

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

April 12, 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, April 12, 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 Bill Hancock; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Nola Foulston, District Attorney; Ms. Jane Moralez, Classification/ Compensation Specialist, Division of Human Resources; Mr. Jarold D. Harrison, Assistant County Manager; Mr. Phil Rippee, Risk Manager, Division of Finance; Ms. Deborah Donaldson, Director, Division of Human Services; Ms. Annette Graham, Director, Department on Aging; Mr. Jim Weber, P.E., Deputy Director, Bureau of Public Works; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Ms. Andree Simonsen Sisco, Secretary, Oaklawn Improvement District.
Ms. Linda L. Ulrich, Secretary, Oakview Neighborhood Association.
Mr. Clifford Helms, 212 N. Brookwood, Derby, Ks.
Mr. Dennis Shoemaker, 120 E. Washington, Derby, Ks.
Ms. Shirley Crosby, 4977 E. Tierra, Wichita, Ks.
Mr. Rick Wayland, Manager, Cottage Grove Rental Office.
Ms. Barbara Stapleton, Treasurer, Oakview Neighborhood Association.
Mr. Don Myers, 613 Briarwood, Derby, Ks.
Mr. James B. Mastin, 4438 Hemlock, Wichita, Ks.

INVOCATION

The Invocation was given by Reverend David Anders of West Side Baptist Church.

FLAG SALUTE

ROLL CALL

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

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Chairman Winters said, "I might mention that Commissioner Gwin is home ill today and we certainly hope that she's feeling better. I think she's got the flu really good. Next item."

CONSIDERATION OF MINUTES: Regular Meeting, March 15, 2000
 En Banc Meeting, July 14, 1999
 Special Meeting, March 3, 2000

The Clerk reported that all Commissioners were present at the Regular Meeting of March 15th, 2000. Commissioner McGinn was absent at the En Banc Meeting of July 14th, 1999 and Commissioner Hancock was absent at the Special Meeting of March 3rd, 2000.

Chairman Winters said, "All right, Commissioners, we'll need to take these one at a time. What's the will of the Board concerning Regular Meeting, March 15th?"

MOTION

Commissioner McGinn moved to Approve the Minutes of the Regular Meeting of March 15th, 2000.

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, "The En Banc Meeting of July 14th, 1999?"

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MOTION

Commissioner Hancock moved to Approve the Minutes of the En Banc Meeting of July 14th, 1999.

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	Abstain
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "The Special Meeting of March 3rd, Commissioners, what's the will of the Board?"

MOTION

Commissioner Sciortino moved to Approve the Minutes of the Special Meeting of March 3rd, 2000.

Commissioner McGinn seconded the Motion.

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

VOTE

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

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Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

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

YOUR COUNTY SERVICES

A. DISTRICT ATTORNEY FOR THE EIGHTEENTH JUDICIAL DISTRICT.

Chairman Winters said, "Thank you. Commissioners, we started a little project a few weeks ago of spending a few minutes at the beginning of each of our meetings to talk about various County offices and departments and part of County government. This morning, we're pleased to have District Attorney, Nola Foulston here to talk about her office for a moment."

Ms. Nola Foulston, District Attorney, greeted the Commissioners and said, "Thank you, Mr. Chairman. I don't have stage fright, but I appreciate the Invocation. Thank you very much for the invitation to advise my community a little more fully, through this meeting, of what the District Attorney does and what our interactions are with the community."

"First of all, the District Attorney's Office has over 100 employees. Forty-six of those are attorneys and support staff that works with them to prosecute cases, to help and assist in the investigation of cases and to bring matters before the court, as a gatekeeper in the justice system. This District Attorney's Office has the Criminal Trial Division. We have the Consumer Fraud and Economic Crime Division. Interestingly, people don't realize that we handle probate cases that include individuals who are mentally incapable or that are under the influence of drugs and alcohol to the extent that they are unable to care for themselves or they present a danger to themselves. Those cases come into the District Attorney's Office as well."

"We have a great deal of work in the Children in Need of Care area, our Juvenile Court. We work with truants. We prosecute cases up to and including capital homicide cases. Our cases also involve traffic cases in our own community, where these things occur and they are on one end of the spectrum to the greatest of all crimes, the crime of homicide."

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“It is important today, and I appreciate the fact that the Commission has recognized, through its Proclamation, National Crime Victims’ Week and every year that occurs. It’s a time that we get to reflect on individuals. This year the theme of the District Attorney’s is, ‘Our Children and Our Future’. I think that’s probably one of the most important things that we can bring this message to individuals. It matters how your children are raised. It matters the homes in which they are raised because these are the children who will work towards the jobs that we do today and by empowering them, at a very young age, protecting them and assuring their health and well being, we can then expect a community to survive and achieve and to grow stronger. So, that’s a very important message.

“My thanks to Commissioner Sciortino, for the recent article in the Derby Reporter. I appreciate your kind words regarding the office and with regard to Victims’ Rights Week. That’s one of the things that the community needs to understand is what kind of interaction the District Attorney’s Office has. We work with many and diverse agencies. It’s not only the firefighters and other law enforcement agencies. We also work very closely with EMS (Emergency Medical Services), with COMCARE (Comprehensive Community Care), with the Coroner’s Office, with the County Commission, who funds our office and makes sure and oversees to make sure that we have adequate funds, with our courts, with the Court Clerk’s Offices, with our Juvenile Services, with the Sedgwick County Department of Corrections. We also work with many diverse community agencies, including the DUI (Driving Under the Influence) Victims Center, Parents of Murdered Children, Venture House, Children’s Home, churches, SRS (Social and Rehabilitation Services), Inter-faith Ministries, the Crisis Center, Harbor House and a number of other community based organizations, that we work in collaboration with.

“I think every prosecutor needs to understand that we are here to do justice. That our job is a gatekeeper in the criminal justice system, to make sure that those matters are brought before the court that need to be identified and individuals who commit crimes, punished according to the law. I think that is probably the most important thing but we need to go beyond that and understand that a prosecutor’s office is a community prosecution agency. We represent the citizens of this community. We represent the laws of the State of Kansas and we want to make sure that those laws are fairly administered.

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“Today, in front of the Courthouse, at twelve noon, we will unveil this year’s, year 2000 poster for Victims’ Rights Week. That has been, for the last two years, done by a local artist who chooses subjects that are very close and dear to her. This year our children’s theme, and I believe that the children who are depicted in the poster will be here. It’s unusual, when you see a child’s poster, that you get to see the child himself or herself. You know there’s ‘Blue Boy’, the ‘Gainsborough’, but we won’t ever get to see those children but you’ll get to see these children, today, in front of the Courthouse. I hope you’ll all join us and invite the public to attend our noon meeting. I’d answer any questions you may have, Commissioner.”

Chairman Winters said, “All right. Thank you very much. Commissioners, are there questions or comments?”

Commissioner Hancock said, “I just have a comment, Mr. Chairman. I think folks ought to remember out there that Nola’s Office represents the people. Those of us who have been out there who have received a traffic ticket, from time to time, I’m not saying that I’ve actually received one, it’s Nola’s job to prosecute that case. What she’s doing is not beating up on me or anyone who violates the laws. What she’s doing is representing the people of the County, in securing the method of justice for us. She’s on our side. Her department is on our side. I know, every time, once someone is in trouble, and the most popular one, it seems to me, that I get the most phone calls about, Nola, are the Consumer Fraud cases.”

Ms. Foulston said, “We handle thousands and thousands of cases each year, with people in our community who are ripped off. We try and work with them. We have a great staff. We’re doing a lot of computer fraud crimes now because that’s becoming, unfortunately, the crime du jour. We’re able to refund and get money back to consumers. We’re able to direct them, through the court system, and we’re able to help and mediate cases where individuals have been defrauded. I have to tell you, we also have some great volunteers. They’re senior volunteers who work with us, in the District Attorney’s Office, to handle crimes against individuals who are later in their years, as community members and hopefully keep them, and protect them from the crimes of fraud. I also wanted to thank Representative Don Myers for being here. I know that he has had some interest in some cases that are involved in our office and I am pleased that he, also, from the Legislature, has that type of interaction with our office, that keeps us all working together as a State.”

Commissioner Hancock said, “Well, I appreciate your being here. Nola, over the years, your Department has been a delight to work with, not to mention absolutely, 100% professional. It’s been a

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pleasure to have you present and I understand, hopefully . . . one of our questions that they've suggested to us is, how long have you? I know exactly how long you've been here."

Ms. Foulston said, "Well, I've been practicing law now for 24 years. I'm very pleased that I've been able to dedicate 16 of those years to prosecution, with almost 12 years as the elected official. It's been a very great opportunity for me, as an attorney, to work in an area that I find very rewarding, and that's the area of the prosecution and working for the community in that respect."

Commissioner Hancock said, "Well, your office has taken a great deal of the load off the County Commission and we appreciate that."

Ms. Foulston said, "Thank you."

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

Commissioner Sciortino said, "Thank you. Nola says she's been practicing law for 22 years . . .24. She must have started when she was 12. Just a couple of comments. I echo exactly what Commissioner Hancock has said and I want everybody to know, as far as victims' rights, Nola sort of led the charge, back in 1977, (is that right?) To actually establish some victims' rights work and she's a very impassioned advocate of victims rights. She needs to be complimented on that and I'm doing that publicly for her. Thank you. That's all I have."

Chairman Winters said, "All right. Thank you very much, Nola. We appreciate your taking part of our Meeting this morning."

Ms. Foulston said, "Commissioner McGinn is going to be our presenter, from the Commission, this morning. So, again, I would invite everyone to attend, at 12 noon, outside in front of the Courthouse to hear the Commission statement, as well as to unveil the poster that I hope everybody in the community loves and takes to their heart. Thank you."

Chairman Winters said, "Thank you."

Commissioner Sciortino said, "Do we get free sandwiches there?"

Ms. Foulston said, "No free lunch."

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

PROCLAMATION

B. PROCLAMATION DECLARING APRIL 9-15, 2000 AS "COUNTY GOVERNMENT WEEK."

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

PROCLAMATION

"WHEREAS, in 1867, the county of Sedgwick was established, with the primary functions of judicial services, roads maintenance and law enforcement; and

WHEREAS, the first child born in the "new" Sedgwick County was Sedgwick Hoover, in December of 1869, and the first three Sedgwick County Commissioners were elected to office in 1870; and

WHEREAS, over the 133 years, Sedgwick County has grown to over 400,000 residents, five County Commissioners now represent the citizens and the services Sedgwick County Government provides have increased dramatically; and

WHEREAS, Sedgwick County Government is responsible for a wide range of services, including: emergency services, programs for the physically and mentally ill, recreational and cultural attractions, community development and environmental protection programs, services for the elderly, infrastructure through roads and technology, correctional programs for adults and youth, and many internal support functions; and

WHEREAS, Sedgwick County Government leaders are committed to improving the communities where our citizens live, work, play and raise families, by using the Internet and other technologies to improve service to the community; and

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WHEREAS, Sedgwick County builds partnerships in the community to provide solutions to meet many of the most challenging needs and ensure a high quality of life for all;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim April 9-15, 2000 as

“NATIONAL COUNTY GOVERNMENT WEEK”

in Sedgwick County in recognition of the innovation and quality public service provided by the employees of Sedgwick County Government.

“I would ask that you would adopt this Proclamation, on behalf of the employees of Sedgwick County.”

MOTION

Commissioner Hancock moved to Adopt the Proclamation and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	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, Kristi. Next item.”

RETIREMENT PRESENTATION

- C. PRESENTATION OF RETIREMENT CLOCK TO WENDEL CHALFANT, DIVISION CHIEF, FIRE DISTRICT #1.**

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Ms. Jane Moralez, Classification/ Compensation Specialist, Division of Human Resources, greeted the Commissioners and said, "Wendel Chalfant, Fire Division Chief, Fire District #1, will retire May 1 of 2000, after nine years of service. Wendel was hired on January 21st of 1991 as Fire Safety Officer, became a Fire Captain on January the 1st of 1992, Training Safety Captain on September the 23rd of 1993 and became Fire Division Chief on October 1st of 1996.

"During his retirement, Wendel plans on spending more time with his grandchildren, playing lots of golf. Another one of his new duties will include being a househusband.

"He describes his period of employment with Sedgwick County as very informative and very enjoyable. Congratulations, Wendel."

Chairman Winters said, "Wendel, on behalf of the Board of County Commissioners, we'd like to present you with this clock, as a token of our appreciation for your work. As a local government official, I think one of the most important aspects of our job, and responsibility, is to provide public safety in areas where it would be extremely difficult for citizens to do that. In your line of work in the fire service, and in law enforcement, I don't think we can hardly say thank you enough. We know that there are times when you all and these two departments continually put your lives in the line of harms way and we appreciate that. We appreciate all that you've done for the fire service and we wish you the best of luck in your retirement. Would you like to make a comment?"

Mr. Wendel Chalfant, Division Chief, Sedgwick County Fire District #1, greeted the Commissioners and said, "This is a very happy and also a very sad day for me. Monday I'll be terminating nearly 40 years in the fire service. I'm very glad that I chose Sedgwick County and these fine Sedgwick County Firefighters to complete my career in the fire service.

"I thank you for this nice award. I think I've got an excellent place for it. I'm going to have a lot more time for tee times now, so I can put this where I can keep track of my tee times. Get out there a little more. Thank you very much."

Chairman Winters said, "Thank you."

Commissioner McGinn said, "Clerk, call the next item."

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CITIZEN INQUIRY

D. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING ADULT BUSINESSES IN THE OAKLAWN IMPROVEMENT DISTRICT.

Chairman Winters said, "Commissioners, at this time in our Regular Wednesday Meeting we do make available time for citizens who would like to have the opportunity to address the Board of County Commissioners on issues that they feel important. We have had requests from a group of folks from the Oaklawn Improvement District. I know there are a number of them on the request list, so I might ask, could I see a show of hands of who all would like to speak to the Commission this morning. All right, we normally try to hold the comments to 3 to 5 minutes and so I would . . . 5 minutes is our regular time. There's a number of folks. If you see that you're talking about something that someone else has talked about, you might try to kind of keep it short but we will set the timer at 5 minutes. So, if you would like to begin, whoever was going to go first, and please give your name and address for the record."

Ms. Andree Simonsen Sisco, Secretary, Oaklawn Improvement District, greeted the Commissioners and said, "We are here before the County Commissioners to ask your help in moving the adult entertainment establishments from being so close to our schools. Could I please have everybody stand that's here in support of asking the County Commissioner to move those establishments. Thank you very much.

"I've lived in the Oaklawn community for 19 years and have witnessed many changes in the community. Crime rates lowered, due to community coming together to create a change. In 1996, the County Commissioners passed a new ordinance that would keep adult entertainment from coming into our area, however, present establishments were grand fathered. It was stated that they could not operate once they were sold. This gave us light at the end of the tunnel. However, the light went gray when we learned that as long as one person kept their name on the original list, the clubs could exchange owners as many times as they wished. The Silhouettes Club is under new ownership twice since being grand fathered.

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“We would like a closing date to these establishments, for them to be gone, so we can see a true light at the end of the tunnel. The Supreme Court ruled that it is legal for a community to ban public nudity, due to secondary affects that occur in the area, due to these types of establishments. We are a community inside of an Improvement District, that is asking the Sedgwick County Commissioners to help save our children. Studies show that on an average, the number of sex offenses are greater in neighborhoods where sexually orientated businesses are located. The fact that Oaklawn Elementary School, Carlton Learning Center, the Boys and Girls Club being next door to these establishments should increase the possibility of demanding that these establishments be moved. The City of Wichita utilized the secondary affects theory to ban nudity in the City of Wichita. (*Power point Clip from Channel 10 News broadcast*).

“The last time the Oakview Association addressed the County Commissioners, it told a story of an 8 year old girl that was not allowed to have a normal childhood, due to having to worry about the next time she had to walk past these establishments. That’s still true today.

“I’m going to tell you another story about a young couple that was so much in love, where one went, the other one followed.” (*Buzzer went off*)

Chairman Winters said, “Andree, how much longer are you going to talk?”

Ms. Sisco said, “Not long. Can I read it or do you want me to stop?”

Chairman Winters said, “Well, why don’t you go ahead and continue, but I want to make sure that everybody has an opportunity to say what they need to say but if we don’t have some kind of limit, we’ll be here for a long time.”

Ms. Sisco said, “I understand. I truly have never been so nervous.”

Chairman Winters said, “That’s all right. Relax. You’re making a great presentation.”

Ms. Sisco said, “Today I’m going to tell you a story of a young couple that was so much in love that

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where one went, the other one followed. On Monday, November 29th, 1999 the Kansas weather had taken a turn to be a nice day, normally brings people out of their homes to enjoy the beautiful Kansas weather provides. People outdoors enjoying doing simple things, working in their yards, washing their cars, taking a walk in their neighborhood.

“On this beautiful afternoon, a young couple decided to take a walk in their neighborhood to the community store and purchase a soda pop for the evening meal. The couple contemplated on taking their youngest child but chose to leave the infant behind with a relative. As the young, loving couple walked back from the convenience store with the 2 liter pop, the young couple’s lives was changed in an instance, without a warning, when a drunk driver struck the couple from behind. The intoxicated driver failed to stop and render aid at the fatal accident. Alcohol played a large factor in the driver’s decision to leave the scene of the accident. The young lady is recovering from her injuries, but the major scars from losing her husband and leaving a family of four to fend for themselves. This hit-and-run occurred approximately five hundred feet from the establishments in question. You can see it on the map, where the memorial is.

“This map depicts where everything is, in location. The driver was heading away from the establishments. Although there is no concrete evidence that the driver left one of the establishments, it does draw conclusions from data that was provided by Sedgwick County Sheriff’s Department that this is a possibility. The data depicts that 8 reported DUIs from these establishments, since being grand fathered in 1996. I’ll turn it over to Linda Ulrich, that will give you more statistics.”

Chairman Winters said, “All right, thank you, Ms. Sisco. Next speaker please.”

Ms. Linda L. Ulrich, Secretary, Oakview Neighborhood Association, greeted the Commissioners and said, “Thank you for this time to let me speak before you. My name is Linda Ulrich. I live at 5010 Meadowview, in Oaklawn. I’m Secretary of the Oakview Neighborhood Association. I’m also block captain of my neighborhood watch. I’m also coordinating neighborhood watches with the Sheriff’s Department, trying to get them started.

SLIDE PRESENTATION

“Today I’m going to present you with the crime stats of secondary affects, in reference to these adult establishments. As you can see, they’re in reference to the Silhouettes Club, 3415 East 47th Street, Teddy Bares, which is south on Clifton at 4858 South Clifton, Xcitement Video, which is next to the Kwik

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Shop. It's at 3611 East 47th Street and Jezebel's, which is on further east, 4520 East 47th Street.

“These stats were taken from the years of 1997 to 1999. The violations include aggravated assault, which was 11, auto theft-3, disorderly conduct-15, drugs-9, DUIs-8, other traffic offenses-8, larceny-22, miscellaneous reports-31, miscellaneous offenses-5, liquor law violations, all have occurred at Silhouettes Club, offense with family involving child-1, which was at Silhouettes, sex offenses-5, all occurred at Xcitement Video, prostitution-2, simple assault-22, weapons violations-2, vandalism-11, robbery-1. As we can see with the totals, it would be 55 that occurred from Silhouettes, 48 from Teddy Bares, 29 from Xcitement Video and 29 from Jezebel's.

“Okay, today I'm going to present you with a copy of the petition and the signatures that I had gathered. These are the total signatures that I had received. They come from all parts, walks of life, elderly as well as daily workers. Of the Oaklawn area, which includes Deer Lakes Trailer Park and Sunview, I have a total of 490, City of Wichita-361, Derby-416, Mulvane-50, Haysville-32, McConnell Air Force Base-1, Sedgwick County, that would be various locations that didn't give a known city would be 30. Park City-2, Valley Center-10, Kechi-4, Maize-2, Andale-1, Colwich-1, Garden Plain-2, Peck-5, Clearwater-1. Goddard had 7. Mount Hope-1, outside Sedgwick County or State of Kansas, that would include the surrounding counties and I had one as far as Oklahoma or unknown addresses or cities, that's where they did not give their address or city where they were from. I have a total of 1,468 signatures to show you that people are tired of this.

“They all have, every one of them, got a concern for the children. They have to go past there, either going to or from school or to go to the Kwik Shop, just to get a simple bottle of pop. They are residence of Oaklawn. We have to put up with it on a day to day basis, twenty-four hours a day.”

(Buzzer goes off)

“I'm almost through. They are people who go to and from work on 47th Street, visiting relatives or friends, and they're just tired of reading about it in the newspaper and the TV set. Ladies and gentlemen, I'm asking please do change the laws so we can start living a normal life, so that we can eventually get rid of this stereotype in being considered 'sin city'. Thank you.”

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Chairman Winters said, "Thank you very much for being here. Linda, we have a question please."

Commissioner McGinn said, "Linda, our overhead isn't very clear. I was just wondering, could you give, the one that had the crime statistics, could you give that to one of our staff people so that we could have a copy please?"

Ms. Ulrich said, "Sure."

Commissioner McGinn said, "Thank you."

Chairman Winters said, "Thank you. Next speaker please."

Mr. Clifford Helms, 212 N. Brookwood, Derby, Kansas, greeted the Commissioners and said, "I'm an investor in the Oaklawn property, having several rental houses in the area and have been there since . . . have owned property in the area since 1981. With all due respect, free enterprise and business ventures, I believe our children of Sedgwick County is the greatest asset that we have. Our children learn academics through our school system, at least most of them do, but then they also learn from what's outside the school and our children have to walk and when I say 'our' because Oaklawn to me is part of me, and our children have to walk past Silhouettes, Teddy Bares, almost any place that they go, and especially to the Kwik Shop. The Kwik Shop is located directly next to the adult video store. It's located next door to Teddy Bares and across the street is Silhouettes. I don't think it's fair for the children of Oaklawn to be exposed to this type of business on a daily basis. I wonder what our children think when they walk past these video stores and these so called strip joints. I wonder if any of our children will ever be approached, become a victim, because of the clientele that visits there. There's no doubt about it. These businesses promote an unhealthy, deviated, sexile [sic] and that is not appropriate or conducive to raising children.

"I would only ask that the Commissioners consider our children in Oaklawn. I've asked that you consider that as, again, our children being our greatest asset that we have. I don't believe our children in Oaklawn should be exposed to this. I think they deserve the same type of upbringing as the City of Derby, the City of Haysville or any other area. Therefore, I would recommend and encourage the Commission to do everything within their empowerment to eliminate these businesses in Oaklawn. Thank you very much."

Chairman Winters said, "Thank you for being here, sir. Next speaker. Is there anyone else who would like to address the Commission?"

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Mr. Don Myers, 613 Briarwood, Derby Kansas, greeted the Commissioners and said, “Thank you, Chairman Winters and the rest of the Commissioners. I am Don Myers. I am State Representative from District 82, which contains all of those businesses that have been talked about today, including Jezebel’s. I was struck, a while ago, with the idea that adult, the so called adult businesses, the name that has been given to those businesses, the owners really aren’t very adult. I consider an adult somebody who has grown past that stage. The residence of Oaklawn have, for years, been making a valiant effort to upgrade their neighborhoods. You probably, if you’ve driven through there, have found that that is the case. There appears to be some owners of some so called business establishments who place the making of money above morality. I think that, in itself, is an immoral act.

“I would urge you Commissioners to sunset the existence of these establishments and require it very soon. The parents of Oaklawn desire to raise their children in a wholesome atmosphere and so called adult entertainment does not fit into the category of wholesome atmosphere.

“I want to thank you, Commissioners, for hearing us, for hearing the concerns that the residents of Oaklawn have in this matter. I stand ready to lend my support to move these so called adult entertainment spots out of the Oaklawn area. I thank you, once again, for allowing us to speak. I think there may be a few others out here who have some comments also.”

Chairman Winters said, “All right, Representative Myers, we appreciate your coming and being with us today. We appreciate your comments very much. Next speaker.”

Mr. Dennis Shoemaker, 1424 Broadmoor, Derby, Kansas, greeted the Commissioners and said, “I’m employed as Superintendent of Schools for Derby Public Schools, USD 260. There are three schools under my supervision in this area, Oaklawn, which is a neighborhood school, Cooper, which is a neighborhood school, has been mentioned. It’s north of 47th Street and also involved in the environment here and in Carlton. Carlton had an earlier existence as a Junior High School and is now a Magnet school, Math/ Science Magnet school where students from all across USD 260 are bused in to participate in the programs there. I think District Attorney Nola Foulston perhaps put the best spin on this, without actually directing her comments toward it. That is, it matters how your children are raised. We believe that our schools are an extension of the community. We think that all students ought to be entitled to the kinds of environments that support growing up to be strong, healthy, productive citizens.

“The County has invested in that in many ways. We enjoy a great relationship with the Fire Department, with the Police Department, as a part of our schools. I think they are examples of positive ways that the Commission has invested in our schools and I would ask that you support this petition today, to enhance

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the community in which these schools are located. Thank you.”

Chairman Winters said, “Thank you, Dennis. We appreciate your comments very much and taking the time to be here. Thank you. Next speaker.”

Ms. Shirley Crosby, 4977 E. Tierra, Wichita, Kansas, greeted the Commissioners and said, “I’m just going to put that up there (*put picture of two children up on the screen*) so that you can remember what we’re talking about.

“I am grateful that I live in a community where I can come and voice my opinion on the matters of government and I do thank you, in advance, for the willingness to listen, to understand, and to act on the issues. I hope you take the utmost care in ensuring the best interests of the entire community with whatever you decide. It is our wish that you feel the passion in the words that are spoken here today. I stand before you, representing many people. I am a mother, a grandmother, a wife and an educator. I work in the Derby School District. I am the current Treasurer and past President of our neighborhood association. I tell you these things . . . I did miss one thing. I have served on numerous committees as well and boards, including Community Housing Services of Wichita and Sedgwick County and the Oaklawn/Sunview Community Education Council. I tell you these things, not to impress you, but to impress upon you that I’m not just riding a bandwagon.

“Those you see here today, and those who are here in spirit, as shown by the signatures on this petition, are sincerely concerned for the safety of their children, as well as the safety and well being of the community.

“While they were growing up, my three sons all had friends who got in trouble for peeking in at the nude dancers in these establishments. My youngest son is now 15 years old and recently, on a walk to his neighborhood convenience store, he had to pass through the parking lot of one of these establishments. He later informed me that in that lot were needles and syringes. This is a very scary thing to hear.

“Next to the same store, the same convenience store, is one of the businesses and it has a very large, well lit sign. Imagine, if you will, children who are just learning to read. The sign, on one occasion said, ‘got toys?’ This is not nearly as wholesome as its milk counterpart.

“Other businesses, as you’ve heard, in the area have read things such as ‘sex on the beach’ and ‘wife

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beaters' and those are just to name some of the tamer ads. Both the business with the syringes and the business with the signs are located on property directly adjacent to a school yard. This is just not an appropriate location for these types of businesses.

"A number of years ago, your County Commission passed an ordinance that would prevent these adult entertainment businesses from locating close to schools, churches and residential areas. The businesses that we're talking about today were grand fathered in. It's time for us to recognize the detriment that these businesses pose to our children.

"So, in closing, I'd like to ask this question. Now that we have an ordinance, got enforcement? Thank you."

Chairman Winters said, "Ms. Crosby, thank you very much. Next speaker."

Mr. Rick Wayland, Manager, Cottage Grove Rental Office, greeted the Commissioners and said, "I'm the Manager of Cottage Grove, which is at the corner of 47th Street South and Cedardale in Oaklawn. I've managed that business there, which owns a number of the houses in Oaklawn, for about 16 years.

"We see a lot of people, since we have, under our ownership, over 200 of the homes in Oaklawn. Oaklawn being over 1,000 homes, okay. When our potential market for those homes is predominately couples in their later 20s, early 30s with two children, that's our normal demographics, if you will. Many of those people, since we see a large number of people come through our office doors every day, comment about the drive in. Their entry way into our office, coming off K-15, how we direct them by the signs, it's the most logical way to get to Oaklawn, is by the adult businesses, which you've already heard a lot about.

"I'll keep my comments short, because a lot of the things that I was going to say have already been stated, so there's no reason. But you can just assume that many of the comments that were made, I'm in agreement with. In fact, I can't think of one that I really disagree with that I've heard this morning. Because of the expression of concern by these young parents, many of them will decide not to rent in Oaklawn. Some will, but they don't want to live near that corner, and yet their children go to that corner, because that's the hub of activity. That's the Kwik Shop. That's where the activity is. The unique thing about Oaklawn, I suppose, versus some other parts of the City or County is, if you look at the location of Oaklawn, the hub, the only central corner for us, is the corner of these businesses. They are certainly not the best use of the land. What occurs, with them being there is, it is a detriment to the people of

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Oaklawn. By that I mean, for many years we have tried to get like McDonald's fast food, there's no fast food in that community. There are people that don't have cars in that community. They would like to have a bank in the community. Well, businesses don't want to be adjacent to or across the street from what has the reputation of high crime and I think that was proven this morning.

"So I think, what we're asking you to do is to take a look at and help us get rid of these businesses. If you're really concerned about the people of Oaklawn, and I think there are a lot of them here, and I'm sure you are, we're asking you do what you can to get rid of the businesses from that specific area. Move them somewhere, but where we have such a mix of schools, children and this very adult, for lack of a better word, businesses, it just doesn't mix and it really is harmful to the kids. Thank you."

Chairman Winters said, "Mr. Waylon, thank you very much for being here. Next speaker."

Ms. Barbara Stapleton, Treasurer, Oakview Neighborhood Association, greeted the Commissioners and said, "I'm a mother, a grandmother and I also own my own business there. I'm a licensed day care provider. I take care of children from the ages of birth to 12 years of age. We take these children on walks, outings. I have to steer clear of that area. I can't take them up for an ice cream or something because I've got a little four year old. You walk by and he'd, 'why does that building not have windows?' What do they do in there? Children can ask some pretty amazing questions. How do you answer them? Again, like Rich, I'm in the same position. A lot of what I wanted to say has already been said. I would just like to ask you congressmen to help us in assisting to stop this. Our children are our generation of the future. We need to teach them the proper values. Again, I would like to thank you."

Chairman Winters said, "Thank you, Ms. Stapleton. Is there any other speaker? Yes, please come forward."

Mr. James B. Mastin, 4438 Hemlock, Wichita, Kansas, greeted the Commissioners and said, "I have lived at this residence for the past 8 months and have not endured what the community of Oaklawn has had to deal with, throughout the years. I am pleased to say that the community has received me, with open arms, since the first day I chose to move in this area. There are many cultural differences throughout the community but families have learned to live normal lives, with children of different cultures playing together on an everyday basis. These children should have the same opportunity to grow with good values, just as children from Derby, Mulvane, Haysville and Wichita.

"Look around you. There's an issue arising, throughout the United States, concerning the welfare of children, which are our future. The Wichita School Bond for improving the schools in the Wichita area

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got approved for the children. Many people in Miami are protesting for a child named Elian Gonzalez, to be given a better life in the United States, instead of being raised in a communist country. We are focusing on recycling, more and more every day, to preserve the planet we live on, for our children. So, why is it that 3 measly establishments are holding us up from pursuing our goals of providing a better life for our children. The people need to come together, just as the communities have supported the effort of getting rid of these establishments, by signing the Oaklawn petition for banning nudity in the community, due to being so close to the schools.

“I would like to personally thank all the communities for supporting this effort, especially the City of Derby. Please find it in you hearts to pursue this issue further, if the need arises. The local media has been very helpful in depicting this problem and the Derby Daily Reporter has also been an asset.

“Thank you all for your support. Implementation of ‘a’ has been concluded at this stage and plan ‘b’ will follow, until the establishments move far away from our children. May God bless you all and please keep us in your prayers.”

Chairman Winters said, “Thank you very much, sir. We appreciate your being here also. Are there any other speakers? All right, at this time we’ll close this portion of the meeting. Commissioner Sciortino.”

Commissioner Sciortino said, “Thank you, Mr. Chairman. First of all, I want to tell all of you that I very much appreciate the comments that have been made and the time that each of you have invested in personally coming forward to us at this meeting. I share many of the concerns that have been expressed. It does matter how our children are raised and it does matter the environment in which they are raised because it’s the environment in which they are raised which will determine, in large part, the type of adults they will become. They are our future.

“I, as one Commissioner, want you to know that I am committed to finding and implementing a solution which will strike an appropriate balance, under the circumstances. We should review our present regulations and analyze their sufficiency, in light of what has been presented to us here this morning.

“Mr. Euson, as our County Counselor, I want to look to you and ask you to look into our current resolutions, determine what relief the County can give legally to these constituents and list for us the options that are available and come back to us and make recommendations no later than 3 weeks from today. I guess I’m asking, would that be sufficient time? Two or three weeks.”

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Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "Yes, sir. I believe we can do that."

Commissioner Sciortino said, "I would ask you to come back within 3 weeks but encourage you to come back quicker, if you possibly can."

"This is a serious matter. It's one that I, personally, will not let go of and will hopefully be able to give you the relief that you so desperately need. Thank you."

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

Commissioner McGinn said, "Thank you, Chairman. I just want to echo some of the comments that Commissioner Sciortino had. You don't need to apologize for your ability to come up and speak. You did an excellent job. You made your points very clearly and you did an excellent job spreading that out, also, to make sure all the points were made."

"That area has changed. I remember going to Carlton Junior High and watching basketball games but that was back in the day where we had to watch the boys, because they didn't have girls basketball. I do remember that area and it certainly has changed. I concur with Commissioner Sciortino. I support his asking Mr. Euson to look into seeing what things that we can do. So, that's all I had. Thank you."

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

Commissioner Hancock said, "Thank you, Mr. Chairman. I share with Commissioner Sciortino the frustration. I know that he's been terribly frustrated with the events surrounding the adult entertainment facilities in Oaklawn. I've had to do much the same things he's had to go through, similar businesses in my district also. I'm looking forward to having some of the recommendations given to us by the County Counselor's Office and maybe there are some options that we can look at."

"We tried very hard I know, in '96, to create a resolution that would benefit the communities. We eliminated the creation of these kinds of businesses in communities, near churches, near homes and it has been nearly impossible, though, to enforce some of those to the degree in which we would like to. While it has pretty much eliminated the proliferation, it has not done much to remove what already exists in some of our communities. That's unfortunate."

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“We have, in the past, a certain amount of cooperation from the establishments, in working with them, particularly concerning some of the crime statistics that were brought to our attention this morning. We’ll work on that also, as an alternative, with the County Counselor’s Office, the District Attorney’s Office and possibly the Sheriff’s Department. So, I just want you to know that there are other Commissioners who have been similarly affected by these kinds of businesses and it is our hope that we don’t step on First Amendment rights or the rights of anyone to own a business and to live the life that they choose to live but at the same time, we really have an obligation to the community at large and the larger community to take care of those needs. Oaklawn, in my view, has suffered long enough. You guys have put up with too much down there and I surely hope, very sincerely, that there’s something that we can do to help you out. Thank you, Mr. Chairman.”

Chairman Winters said, “Thank you. Well, I guess my closing comment would be, Commissioner Sciortino, you certainly have my support, as we try to work through this issue and hopefully come to some kind of solution. I’ll be glad to participate with you and others, as we work towards that. I would just say to you who came this morning, I’ve been a Commissioner for a little over 7 years and I think your presentation this morning was about as well as any that I’ve seen. I mean, you have State Representative Myers here, Dennis Shoemaker from a well respected school district, business people, parents, grandparents. So Andree, if you and Linda were the principle coordinators, and whoever else, and those of you who came, this was a powerful presentation. So, we appreciate you all being here. We appreciate you taking the time and we’ve got some work to think about.

“Thank you all very much. Madam Clerk, would you call the next item.”

NEW BUSINESS

E. LAKE AFTON PARK.

- 1. AGREEMENT WITH WICHITA RADIO CONTROL CLUB FOR USE OF LAKE AFTON PARK FOR PRACTICE AND HOBBY-TIME FLYING OF RADIO CONTROLLED MINIATURE AIRCRAFT.**

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, “We have two agreements with the Wichita Radio Control Club for use of Lake Afton Park. The first one is for practice and hobby time flying of radio controlled miniature aircraft at the park. They’ve been a partner with us for a long time, well over 10 years. They’ve been a good partner and helped develop a quality

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site, at the park, for the flying of radio-controlled aircraft. We have received all of the appropriate documentation from them and we would recommend your approval of this agreement.”

Chairman Winters said, “All right, Commissioner Hancock.”

Commissioner Hancock said, “Thank you, Mr. Chairman. Jerry, I just have one question about this and maybe even a problem. Do you have a copy of the contract with you. Section 1, paragraph 2, concerning the insurance. It states that you need a current membership card in the Academy of Model Aeronautics.

“The problem with that, and I’ve received a couple of complaints about that and I’m involved in this somewhat and know a few folks who are involved in it. There are other organizations besides the Academy of Model Aeronautics and there are other insurances being offered, through other organizations. As a matter of fact, it is my understanding that even home-owners insurance covers individuals participating in the activity at Lake Afton. I don’t want to test that but is it possible to rewrite this paragraph to deal with other insurance, proof of other insurance.

“What I mean is, I don’t know the names of any of them, but I know that there are probably 3 or 4 exist in the country today, and we have people throughout the County who are members of other radio-controlled model aircraft groups that have their own, and buy that insurance. I think we need to change that. To broaden that up a just little bit. I know Wichita Radio Club is . . . they subscribe to the Academy of Model Aeronautics and I think that’s wonderful and that’s probably the largest but there are other organizations providing other insurance just like this.”

Mr. Harrison said, “Sure, if you would like to just table this for a week, we can get that modified and get it right back on the Agenda.”

Commissioner Hancock said, “I’d appreciate that. That’s something I promised I’d do this year and I thought I’d better do it.”

Chairman Winters said, “Would you like to move to defer this for one week?”

MOTION

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Commissioner Hancock moved to Table Item E-1 for one week.

Commissioner McGinn 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, "Then, so Jerry, you'll see that this is brought back next week, then?"

Mr. Harrison said, "Item E-1, sir."

Commissioner Hancock said, "Jerry, I'll be glad to help you with it and this isn't . . . certainly, I always want to express my appreciation for the Wichita Radio Control Club. This is no knock on them or this is not intended to . . . they do a great job out there and I appreciate them taking the leadership role out there in taking care of that facility."

Mr. Harrison said, "We'll meet with them and get that fixed and back on. Shouldn't be a problem."

- 2. AGREEMENT WITH WICHITA RADIO CONTROL CLUB FOR USE OF LAKE AFTON PARK APRIL 14-16 TO HOLD THE 4TH ANNUAL R/C HELICOPTER FUN FLY; AND AUGUST 25-27 TO HOLD THE 20TH ANNUAL JUMBO/GIANT SCALE R/C MINIATURE AIRCRAFT SHOW.**

Mr. Harrison said, "Item E-2 is an agreement with the Radio Control Club for the use of Lake Afton Park to hold the 4th Annual Radio Control Helicopter Fun Fly and the 20th Annual Jumbo/ Giant Scale R/C Miniature Aircraft Show. This is actually an agreement with the Radio Control Club and they provide the insurance for these two events. We recommend your approval."

MOTION

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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, "Thank you, Jerry. Next item."

F. APPLICATION TO KANSAS DEPARTMENT OF HUMAN RESOURCES, DIVISION OF WORKERS COMPENSATION, FOR RENEWAL OF WORKERS COMPENSATION SELF-INSURER PERMIT NUMBER 718.

Mr. Phil Rippee, Risk Manager, Department of Risk Management, Division of Finance, greeted the Commissioners and said, "The application before you today request renewal of Sedgwick County's Worker's Compensation Self-insure Permit 718. This renewal application does not reflect any changes in policy and the ultimate decision to renew, by the Kansas Department of Human Resources, will be based on Sedgwick County's overall financial position.

"The history of compensation loses, as presented with the application, and the application will be supported with a copy of the 1999 Comprehensive Annual Financial Report. I might add that savings for 1999, with the self-insurement program here in Sedgwick County, saved us approximately \$661,000, as opposed to buying insurance. I would recommend that we approve the application and authorize the Chairman to sign."

MOTION

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

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Commissioner Sciortino seconded the Motion.

Chairman Winters said, “Again, Phil, this is the same method that we’ve had handle our Workman’s Compensation Insurance for several years, right?”

Mr. Rippee said, “Yes sir, Mr. Chairman.”

Chairman Winters said, “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, Phil. Next item.”

G. DIVISION OF HUMAN SERVICES.

1. CONTRACTS (TWO) WITH COUNSELING AND MEDIATION CENTER.

! MENTAL HEALTH SERVICES TO YOUTH ENROLLED IN THE HEALTHWAVE INSURANCE PROGRAM

! HOME- AND COMMUNITY-BASED SERVICES FOR SEVERELY EMOTIONALLY DISTURBED YOUTH

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said,

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“This first item is our two contracts with Counseling and Mediation Center, which is a private, non-profit organization. They will provide services to us, through the Healthwave Program, and also the SED (Severely Emotionally Disturbed) Waiver Program. That is for children with a severe emotional disturbance. I’ll be glad to answer any questions and would recommend your approval.”

Chairman Winters said, “All right, thank you. Commissioners, are there questions or comments?”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, “Next item.”

2. AGREEMENT FOR OFFICE SPACE AT 940 NORTH WACO TO HOUSE COMPREHENSIVE COMMUNITY CARE'S (COMCARE) ADDICTIONS TREATMENT SERVICES PROGRAM.

Ms. Donaldson said, “Commissioners, this is the renewal of our lease, our on-going lease, where we have our addiction treatment services. This is funded with State and Federal funds and fee for services. It is at \$5,520.24 per month. I’d be glad to answer any questions.”

Chairman Winters said, “Thank you. Commissioners, questions, comments? What’s the will of the

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Board?"

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, "Next item."

3. AGREEMENT WITH THE BEHAVIOR TECHNOLOGY TRANSFER GROUP TO PROVIDE TRAINING IN DIALECTICAL BEHAVIOR THERAPY.

Ms. Donaldson said, "Commissioners, this particular type of therapy is particularly affective with individuals with a borderline personality disorder and folks who are prone towards self harm, suicide and often over use of crisis and in-patient services. It's shown to be a very affective mode of treatment and we will be training, probably up to 50 of our staff in this particular method of treatment. I'll be glad to answer questions and it is State funds, \$54,860. I would recommend your approval."

Chairman Winters said, "Thanks, Debbie. Debbie, what is . . . could you give us a little more information about this? I'm curious about what this is exactly. That's the first time I ever seen this one come up."

Ms. Donaldson said, "Yes, it's nationally recognized, in terms of being affective with this particular population, which is very difficult and one where often staff will burnout, in terms of trying to deal with individuals who make these types of demands on the system. They tend to be individuals who are very

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chaotic. They show up frequently at your crisis service. These are the individuals that will self-harm, they will cut on themselves and are very difficult to work with. This particular therapy is focused on providing a way of dealing with individuals where it will be more effective and we'll see better results and staff will not deal with the burnout that we often see with this population."

Commissioner Hancock said, "Okay. It's interesting. Thank you."

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

Commissioner Sciortino said, "I'd just like to expand a little bit. Am I right in assuming dialectical behavior therapy is training our staff on what words to say to these people that might solicit a response that would be more positive. The word 'dialectical', I guess, is causing some . . ."

Ms. Donaldson said, "It's a full program. I'm not as familiar with the specifics as I think what you're asking for but I sure can have some of our clinical staff, who are, get back with you and give you a more detailed explanation on how that works."

Commissioner Sciortino said, "I think I'd be interested in knowing that, if you can do it in lay language."

Ms. Donaldson said, "Yes, we will do that."

Chairman Winters said, "Thank you. Commissioners, any other questions? If not, what's the will of the Board?"

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

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

Chairman Winters said, "Next item."

4. ADDITION OF ONE MINI-VAN AND ONE STEP-IN VAN TO COMCARE'S FLEET, TO BE USED FOR COMMUNITY INTEGRATION PROGRAMS.

Ms. Donaldson said, "Commissioners, we're asking for the approval to purchase two additional vehicles for our programs. That's \$54,000. That will be State dollars. I would recommend your approval."

MOTION

Commissioner Hancock moved to Approve the addition to the fleet.

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."

5. CONTRACTS (NINE) FOR FISCAL YEAR 2000 PHYSICAL DISABILITY

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MILL LEVY FUNDS.

- ! CATHOLIC CHARITIES ADULT DAY CARE: \$54,628**
- ! CEREBRAL PALSY RESEARCH FOUNDATION EMPLOYMENT SERVICES: \$36,666**
- ! CEREBRAL PALSY RESEARCH FOUNDATION PERSONAL EMERGENCY EQUIPMENT: \$139,085**
- ! CEREBRAL PALSY RESEARCH FOUNDATION THERAPY: \$44,161**
- ! DEAF AND HARD OF HEARING INTERPRETIVE SERVICES: \$16,480**
- ! GOODWILL EASTER SEALS EMPLOYMENT SERVICES: \$54,055**
- ! INDEPENDENT LIVING RESOURCE CENTER DISABILITY INFORMATION AND REFERRAL: \$28,391**
- ! RAINBOWS UNITED VISION SERVICES: \$57,691**
- ! SENIOR SERVICES NUTRITION: \$65,000**

Ms. Annette Graham, Director, Department on Aging, greeted the Commissioner and said, "These are contracts for the physical disabilities mill levy funded services. The services are provided to Sedgwick County citizens who are physically disabled and these services include adult day care, employment counseling, job placement, personal emergency equipment, such as wheel chair engineering modification for the severely disabled, therapy, nutrition, vision services, interpretive services for the deaf and hard of hearing and a disabilities information and referrals services program. These items were within the 2000 budget, as approved by the Board of County Commissioners and the total amount of the contracts/ award is \$496,157. I would be available for any questions and would recommend approval of the contracts."

MOTION

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

Commissioner McGinn seconded the Motion.

Chairman Winters said, "Again, Annette, these are funds that we're contracting with other agencies to provide this service. These are not County agencies, these are not County people at these places?"

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Ms. Graham said, "That's correct."

Chairman Winters said, "Okay, in the physical disabilities area, how much do we . . . what percentage of our business do we contract out with others, as opposed to do internally?"

Ms. Graham said, "100%. All of it is done."

Chairman Winters said, "So, 100% of our money that we put into physical disabilities we contract with Catholic Charities, Cerebral Palsy Research, Deaf and Hard of Hearing, Goodwill, Easter Seals, Independent Living Resource Center, Rainbows United, Senior Services and others."

Ms. Graham said, "Yes."

Chairman Winters said, "Okay. Thank you. We have a motion and a second to approve these contracts. Any other questions? 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, "Next item."

6. CONTRACTS (FIVE) FOR FISCAL YEAR 2000 AGING MILL LEVY FUNDS TO PROVIDE VARIOUS AGING SERVICES.

- ! ALZHEIMER'S ASSOCIATION, SUNFLOWER CHAPTER: ASSESSMENT COSTS**
- ! CITY OF PARK CITY - ROVING DIRECTOR: \$28,750**
- ! CITY OF PARK CITY - SENIOR CENTER: \$3,946**
- ! HAYSVILLE MULTI-PURPOSE SENIOR CENTER: \$31,530**
- ! LA FAMILIA MULTI-PURPOSE SENIOR CENTER: \$35,514**

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Ms. Graham said, “These are six contracts for the aging mill levy services for fiscal year 2000. These contracts I bring before you are for the Alzheimer’s Association, City of Park City, for the Roving Director, City of Park City for the Senior Center, Haysville Multi-purpose Senior Center and La Familia Multi-purpose Senior Center. These are all for existing purposes and programs except for the Alzheimer’s Association contract.

“This is an agreement that gives the contractor permission to utilize the Aging Department Uniform Assessment Instrument and to utilize current contracted case managers to perform assessments that are strictly used for the Alzheimer’s Association Program. So, there is no money associated with that contract.”

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

Commissioner McGinn said, “She answered it. Thank you.”

Chairman Winters said, “The question has been asked and answered or answered and then asked. It was not asked but it was answered. All right, Commissioners, you’ve heard Annette’s report on this item. What’s the will of the Board?”

MOTION

Commissioner Sciortino moved to Approve the Contracts and authorize the Chairman to sign.

Commissioner McGinn seconded the Motion.

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

VOTE

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

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

H. RECLASSIFICATIONS (TWO) IN THE DISTRICT ATTORNEYS OFFICE.

! CHIEF ADMINISTRATIVE ATTORNEY, RANGE 30, STEP 11, TO FIRST DEPUTY ATTORNEY, RANGE 31, STEP 10

! SENIOR ADMINISTRATIVE ATTORNEY, RANGE 28, STEP 8, TO CHIEF ADMINISTRATIVE ATTORNEY, RANGE 30, STEP 4

Mr. William P. Buchanan, County Manager, greeted the Commissioners and said, "You have before you two reclassifications from the District Attorney. It is our recommendation that you approve it."

Chairman Winters said, "Thank you."

MOTION

Commissioner Hancock moved to Approve the reclassifications.

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

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Chairman Winters said, "Next item."

I. PUBLIC WORKS.

1. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER TWO AND FINAL, WITH RITCHIE PAVING, INC. ON SEDGWICK COUNTY PROJECT - BELLE TERRE SOUTH ADDITION, PHASES 4 AND 5. DISTRICT 1.

Mr. Jim Weber, P.E., Director, Sewer Operations and Maintenance, greeted the Commissioners and said, "In item I-1 we are requesting your approval of modification of plans and construction number 2 and final to our contract with Ritchie Paving on Phases 4 and 5 of the Belle Terre South Addition Street Paving Project. The modification will increase our contract by \$28,985 and is the result of variations in plan quantities from actual field measurements. All costs of the project are to be paid by the benefited properties through special assessments. We request your approval of the recommended action."

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

MOTION

Commissioner Hancock moved to Approve the Modifications 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

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

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Chairman Thomas G. Winters

Aye

Chairman Winters said, "Next item."

2. **ESTIMATE FROM SEDGWICK COUNTY ELECTRIC COOPERATIVE FOR THE RELOCATION OF LINES IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 791-F-1944; BRIDGE ON 231ST STREET WEST BETWEEN 77TH AND 85TH STREETS NORTH. CIP #B-323. DISTRICT 3. SEDGWICK COUNTY PROJECT NO. 616-13-4938; BRIDGE ON 13TH STREET NORTH BETWEEN 199TH AND 215TH STREETS WEST. CIP #B-343. DISTRICT 3. SEDGWICK COUNTY PROJECT NO. 624-11-3516; BRIDGE ON 23RD STREET SOUTH BETWEEN 231ST AND 247TH STREETS WEST. CIP #B-344. DISTRICT 3.**

Mr. David C. Spears, P.E., Director/County Engineer, greeted the Commissioners and said, "Item I-2 is the approval of an estimate by Sedgwick County Electric Cooperative for relocation of electric lines involving three bridge projects, at a total cost of \$8,210.

"The first relocation, at a cost of \$1,800, is in connection with a bridge project on 231st Street West, between 77th and 85th Streets North, designated as B-323 in the Capital Improvement Program. The second relocation, at a cost of \$1,060, is in connection with a bridge project on 13th Street North, between 199th and 215th Streets West, designated as B-343 in the Capital Improvement Program. The third, and final, relocation, at a cost of \$5,350, is in connection with a bridge project on 23rd Street South, between 231st and 247th Streets West, designated as B-344 in the Capital Improvement Program.

"All of these lines are located in private easements. I recommend that you approve the estimate."

MOTION

Commissioner Hancock moved to Approve the estimate.

Commissioner Sciortino seconded the Motion.

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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."

J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' APRIL 6, 2000 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have Minutes from the April 6th Meeting of the Board of Bids and Contracts. There are nine items for consideration.

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

"Item one, various bridge improvements for Public Works. It was recommended to accept the low bid of Utility Contractors. That amount is \$66,594.

**(2) AMBULANCE COTS- EMERGENCY MEDICAL SERVICES
FUNDING: EMERGENCY MEDICAL SERVICES**

"Item two, ambulance cots for Emergency Medical Services. It was recommended to accept the only bid received of Pro-Med of Kansas. That amount is \$15,185.

**(3) MOTOROLA RADIOS- EMERGENCY MEDICAL SERVICES
FUNDING: EMERGENCY MEDICAL SERVICES**

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“Item three, this is a contract modification. Motorola radios for Emergency Medical Services. This item was presented to you previously. We had a slight modification to the price. The correct amount is \$13,340.

- (4) 800 MHZ RADIO SYSTEM MAINTENANCE- EMERGENCY COMMUNICATIONS**
FUNDING: EMERGENCY TELEPHONE SERVICES

“Item four is 800 megahertz radio system maintenance for Emergency Communications. It was recommended to accept the only bid of Motorola. They are the manufacturer of these particular equipment items. This is for the 2000 fiscal year. \$18,768.

- (5) UA TEST CUPS- COMCARE & DISTRICT COURT**
FUNDING: COMCARE & DISTRICT COURT

“Item five, this is a contract for UA test cups for COMCARE and the District Court. It was recommended to accept the bid of Roche Diagnostics. That amount, for year 2000, estimated amounts, \$43,000. There is a memo following, identifying the need for the purchase.

- (6) DATA CENTER HARDWARE & SOFTWARE MAINTENANCE- DIVISION OF INFORMATION & OPERATIONS**
FUNDING: DIVISION OF INFORMATION & OPERATIONS

“Item six is data center hardware and software maintenance for the Division of Information and Operations. It was recommended to accept the sole source bid of IBM Corporation. That amount is \$158,139.17. IBM is the manufacturer of this equipment.

- (7) VARIOUS CISCO EQUIPMENT- DIVISION OF INFORMATION & OPERATIONS**
FUNDING: DIVISION OF INFORMATION & OPERATIONS

“Item seven is various Cisco Router equipment, also for the Division of Information and Operations. This

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is a contract renewal, using the State of Kansas contract number. It was recommended to accept this at an estimated amount of \$250,000 from Cisco Systems.

(8) NETWORK MODULAR FURNITURE- OFFICE OF FACILITY PLANNING & REMODELING
FUNDING: OFFICE OF FACILITY PLANNING & REMODELING

“Item eight, network modular furniture for the Office of Facility Planning and Remodeling. It was recommended to accept the proposal of Media Recovery. That amount is \$6,872. The following is a memo outlining the recommendation.

(9) C.A.D. MAINTENANCE- EMERGENCY COMMUNICATIONS
FUNDING: EMERGENCY TELEPHONE SERVICES

“Item nine, C.A.D. maintenance for Emergency Communications. It was recommended to accept the proposal of PRC Public Sector- Litton. That amount, for the year 2000, \$20,095.68. There is a memo following, outlining the recommendation.

ITEMS NOT REQUIRING BOCC ACTION

(10) MEMORY UPGRADES- DEPARTMENT OF CORRECTIONS
FUNDING: J.J.A. COMM. PLAN/ J.J.I.S. INFRASTRUCTURE

“There was one item that does not require action at this particular time. That was tabled for review. Those are memory upgrades for the Department of Corrections for their computer hardware. A complete tabulation follows.

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

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

Commissioner Sciortino said, “Darren, I’ve got to just ask you a question on Item five. These are these little, plastic cups that are given to provide your specimen?”

Mr. Muci said, “That’s correct.”

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Commissioner Sciortino said, "How many cups are we getting for \$43,000? I guess, simply, if you could just tell me how much per cup? It seems like we're getting an awful lot of cups."

Mr. Muci said, "I do not have that figure, Commissioner. I'm sorry. What we're looking for, Roche Diagnostics provides the equipment and the analysis for both the District Court and COMCARE. We're using their process and their facilities for that and Roche mandates that we use their brand of cups. I can get the specifics."

Commissioner Sciortino said, "Just for my own edification, I'd love to know how much they're charging us per cup."

Mr. Muci said, "I will see to that, sir."

Commissioner Sciortino said, "Thank you."

Chairman Winters said, "All right, thank you. You've heard Darren's report. What's the will of the Board?"

MOTION

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

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

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

CONSENT AGENDA

K. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. One Owner Release for Damage for Sedgwick County Project No. 618-34; Road on Central between Greenwich Road and K-96 Expressway. CIP #R-224. District 1.
- b. One Temporary Construction Easement for Sedgwick County Project No. 781-AA-3052; Bridge on 311th Street West between 87th and 95th Streets South. CIP #B-336. District 3.
- c. One Temporary Construction Easement and Two Easements for Right-of-Way for Sedgwick County Project No. 632-32-2805; Bridge on 55th Street South between 79th and 95th Streets East. CIP #B-337. District 5.
- d. One Easement for Right-of-Way for Sedgwick County Project No. 833-1, J, N1/2K; Webb Road; North Wichita City Limits to K-254. Payne Township. CIP #R-238. District 1.

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</u> <u>Number</u>	<u>Old</u> <u>Amount</u>	<u>New</u> <u>Amount</u>
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C99028	\$134.00	\$120.00
C98025	\$211.00	\$153.00
V98022	\$495.00	\$475.00
V99058	\$425.00	\$317.00
V99060	\$331.00	\$365.00
V2026	\$182.00	\$199.00

3. **Agreement with Dupont Management, Inc. to provide on-line access to ~~Sedwick~~ County's electronic data.**
4. **Order dated April 5, 2000 to correct tax roll for change of assessment.**
5. **Payroll Check Registers of March 31, 2000**
6. **General Bills Check Register of April 7, 2000.**
7. **Budget Adjustment Requests.**

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

Chairman Winters said, "Thank you. Is there a Motion?"

MOTION

Commissioner Hancock moved to Approve the Consent Agenda as presented.

Commissioner McGinn seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Absent
Commissioner Bill Hancock	Aye

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

Chairman Winters said, "That concludes the list of items on the Agenda. We need no Executive Session today and we have no Fire District. So, is there any other business to come before the Regular Board? Seeing none, this Meeting is adjourned."

L. OTHER

M. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 10:27 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

CAROLYN McGINN, Chair Pro Tem
Fourth District

BETSY GWIN, Commissioner
First District

BILL HANCOCK, Commissioner
Second District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

, 2000