, Wichita Baseball, Inc., greeted the Commissioners and said, "Thanks for the opportunity to address you. I believe I have five minutes, so I'll try to be brief. I'm Steve Shaad, the Vice President of Wichita Baseball, Inc., which owns and operates the National Baseball Congress.

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The Wichita Wranglers has the lease on Lawrence Dumont stadium and runs events unlimited. I have a document which I'm passing around and I'll address two things today. Not included in your document is the process of lease negotiations with the Kansas Coliseum. I would address that and also the decision between two Indoor Football Leagues. I'll focus the rest of my attention on the processes. You have written information on the two leagues.

"I wouldn't be here today if I did not feel like there was an unfair situation in the process for negotiations for the Kansas Coliseum. I'm a business person. We work in sports on a daily basis. We have multiple sports teams in our organization. I accept the fact that sometimes I get beat to the punch for opportunities to do things and that's just life. You have to be prepared. However, I am upset with the process that was used and because of that, I'm going to make an appeal to the County Commission to give me an opportunity to extend that process.

"First of all, some time line here. We've been negotiating, actually we first heard of negotiations for indoor football along with the rest of the public with a newspaper story in February in which John Nath indicated indoor football would come to Wichita in the year 2000, and that he was in negotiations with the IFL for a football team for Wichita. I'm a member of the Wichita Area Sports Commission and have worked closely with the CVD in the formation of that. So I learned through the Sports Commission that they had been asked to sell \$125,000 worth of season tickets in order for the IFL (Indoor Football League) to locate a franchise in Wichita.

"I attended a Sports Commission meeting in which they determined they would decline on selling \$125,000 in season tickets. In that meeting, I thought that perhaps Events Unlimited and Richie family might be interested in this opportunity. I talked to John Nath shortly after that meeting and indicated our interest in possible pursuing an indoor football franchise for Wichita.

"We began extensive research and determined there were three leagues that Wichita would be a candidate for, the IFL, Arena Football II, or AFII as I refer to it, and a league called the Indoor Professional Football League, IPFL. Those are all existing leagues that had indicated an interest in Wichita, in which we would have a practical opportunity to compete. I met with John Nath to discuss lease terms in mid March and at that time, Mr. Nath told me that we would be eligible for the standard lease of \$6,000 per game plus \$.40 rebate per head at 3,000 people and \$.48 above 3,000. I did inquire at that time, what

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is the process for obtaining a lease with the Kansas Coliseum and John, at that time, in all fairness, did tell me 'the normal process Steve is whoever comes with a check and a lease agreement first gets the lease to the Kansas Coliseum'.

"I prepared a five-year plan with my staff, based upon our projections and research between IFL, Arena Football II and IPFL. We did eliminate IPFL as a possibility quickly, as they have a franchise in Hawaii and travel cost would be prohibitive. We focused our efforts on IFL and Arena Football II. We sent representatives to IFL games and representatives to Arena Football II games and we met with the AFII in Wichita with their Director of Expansion, Mary Ellen Garling. We prepared budgets and marketing plans for five years. They were making good progress on the project.

"Our meetings with the Arena Football II took place in mid April and after we met with Arena Football II and informed Mr. Nath of our strong interest in that, the IFL contacted us. We met with the AFII on a Thursday and on Friday, the IFL contacted us asking us to meet with them. We met with them the following Tuesday. At that time, we informed them that we were pursuing an Arena Football II franchise. They, in turn, told us that they had already gotten a written lease from Mr. Nath at the Kansas Coliseum. I called John and he indicated that he had prepared a lease. However, they had not signed it nor returned a deposit check and so we still had an opportunity for Arena Football II.

"John faxed me the lease, which had terms 150% higher than what our lease agreement called for, at \$9,000 per game and half the rebate at \$.20 per head. I was not pleased with this, but none the less, we prepared new financial based on these terms and I set a meeting with John Nath on May 13 to draw up a lease with the Kansas Coliseum. On the afternoon of May 13, in fact late in the afternoon, our meeting started at 4:00 and about 5:15 I was on the typewriter at the Kansas Coliseum preparing a Lease Agreement between the Kansas Coliseum and Wichita Baseball, Inc. for an AFII franchise and John indicated that the IFL was on the phone and that they were moving rapidly. They were very interested in securing a lease and that they were ready to return a document.

"I met with John. I was quite honest with him. I let him know that I would need more time given the new figures and new information I learned at that meeting and I would need more time to talk with my ownership to determine. We were not in a position to make a decision on May 13. John's words to me, and I quote, 'I assure you Steve, we will give both parties an opportunity to do final negotiations on this lease.' That was when I left the Kansas Coliseum, about 5:30 on May 13.

"I spent all of May 14 with my staff reworking our five-year plan. We faxed it to the owners. On

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Monday, May 17, I understand in the morning of May 17, the County signed a lease with the IFL. I was informed by Lou Smith upon returned to my office in late afternoon by Mr. Nath. I called Mr. Nath and we discussed it. He explained his reasons to me on why he signed the lease. I questioned why he was in a hurry to sign the lease and why it would not be in the County's best interest to consider both options and he simply stated that they had the lease, they had the check, they had a team and they had a league. I understand those and at face value I would make the same decision. However, we were well aware and had informed John that there was a June 1 deadline for commitments for Arena Football II and I told him that while I wasn't positive the Richs would make a positive decision by that point, that was the deadline we were working under in order to make a commitment to Arena Football II.

"I talked with Jerry Harrison with the County and was pretty much told it is a done deal, the same that John Nath told me. That was the next day on the 18th. I actually learned from a reporter with the Wichita Eagle that the lease would require approval by the County Commission. I talked to a Commissioner and he said he would check that out, which he did and let me know that yes, it would require approval, so there was an appeal process. My only hope at this point would be to try to block the lease with the IFL. I want everyone to understand, that is not my normal style of business and I have not done that with any other negotiations I have had. However, I feel like I had no other opportunity given the timing of it. Had I been told the deadline by which I had to have the lease agreement back in, I may not have been able to produce one, but at least I would have been operating under an even field. I find it difficult to believe that a County that requires an extensive bid process for projects of construction of \$10,000 or more would not have a policy, and I hope I don't sound critical here, but does not have a policy on giving competing parties equal opportunity to compete for lease with the Kansas Coliseum. We're not talking about a concert date here, we're talking about a five year lease for a team that is going to play eight plus games annually.

"On May 24, I spoke with our owners in Buffalo who had additional questions regarding the information we sent them. We conducted research. On May 28 we sent that research to our ownership. They responded and requested we set up a conference call with Arena Football II and yesterday, on June 1, on the deadline. Then our owners, Mindy Richie, Vice President of Rich Products Corporation and Mary Lynn Garling of Arena Football II and myself had a conference call of which Mindy had heard AFII's presentation and covered the rest of our documentation, requested ownership papers for an Arena Football II franchise be sent to their legal counsel in Buffalo for review. Mindy further requested that I respectfully request from the Kansas Coliseum at least one week for us to review these papers and this document and for us to come back and give a presentation regarding Arena Football II on an equal ground

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with IFL so the County can make a decision based on all the facts and not on the fact that one party was able to beat another by a three week deadline. Having been no deadline, in fact by three weeks on what I would call an obscure deadline. That is all on that process and because you have some of the advantages, I think I would rather entertain questions from the Commission on that process before I would address anything on the strengths and positive on Arena Football II. I really think if the process was correct and there is no appeal and no chance, there is no really sense in you considering Arena Football II. It's done. If the process is that there is an appeal process and you can reconsider a lease and consider competing parties, then I would either ask to proceed with Arena Football II or perhaps in all fairness to IFL and the Commissioners, come back at a later date with Arena Football II and to give you information side by side with them. Should we get that information in a week and you determine IFL, then I will feel like due process was followed and neither I nor the Richs will hold any grudges. We understand that is the way business may be done."

Chairman Hancock said, "Thank you, Mr. Shaad. I might ask the County Manager at this time. I hear two things in regard to the Agreement. One was June 1 deadline and two, first come, first serve. That seems to be in conflict. Am I hearing right?"

Mr. Buchanan said, "Mr. Chairman, it is my understanding that John Nath made it clear to folks that whoever was first in with the check and the contract would be the organization that we would recommend. That was with the time line indicated and that is what was told to both parties."

Chairman Hancock said, "Mr. Shaad."

Mr. Shaad said, "I wanted to clarify. I'm not saying that John or the County gave me a June 1 deadline. The June 1 deadline was the deadline for Arena Football II. John did not give me a deadline. John, in our previous meeting, did reiterate, did say in my first negotiations in which he gave me the \$6,000 figure, 'Steve, our normal process is whoever comes back with the lease first and the deposit check would get the lease'. However, in my continued conversations with John then I certainly felt like that was a normal process and in this case with two teams trying for a lease and based on his conversation with me on May 13, to be quite honest, that is probably the biggest disappointment to me there and that is that statement that I assure you Steve, we'll give both parties and opportunity to do the final negotiation on this lease. I left on May 13 with a lease in hand. There is no way I could get my ownership that lease and move financials in time to do a Monday deadline. I was anticipating that John might let me know, 'Steve, we have a lease in hand from them. You'd better get yours here by such and such and we'll compare them side by side'."

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Chairman Hancock said, "Okay. Commissioners, questions? Further questions or comments?"

Commissioner Winters said, "Thank you. Steve, you and I have had a couple of conversations and I kind of realize the spot that you're in. I guess I want to begin by saying the reason that this has caused us a little bit of concern is because of the amount of respect and admiration we have for you and your organization, the Wranglers. With the partnership with the City, you all have just turned Lawrence Dumont Stadium into a great place to spend leisure time watching baseball. That is one, of the great appreciation we have for you and the Richs and their ownership and their commitment to that stadium. That's certainly a big plus and all of us appreciate the effort and work that you do there.

"Normally, I guess, I'm pretty uncomfortable getting into some kind of contract negotiations at the bench between us because that is really not a good way to get business done. I think a number of us are really anticipating getting this wrapped up today. I don't know that there are any questions that we can really have many response from you about but I think the two questions out there, in my estimation really revolve around the approval from your owners and whether it was yesterday, on June 1, or back in the middle of May, whether there was an indication from your owner that 'yes Steve, this is the deal'. We want the deal moved forward, sign an agreement, get on with it. I think we're kind of under the impression that that wasn't the case.

"Then secondly, about the Arena Football II, what other cities are they a going league? I don't want to really open up this now for you to give an exposé on how good Arena Football II is because we know that there is Arena football out there, but we still know that Arena II is a beginning league. I mean, other cities aren't committed to signing up yet but by the year 2000 there could be six or seven great cities or they could still be looking for six or seven great cities. I think that is one of the issues. I guess we're in a little bit of a box. I don't think I have any other direct questions and I don't know if any of the other Commissioners do, but it appears that we may be and I think when we get up and John makes his presentation, I'm sure we'll have some comments about that. You've raised some questions that we'll probably address there. Again, I appreciate your coming this morning and letting us know what your concerns are about this. I think, as we get on to the next item on our agenda the Commissioners will probably have some discussion back and forth amongst ourselves about whether we proceed today or whether we defer for a week. Commissioners, unless somebody else has a question. It looks like Steve you have a comment and I'd be willing to let you make that, but I don't think we can get into a whole spill

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about Arena Football II."

Mr. Shaad said, "No, I understand. That's why I prepared this paper because I don't think this is the time or place to debate those differences between the two leagues. If I could spend one minute to address some things in the paper by Mr. Nath and some things that appeared on an internal document that I understand Mr. Nath distributed that I have a strong exception to.

"Number one is an internal document that Mr. Nath said that he told me on the May 13 meeting that the first one back with the deposit check would get the lease. He did tell me that previously and I do want to be fair to John and he may remember that conversation previously, but he did not tell me that on May 13.

"Number two, Arena Football II, while a new league, is part of a 13 year established league with contracts with ESPN, ESPN II, and ABC and has always projected to start in the year 2000 a year ago. So this is not a league that is dragging its feet and we're not sure if it is going to be there. The June 1, 1999 deadline has been there, certainly, since I have been involved with them. So it is not a situation where maybe we're going to have a league and maybe we're not. The teams that have committed for next year as of yesterday are: Tulsa, Shreveport, Little Rock, Oklahoma City, St. Charles, Missouri. As of yesterday, Lafayette, Louisiana, Wichita, Kansas, and what they call the quad cities, Davenport, Iowa, were still on the fence. Six teams will be in this league. They have five that are committed. We are one of the six that are a candidate for the other one. The other one that I would say in terms of the Richs not being enthusiastic about this, I guess I can't expect people to understand Richs style. They move fairly quickly, but even with the Wichita Wrangler's purchase, they're initial conversations were very spread out over the summer of 1988. They're meetings with the City were in 1989 and they didn't announce a franchise until October of 1989.

"We have taken this from ten weeks ago, when we first started doing research and ten days since Mindy first reviewed the documents on the 13th and approximately ten days since she reviewed the final documents at John's negotiations. They have come to the decision to proceed with an Arena Football league. I find that, in sports business, an extremely rapid pace. On the other hand, in fairness, the IFL reportedly, by John's document, has been talking to the County since last summer and in February said they would locate a franchise here if \$125,000 in season tickets were located and did not sign the lease

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until the day they learned that we would locate an Arena Football II franchise here. It may just be smart business. That's not the way I've normally done business. Maybe I'm not smart. That's all I have to say. I appreciate the time, unless there are other comments. Formally, the Richs are asking the County to delay the decision in the IFL lease by at least one week."

Chairman Hancock said, "Thank you, Steve. Commissioners, the Chair would entertain a Motion."

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

NEW BUSINESS

G. AGREEMENT WITH INDOOR FOOTBALL LEAGUE, INC. FOR USE OF KANSAS COLISEUM.

Mr. John Nath, Director, Kansas Coliseum, greeted the Commissioners and said, "Before we get into the discussion of the lease, perhaps it will be helpful if we went over the time line and kind of had an understanding of how we got to this point here, today, and we're talking about the document. We first

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started talking, had a conversation about area football, when I first came here in February of 1996. That is one of the things Fran Jabara and I had a conversation about. He thought arena football would be a natural in this market. I have had several conversations from, 1996 in February until May 7 of 1998, with the arena football people with the idea of bringing an exhibition game to play in the market.

"We received a letter from Glen Heston, who has an agent for the Professional Indoor Football League on May 7, 1998, saying that there was an interest in putting a franchise here. When I get those kinds of things, I immediately either call or send back a letter saying yes, we are interested. We have open arms, come down and talk to us. On June 1, 1998, there was an article in Smiths & Streets Sports Business Journal, talking about a lawsuit filed by the Arena Football League against the Professional Indoor Football League about copyright violation. On July 10, 1998, I met with Tom Mazuski of the Indoor Football League with the purpose of placing a franchise here in Wichita. On July 17, there was another article in Smiths & Streets Business Journal about the settlement or the dismissal of that lawsuit allowing the leagues to go ahead and continue operations. In July 29, 1998, a news release from the Indoor Football League announcing an agreement between the PIFL, which is the Professional Indoor League and the IFL, and these acronyms get kind of confusing after a while, they were going to coexist and play for a national title game.

"We continued our conversations with Tom Mazuski and the IFL up until November 23, 1998, when I received a letter from Mary Ellen Garling, from the Arena Football League announcing Arena Football II, saying they would start operations in 1999. February 16, we had a telephone conversation with George Daniel from the Indoor Professional Football League. That is four leagues we've had contact with so far about the possibility of putting a team in Wichita.

"In March 1999 we started talking to Steve with the idea. He had approached me and said they were interested in expanding their presence in Wichita and always looking at new opportunities. I said I'd be happy to forward all the information I get and we did forward several instances of information to Steve on various Indoor Football Leagues. I met with Steve on March 23 and yes, we did talk about General Terms and Conditions and we used the existing hockey contract as a model.

"May 3, there was a meeting at the Coliseum with Terry Nielsen from the Indoor Football League for the purpose of talking about what kind of terms there would be and what kind of conditions and available dates in the year 2000. Actually, we would have started in 1999, coming back from our conversations with Tom Mazuski, we would be playing right now. But the Coliseum floor is not ready. We're tearing the floor out this year because of maintenance on the ice floor, so there is no place to play. That afternoon,

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Terry Nielsen had a meeting with Steve Shaad. The next day, Steve told me that they were no longer working with the IFL, that he is interested in AFL II, and could he please have a copy of the documents, which I promptly faxed over to his office.

"May 13, another meeting with Steve Shaad. Steve asked to modify some of the terms and conditions of the documents, which we accepted. We formulated the documents in my office. At that time, May 13, later, that's when everybody said they'd be interested in football. Everybody was told up front that whoever comes back with the check gets the deal. The IFL came back with a signed contract and a check. That's our recommendation to get the deal.

"We have with us, today, the founder and the owner of the IFL, Mr. Keary Ackland. He would be happy to tell you a little about his past performances with the league, his future expansion plans and what he plans here in this market for a team."

Mr. Kerry Ackland, Owner, Indoor Football League, greeted the Commissioners and said, "I just briefly want to go over and don't want to spend a lot of time about the IFL, because we have not played here and there is confusion. There is Arena Football, there is Arena Football II, there's PIFL, IPFL, IFL. What the IFL is, and what we have been able to do in this last season is something that is truly remarkable. It is something that a lot of people want to do and are available to do. We have started a league, an 8 team league. We have played throughout the season and we're about three quarters done with our season.

"Our average attendance throughout the league, through all 8 teams, is about 4,800 fans. Our average seating capacity is about 5,700. So we're about 86% capacity, which is remarkable. We have some cities are actually incredible. Lincoln, Nebraska is sold out completely, season tickets. You can't buy a ticket in Lincoln, Nebraska. Peoria has sold out all their games except for one. Almost 10,000 fans per game.

"We look at this and the success of the league and understand that the teams that we started in the first year, we want to build from the teams and build divisions from the teams that we started. That's why we placed one out in Wheeling, West Virginia, Dayton, Ohio, we've got Greenbay, Madison, Duluth, Lincoln, Nebraska, Peoria, Illinois, and Topeka, Kansas, all in mind that last year we would have liked to play in Wichita. We did find out that the floor was being torn out and that is wasn't a possibility, but we were always looking at Wichita the following year to build our division, which would be Wichita, Topeka, Omaha, Nebraska and Lincoln, Nebraska, and along with Sioux Falls. So it has been a projected plan for almost two years now.

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"One thing about our plans though, when we set out to do something, we have done it. We have done absolutely everything we've set out to do. We said we were going to play in 1999. We have played in 1999. Our credibility in all the cities is exceptional. The arenas absolutely love the events. Our capita in the arena is tremendous. Each team can be viewed as a pretty good success story.

"The expansion that we have for this next year, we're going to expand to somewhere between 20 and 24 teams. Next week, we're announcing another 3 teams. But we will not announce a team unless we have a signed arena deal. In this business, that seems like that is quite the opposite. Leagues are announcing here, there, everywhere, and they don't have a signed arena deal. We don't follow that pattern. We will announce a team when the deal is set and we will officially be there. That's when we announce a team.

"One thing we have found out this season that is important, is we need to start as soon possible. Right now, we have an eight month lead time before the season started. The cities that do the best are the ones that start earliest. If we can start immediately, we can plan bus trips to Topeka so the fans can see product. Their very own league that they'll be in. Time is just very very important right now. So I just wanted to let you know who we are and what we're about, what we have done. We plan to be straight forward on everything. If you have any questions, feel free."

Chairman Hancock said, "Commissioner Gwin."

Commissioner Gwin said, "How many teams in the league now?"

Mr. Ackland said, "There are 8 teams."

Commissioner Gwin said, "And you expect to expand up to as many as 24?"

Mr. Ackland said, "Right. There are 42 arenas and cities that want the IFL in it right now. We're a little bit different, because we are a developmental league. We concentrate on getting our players into the CFL. We have an agreement with the Canadian Football League on developing players and getting them into the . . . the true stepping stone to the next level, which would be the NFL we feel is the CFL. Our players fit that category to be good CFL players. A lot of them have been drafted in the NFL. A lot of them haven't been drafted. So we give them a forum to play in. We have CFL scouts at every game. We'll move approximately 15 to 20 guys from our league into the CFL this season."

Commissioner Gwin said, "My interest in the expansion teams is, are those expansions going to be farther away so that travel and expense and those kinds of things become an issue here?"

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Mr. Ackland said, "No, actually with the fashion that we're doing this next season, the overall travel per team dropped from what it was this year. Because in our division, in Wichita's division, you'll have Topeka, Lincoln, Ohama, and Sioux Falls, South Dakota. Their overall travel for their five away games would be about 4,800 miles. Eighteen teams in our league have been traveling roughly about 9,000 to 11,000 miles. So, in your division, you have these five teams. Both teams you play twice, so you play them at home and you play them away. That only leaves you two additional games that would be longer travel. So we try to keep everything within our budget and we run every team exactly the same. The divisions, logistically, are laid out so the travel, within a couple of miles for each team."

Commissioner Gwin said, "You said you run every team the same. Do you have salary caps?"

Mr. Ackland said, "Yes, we have a salary cap for the players. We structure everything for the coaches, general managers, everything the same so we can meet our budget."

Commissioner Gwin said, "You also said this is a developmental league with players, ultimately, if they can make it, going to CFL. What's your base for recruitment of these players then? Where do your players come from?"

Mr. Ackland said, "A lot of our players come from the area. If you bring up Topeka's roster, we've got 9 or 10 guys on the 21 man roster that played at Kansas or Kansas State. So we get a lot of local talent. We bring out the local talent. Out guys who play in our league for instance in Lincoln, Nebraska, you've got Monty Krystal, who played for the Corn Huskers last year; Damon Benny. They opt to play in our league because they can stay at home. They don't have to move away. They can still work their job. They still get a tremendous amount of exposure."

Commissioner Gwin said, "The season runs from when to when?"

Mr. Ackland said, "Next season, our pre-season will start the third week in March and the regular season will end the last Friday or Saturday night in June. The play-offs will be two weeks and the championship will be the following week. So the full season would end the third week in July."

Commissioner Gwin said, "Okay. That brings another questions that I'll ask of John later after you get through. Thank you, very much."

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Chairman Hancock said, "Okay, thank you. Commissioners, further questions or comments? If not, thank you for being here today."

Commissioner Gwin said, "I have a question for John. John, we know a real busy time of the year, the winter and probably the early spring. How do we fit this team in and if they start pre-season in March, when you have two existing teams who are already playing regular season and if they're lucky, play-off time?"

Mr. Nath said, "I don't see where there is a problem with that. Football has indicated in March they would not have a problem playing on a Sunday, which we're generally open at that time. A Tuesday or a Wednesday shouldn't be a problem. Once we get past the April 1 play date and the normal season ends for both hockey and soccer, then we can start scheduling weekends if we needed that and probably every other weekend would be used because they do play 8 home games and 8 away games. I don't foresee that as a problem."

Commissioner Gwin said, "Well one of the issues that I'm aware of that you and I have discussed since you've been here and before is the fact that there just aren't enough weekend dates. Everyone, I don't care whether it is sports or entertainment, everyone wants a weekend."

Mr. Nath said, "Between October and March, you're right. But once March ends, the weekends open up."

Commissioner Gwin said, "Okay. Thank you, Mr. Chairman. Thank you John."

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

Commissioner Winters said, "Thank you. John, when you were explaining your time line sequence, you mentioned on May 4 that you faxed a contract over to Mr. Shaad. Was that a contract with a standard Coliseum contract with all the blanks filled in? It had the terms and conditions and all the numbers in it and that's the same contract that the IFL had?"

Mr. Nath said, "That was the exact same contract that the IFL signed. If you look at it, it looks almost exactly like the hockey contract. All of our contracts are structured the same."

Commissioner Winters said, "But it wasn't a contract with blanks in it and you make us a proposal."

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Mr. Nath said, "No sir. The terms and conditions were listed in the contract."

Commissioner Winters said, "And you would call them the standard Coliseum contract rates?"

Mr. Nath said, "Yes, that we thought we had to have for that sport, that's correct."

Commissioner Winters said, "That are very similar to hockey."

Mr. Nath said, "There are some subtle differences in the cost due to the fact that with football playing in the summer time, we're going to need to air condition. We do have a power factor built into the hockey contract, but we're making ice in the winter time, so the weather is working with us a little bit. When you're trying to cool down that great big building out there with that 600 ton air conditioner, it uses a lot of power so we had to reflect that in the rates."

Commissioner Winters said, "Okay, thank you."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. John, Mr. Shaad made an allegation that I think you deserve to respond to. While he did indicate that you had told him the first contract signed in with a deposit check, he is stating that you assured him that he would have ample time to submit a bid and it seems like it is apples and oranges here and I'd like to hear your side of the story on that comment."

Mr. Nath said, "Well, when Steve and I finished our negotiations, the difference between the contracts were maybe \$200 on a sell out, really not a big factor. He was again informed that whoever comes back with the check would get the date. He was also informed that the IFL had indicated to me that they would accept the contract as is. Steve's parting words were, 'I hope I can get the answer from my people in time'."

Commissioner Sciortino said, "In your opinion, is the reason for the slowness of receiving the contract from Mr. Shaad based upon their owners not making a decision for sure that they want to be in football?"

Mr. Nath said, "Commissioner Sciortino, I can't answer that. I don't know."

Commissioner Sciortino said, "Thank you. I have no further questions?"

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Chairman Hancock said, "Thank you, Commissioner. Commissioners, further comments or questions?"

Commissioner Gwin said, "A couple more, just for John. Besides the fact first check in gets the contract, were there other issues, were there other criteria that you identified that made you feel more confident with IFL than AFL II? Were there other things you considered?"

Mr. Nath said, "We obviously considered whether something is actually in operation right now or something that is still in the conceptual stage. The IFL is certainly operating right now. I had called all 8 building managers and asked them about working with the league and how it is going. All 8 have told me that it is a very good product. They're very happy to have it. They gave two compliments that you don't get a whole lot from building managers. They said two things unanimously. That the league does what it says it will do and they pay their bills. Something that is very important in this business."

Commissioner Gwin said, "Okay, thank you. Thank you, Mr. Chairman."

Chairman Hancock said, "Commissioners, further comments or questions? Commissioner Winters."

Commissioner Winters said, "I'd make one comment, I guess, to those watching and Mr. Ackland and his crew here. I think you can see a little bit of the struggle here. I think if we didn't have a great deal of respect for Steve Shaad and the Richs, this would be a no-brainer deal. I think we do have a lot of respect for Steve and his organization. They've done a fine job. I think I'm ready and prepared to move on today with what we've got, even though I'm struggling with this a little bit with the procedures. I think if the contract back in the beginning of May had of been kind of an open book contract that had a lot of fluctuation in it, then I clearly think we were in the negotiation stage, but it appears to me that the negotiation stage had kind of passed.

"Here's our standard contract. It has the numbers filled in. If we get someone who could meet the terms of the contract, then it's a deal. I'm really, I guess kind of in that spot and looking for other Commissioner. To help with information. I think if we defer this, I think we would just defer it for a week and come back and proceed with what we're going to do today. I guess I'm interested in comments of other Commissioners before we make a Motion but I think I'm ready to proceed unless somebody's got another solution."

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

Commissioner Gwin said, "I don't know if I have another solution. I too wrestle with this and as you said only because of knowing Steve and what he can get done when he puts his mind to it and what he's been able to accomplish. I think a lot of these things don't come to us because most of the contracts that are negotiated for the Coliseum are negotiated through John. Very seldom do they come to us for our attention. It is on a long term tenancy they'll come to us and we'll discuss it. But over the years that I have been here, we've never really had that kind of competitive inter-league fight for space at the Coliseum. We have a team identified that plays hockey. We have a team identified that plays soccer. Where they may be fighting for weekend dates and what they think are the best times to draw a crowd, they're not really fighting that we have to chose one over the other or trying to argue those cases.

"Generally, when it comes to concerts and those kinds of things, these don't come to us. I probably expect that there might be someone that one of us would want to have appeared in a concert but that date was already taken by another performer that we may or may not prefer. But it is a matter of the business of the nature of this business I think that A, if you have a good facility, B, you have a community who can support a sport or an event, you're going to get competition. You're going to get folks who want to be a part of this community and want to be a part of the Coliseum and calling it home.

"So I think we should be proud of that and of the way that the facility, although be it, it needs some updating, that the way it's been able to serve us all these years. I don't know if there is anything that I would suggest to do, John, that you should or could have done differently. I suppose that would be a conversation that you and I would have in private if anything comes to my mind.

"I'm like Tom. The only reason I'm struggling here is because I know what Steve can and has done in the past and I know he'll do in the future. Given the fact that this league is up and running, that they do have the money, that they do have the contract signed, if that's the understanding, that was the business understanding by both parties that first in gets the deal, then it appears to me this is the organization who was first in. I don't know how to argue or dispute that. That's kind of where I am I'm afraid."

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

Commissioner Sciortino said, "Thank you, Mr. Chairman. I echo what both of you have said. I've known Steve for 15 years or so and I know that his owners have done a heck of a lot with a baseball team that was really struggling when they took over. I think by deferring this and then allowing the Richs to

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make a bid kind of puts the IFL in a bad position, because they've already presented their side of it and now someone can see what they've offered and then maybe try to sweeten the pot. I think the main problem here in listening to what Steve has said and I had conversations with Steve last night, the main problem is that the Richs couldn't make a decision. That kind of hamstrung Steve to lobby or make a commitment unless his owners could make a commitment and if I heard right even this morning, listening to Steve, the most the owners have committed to is to let a contract with the AFL II be under review with their attorneys. I don't know for sure that Steve could, if we said fine we'll sign the deal with you today, give us the check, that he has the authorization to commit, iron clad, a commitment for five years to the arena and give us the check today. Because that would have to be reviewed by his owners. This isn't easy for me, but I think I would support going with the deal that we've got. It was clearly stated to Steve what the situation is. I cannot, in my wildest dreams, think that John negotiated in bad faith. I think he was up front with Steve and I would support going forward with this project."

Chairman Hancock said, "Thank you, Commissioner. Further comments or questions."

MOTION

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

Commissioner McGinn seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. Thank you, all for being here today. Appreciate your attendance and the comments you all have made. Appreciate that."

Mr. Nath said, "Thank you, Commissioners. Just like to add that we do have a great building and we have a great market here. People do realize that."

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

H. AGREEMENT WITH WICHITA BAR ASSOCIATION FOR USE OF LAKE AFTON PARK JUNE 5, 1999 TO HOLD A DUATHLON AND 5K RUN.

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "This is an ongoing event that we've had with the Bar Association for a number of years at Lake Afton Park. In spite of the fact that it is in an agreement with the Bar Association, it is a standard form agreement. We've coordinated dates with the park superintendent and would recommend your approval."

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

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

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

I. AGREEMENT WITH BOYS AND GIRLS CLUB OF SOUTH CENTRAL KANSAS, INC. FOR 1999 PREVENTION FUNDING.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "This is the last prevention contract that was approved and this is with the Boys and Girls Club of South

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Central Kansas. Melvin Carter is here today from the Boys and Girls Club, if he'd like to come on up, I'll have him say a few words about the program and what they hope to accomplish."

Mr. Melvin Carter, Director, Boys and Girls Club of South Central Kansas, greeted the Commissioners and said, "On behalf of the Boys and Girls Club, first we'd like to say thank you for last years opportunity with the resources that we received to serve our children. This year we're in the same predicament. Unfortunately, a lot of our kids are not in school or being expelled out of school and we saw the opportunity to bring them inside the Boys and Girls Club and try to educate them and get them prepared to go back into the school environment. That's what we're doing this year again. Like I say again, it is unfortunate that we have to come to that. I wish all the kids could stay in school and be educated under the educational system that is provided. But since it isn't, we're going to make a commitment and we hope that the County will make a commitment with us to save the most precious resource we have, our children. Thank you."

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

Commissioner Gwin said, "Thank you, for being here this morning. Just to reinforce to you and to the public. These prevention funds are allocated to organizations like yours, not just because it is a fine organization, but because your goals and your measurement and your outcome measurements and everything else make the grade. If it did not, if your programs did not meet our expectations, then of course we wouldn't be funding you again.

"So we're proud of what you all have been able to accomplish. We know you'll work hard and hopefully, with good outcomes and the good grades next year on behalf of your organization, we'll be able to continue funding for you too. Thank you."

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

Commissioner Sciortino said, "I have a question for Debbie, please. Debbie, just for the record, if you would let us know exactly the dollar amount, I think that's a good idea."

Ms. Donaldson said, "The dollar amount is \$50,000 for the year."

Commissioner Sciortino said, "Thank you."

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Chairman Hancock said, "Thank you, Debbie. Commissioners, questions or comments?"

MOTION

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

Commissioner Winters seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. Thank you for being here today. Next item please."

J. CONTRACT WITH KANSAS DEPARTMENT OF COMMERCE AND HOUSING-DIVISION OF HOUSING REGARDING USE OF GRANT FUNDS TO PROVIDE RENTAL ASSISTANCE TO FAMILIES AFFECTED BY THE MAY 3 TORNADO DISASTER.

Ms. Irene Hart, Community Development, greeted the Commissioners and said, "My colleague Brad Snapp is unable to appear before you today, he took advantage of the three day weekend to clean his back yard and discovered he has lots of poison ivy. I'm here on his behalf.

"The Contract he is asking you to consider today is for up to \$200,000 in funds to assist families who were dislocated by the storm. These would be families who lived in Sedgwick County outside the City of Wichita as of the storm date. People who were either renters or home owners who are now renting

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elsewhere, due to their home being unable to be inhabited due to the storm. We would be taking applications for 90 days. People, if they believe they might be able to take advantage of the program, they need to contact us at the Housing Authority at 383-7433. If they miss that telephone number, they can call us and we'll get an application to them. But they are people who live outside the City of Wichita whose home was damaged by the storm and have had to rent elsewhere and who are not receiving rental assistance from FEMA or their insurance company. They can contact us and we will provide a rent subsidy. Given all the qualifications are right, we would provide a rent subsidy for up to one year. But they need to contact us within the next 90 days."

Commissioner Gwin said, "Give the number again."

Ms. Hart said, "It is 383-7433. That is the Sedgwick County Housing Authority. Again, it is for the County outside the City of Wichita. They have a little different funding stream that they can take advantage of. So we ask you to consider and approve the Contract. I'd be happy to try and answer any questions."

Chairman Hancock said, "Thank you, Irene. Commissioners, questions or comments on this item? Be sure to leave the number with the front office staff here and we can pass that along if citizens call. If they can think of no one else to call, they can call the Commissioners and we'll hand out that information. Appreciate the information. Commissioners, questions or comments on this item? If not, what's the will of the Board?"

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin

Aye

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

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

K. DIVISION OF OPERATIONS.

- 1. DELETION OF ONE SENIOR OFFSET PRESS OPERATOR POSITION, RANGE 17, FROM THE PRINT SHOP STAFFING TABLE, AND ADDITION OF ONE SYSTEMS ANALYST POSITION, RANGE 22, TO THE INFORMATION SERVICES STAFFING TABLE.**

Ms. Kathleen B. Sexton, Director, Division of Operations, greeted the Commissioners and said, "The item before you today is elimination of a currently vacant position in the print shop, a Senior Offset Press Operator. What we'd like to do is add that position, called Systems Analyst to Information Services and that would be a person who would specialize in imaging of documents and that is basically creating an electronic file of paper documents, so we could better manage our records and save, basically, staff time involved in retrieving and filing documents. We think there is going to be a lot of benefit to this and I ask for your approval."

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

MOTION

Commissioner Winters moved to approve the deletion from the Print Shop Staffing Table and the addition to the Information Services Staffing Table.

Commissioner Sciortino seconded the Motion.

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

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VOTE

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

Chairman Hancock said, "Thank you. Kathy, while you're here, the temperature is really chilly up here."

Ms. Sexton said, "Do you have a little fan moving air around back there?"

Commissioner Gwin said, "No, we've got air conditioning going."

Ms. Sexton said, "Got the air condition going. Well, that's a good thing isn't it."

Chairman Hancock said, "She's in charge of the temperature in the whole courthouse. If anyone is unsatisfied, please call her."

Ms. Sexton said, "Don't give out my number. Thanks, Commissioner."

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

**2. AMENDMENT OF THE 1999 CAPITAL IMPROVEMENT PROGRAM (CIP)
TO REPAIR THE EXTERIOR OF THE MAIN COURTHOUSE. CIP #PB-249.**

Mr. Kenneth W. Arnold, Director, Capital Projects Department, greeted the Commissioners and said, "I wanted to ask your approval, this morning, of an amendment to the 1999 Capital Improvement Program to make the repairs that are necessary to the exterior of the main courthouse. This item is on page 69 in your back-up. You might recall, we've discussed this at the staff meeting with you. It would involve the

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glazing of the brick joints, tuck pointing of the courthouse brick, refacing the brick, sealing it, cleaning the lime stone panels, removing residue, discoloration, and resealing those, re-anchoring the marble panels onto the courthouse and sealing those. We would ask that you approve the amendment. The architect is here that can answer any questions, Rod Copper from Wilson, Darnell, Mann as well. I'd be happy to answer any questions that you have."

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

Commissioner Winters said, "Thank you. Ken, this project was scheduled to be done in the year 2000, next year, so it is not something that was unanticipated."

Mr. Arnold said, "No, that's correct. We're moving it up one year."

Commissioner Winters said, "Is it because of the damage we see occurring to the building that it appears appropriate to move this project up and forward a year."

Mr. Arnold said, "That is correct sir."

Commissioner Winters said, "The second question, I guess, is what would be the extent of the scaffolding that we'll see and the citizens will see on the courthouse and how long will it be there?"

Mr. Arnold said, "The majority of this will be done from above. They'll drop the scaffolding down the side, kind of like you see when they have window washers that are washing the windows on the building, that type of thing. At the lower level, there may have to be some scaffolding part way, but the building is not going to be wrapped in scaffolding that you might typically expect. We will be putting the specifications together, putting it out for bid. I don't know exactly how long we will be talking about doing the work at this point in time."

Commissioner Winters said, "The plan now is for there to be no changes to the texture, or color. What we're doing is we're enhancing what we see right here, so there is no need to get any other kind of historic preservation permission or any of that kind of stuff."

Mr. Arnold said, "That's correct."

Regular Meeting, June 2, 1999

Commissioner Winters said, "Okay, thank you."

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

MOTION

Commissioner Gwin moved to approve the CIP Amendment.

Commissioner Winters seconded the Motion.

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

VOTE

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

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

L. PUBLIC WORKS.

- 1. CONTRACT FOR ENGINEERING SERVICES (DESIGN) WITH MID-KANSAS ENGINEERING CONSULTANTS, INC. FOR A PROJECT ON**

Regular Meeting, June 2, 1999

**143RD STREET EAST BETWEEN 13TH AND 21ST STREETS NORTH.
ROAD NO. 839-N. DISTRICT #1.**

Mr. David C. Spears, P.E., Director/County Engineer, greeted the Commissioners and said, "Item L-1 is an Agreement with Mid-Kansas Engineering to provide engineering design services to Sedgwick County for the reconstruction of 143rd Street East between 13th and 21st Streets North. This project is funded half by special assessment and half by Sedgwick County. Because of numerous complaints from residents about the bad conditions of this road, it is a problem that must be addressed. The total cost of the engineering service will not exceed \$30,000. That is \$15,000 special assessment, \$15,000 County. Recommend that you approve the Contract and authorize the Chairman to sign."

MOTION

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

Commissioner Sciortino seconded the Motion.

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

VOTE

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

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

- 2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER TWO AND FINAL, WITH CORNEJO & SONS, INC. ON SEDGWICK COUNTY PROJECT NO. 594-9, 10 AND 785-C, D; 101ST STREET NORTH**

Regular Meeting, June 2, 1999

BETWEEN 247TH AND 279TH STREETS WEST AND ON 279TH STREET WEST BETWEEN 93RD AND 101ST STREETS NORTH. CIP #R-38. DISTRICT #3.

Mr. Spears said, "Item L-2 is a modification of plans and construction for 101st Street North between 247th and 279th Streets West and 279th Street West between 93rd and 101st Streets North. In other words, these are the roads up and around Mount Hope. This is designated as R-38 in the Capital Improvement Program. This project has been constructed and is ready to be finalized. There will be a net decrease of \$52,379.65 due to variations in planning quantities from actual field measurements. I recommend that you approve the modification and authorize the Chairman to sign."

Chairman Hancock said, "Thank you, David. Commissioners, questions?"

Commissioner Winters said, "Just one question. We did have to do some extra, when we first started the project, had to do some extra base work. So with this decrease, maybe you might have got a little bit of that back because we had to do extra work in Mount Hope. So this is good to hear that we're going to have a \$53,000 decrease. Am I correct on that?"

Mr. Spears said, "That's correct. Originally, we had a \$109,000 increase and now this is a \$52,000 decrease. The \$109,000 increase was because the subgrade was not the way that we thought it was and we had to add rock and tenses to the project. The difference between a positive 109 and a negative 52, that is what that did cost."

Commissioner Winters said, "It turned out a little better than expected."

MOTION

Commissioner Winters moved to approve the Modification of Plans and Construction and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

VOTE

Regular Meeting, June 2, 1999

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

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

M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MAY 27, 1999 REGULAR MEETING.

Mr. Ken Williams, Assistant Director, Purchasing Department, greeted the Commissioners and said, "This is the Agenda for the Board of Bids and Contracts, Regular Meeting, May 27, 1999.

**(1) INTERCHANGE AT K-96 & GREENWHICH ROAD- PUBLIC WORKS
FUNDING : GENERAL OBLIGATION BONDS**

"Item one on the Agenda is the interchange at K-96 and Greenwich Road for Public Works. The recommendation is to accept the low bid of Whitwer Incorporated, in the amount of \$1,240,762.27.

**(2) SUPER PREMIUM BOND PAPER- STATIONERY STORES
FUNDING: DIVISION OF OPERATIONS**

"Second item is super premium bond paper for the stationary stores and the Division of Operations. The recommendation is to accept the low bid of Unisource in the amount of \$30,960.

**(3) MULTI-CHANNEL DIGITAL RECORDING SYSTEM- DISTRICT COURT
FUNDING: JUDICIAL TECH GRANT FY99**

"The third item is multi-channel digital recording system for the District Court. The recommendation is to accept the low bid of Voice Products in the amount of \$85,997.

Regular Meeting, June 2, 1999

**(4) PERSONAL COMPUTER HARDWARE \$ SOFTWARE- INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

"The fourth item is personal computer, hardware and software for Information Services. The recommendation is to accept the low bid of Comp USA in the amount of \$10,880.15.

**(5) MS OUTLOOK TRAINING SERVICES- INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

"Item five is MS Outlooking Training Services for Information Services. The recommendation is to accept the proposal of New Horizons in the amount of \$10,345.

**(6) JAIL INTERIOR GRAPHICS- ADULT DETENTION FACILITY
FUNDING: CAPITAL PROJECTS**

"Item six is Gel Interior Graphics for Adult Detention Facility. The recommend is to accept the modification of the contract with Gravers Unlimited in the amount of \$4,069.25. A grand total of \$19,889.25.

**(7) GATEWAY PERSONAL COMPUTER HARDWARE SOFTWARE CONTRACT-
PURCHASING/ INFORMATION SERVICES
FUNDING: VARIOUS DEPARTMENTS**

"Item seven, Gateway personal computer and hardware and software contract for Purchasing and Information Services. The recommend is to accept the low negotiated Sedgwick County annual contract from Gateway.

**(8) INSTALLATION OF CARPETING AND RUBBER BASE- AUTO LICENSE
FUNDING: CAPITAL PROJECTS**

"The eighth item is installation of carpet and rubber base at Auto License for Capital Projects. The recommendation is to accept the low bid of Scott Rice for item one and seven in the amount of \$13,572.

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(9) EXERCISE EQUIPMENT- ADULT DETENTION FACILITY
FUNDING: SCAAP GRANT

"Item nine is exercise equipment for the Adult Detention Facility. The recommendation is to accept the low bids of Mid-State Fitness Equipment for items 13 and 14 in the amount of \$14,400, and the bid of Home Fitness Exercise for items 1 through 12 and item 15 in the amount of \$31,579.25. Would make a grand total of \$45,979.25.

(10) FORKLIFTS- FLEET MANAGEMENT
FUNDING: FLEET MANAGEMENT

"Item ten is fork lifts for Fleet Management. The recommendation is to table indefinitely for review. That is the report of the Bids and Contracts. Ask your approval if there's not any questions."

Chairman Hancock said, "Thank you. Commissioners, questions on any of these item?"

Commissioner Sciortino said, "I just have one question, Mr. Chairman. On item three, you said the low bid, if I understand what I'm reading here, you sent out quotations for 10 vendors but you had only one vendor submitted a bid, is that correct? Item three."

Mr. Williams said, "No sir, it was a sole source because it matched existing equipment."

Commissioner Sciortino said, "It says here you sent out a request for quotation to ten vendors."

Mr. Williams said, "Only received one."

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

Chairman Hancock said, "Thank you. Commissioners, further questions?"

MOTION

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

Commissioner Winters seconded the Motion.

Regular Meeting, June 2, 1999

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

VOTE

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

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

CONSENT AGENDA

N. CONSENT AGENDA.

1. Right-of-Way Agreement.

One Temporary Construction Easement for Sedgwick County Project No. 814-N-3110; Bridge on Zoo Boulevard over the Wichita/Valley Center Floodway. CIP #B-408. District #3.

2. Section 8 Housing Assistance Payment Contracts.

| <u>Contract</u> <u>Number</u> | <u>Rent</u> <u>Subsidy</u> | <u>District</u> <u>Number</u> | <u>Landlord</u> |
|----------------------------------|-------------------------------|----------------------------------|-------------------------|
| C99029 | \$232.00 | 2 | John E. Wiebe |
| C99031 | \$400.00 | 5 | Helms Rental Properties |
| V99030 | \$310.00 | 5 | Cottage Grove |

Regular Meeting, June 2, 1999

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

| <u>Contract Number</u> | <u>Old Amount</u> | <u>New Amount</u> |
|------------------------|-------------------|-------------------|
| V94034 | \$209.00 | \$209.00 |
| V94069 | \$144.00 | \$159.00 |
| V96003 | \$104.00 | \$104.00 |
| V96079 | \$207.00 | \$207.00 |
| V97035 | \$295.00 | \$400.00 |
| V98062 | \$335.00 | \$150.00 |
| V98022 | \$365.00 | \$495.00 |
| V98053 | \$22.00 | \$375.00 |
| C98051 | \$205.00 | \$177.00 |
| V96078 | \$163.00 | \$116.00 |

- 4. Authorization per K.S.A. 79-2012 to withhold delinquent personal property taxes under the County Treasurer's certification dated May 18, 1999.**
- 5. Order dated May 26, 1999 to correct tax roll for change of assessment.**
- 6. Payroll Check Registers (two) of May 28, 1999.**
- 7. General Bills Check Register of May 28, 1999.**
- 8. Budget Adjustment Requests.**

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

MOTION

Regular Meeting, June 2, 1999

Commissioner Gwin moved to approve the Consent Agenda as presented.

Commissioner Sciortino seconded the Motion.

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

VOTE

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

Chairman Hancock said, "Thank you. At this time I will recess the Regular Meeting of the Board of County Commissioners."

The Board of Sedgwick County Commissioners recessed into the Sewer District Meeting at 10:24 a.m. and returned at 10:29 a.m.

Chairman Hancock said, "At this time, I'll bring back to order the Regular Meeting of the Board of County Commissioners. Is there further business?"

O. OTHER

MOTION

Commissioner Gwin moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims, litigation, and legal advice, and that the Board of County Commissioners return from Executive Session no sooner than 10:58 a.m.

Commissioner Sciortino seconded the Motion.

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

Regular Meeting, June 2, 1999

VOTE

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

Chairman Hancock said, "Thank you. We are in recess."

The Board of Sedgwick County Commissioners recessed at 10:29 a.m. and returned at 11:03 a.m.

Chairman Hancock said, "I'll call back to order the Regular Meeting of June 2, 1999. Let the record show there was no binding action taken while in Executive Session. Further business to come before this Board? If not, we are adjourned."

P. ADJOURNMENT

Regular Meeting, June 2, 1999

There being no other business to come before the Board, the Meeting was adjourned at 11:03 a.m.

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

BILL HANCOCK, Chairman
Second District

BETSY GWIN, Chair Pro Tem,
First District

THOMAS G. WINTERS, Commissioner,
Third District

CAROLYN McGINN, Commissioner,
Fourth District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

Regular Meeting, June 2, 1999

James Alford, County Clerk

APPROVED:

_____, 1999