

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

MONDAY, MAY 12, 2003

9:00 A.M.

- Convene
- Pledge of Allegiance

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders

REGULAR AGENDA

- (2) Consider approving chip sealing of E 900 Road north of US 40 Highway by private individual (Keith Browning)
- (3) Consider approval of personal computer purchases for 2003 (Jim Lawson)
- (4) Consider approval of recommendation for pharmaceutical services contract for Jail (Jackie Waggoner)
- (5) Consider approval of recommendation to purchase draperies for the Courthouse (Jackie Waggoner)
- (6) Consider approval of request for authorization to negotiate long distance service contract (Jackie Waggoner)
- (7) Consider approval of health insurance renewal (Pam Madl)
- (8) Work session on waste treatment and related issues for lots in Lone Star Lake Park (Keith Browning)
- (9) Consider approval of letter to Governor Sebelius regarding EPA's consideration of the boundary of an 8-hour ozone non-attainment designation area within the Kansas City region that might include Douglas County, Kansas (Craig Weinaug)
- (10) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment
- (11) Adjourn

WEDNESDAY, MAY 14, 2003

-Planning items:

-CUP-12-16-02: Conditional Use Permit request for Eudora Quarry #68. The property is generally described as being located at the northwest corner of N 1200 Road and E 2400 Road. Requested by N.R. Hamm Quarry, Inc., for Katherine L. Neis, property owner of record) (Brian Pedrotti)

-CUP-03-02-03: Conditional Use Permit request for topsoil removal. The property is generally located at the east end of N 1600 Road. Submitted by Landplan Engineering, P.A. for Pine Family Investments, LC, property owners of record. (Sandra Day)

MONDAY, MAY 19, 2003

- Consider approval of open burn regulations proposal (Douglas County Fire Chiefs Association)

WEDNESDAY, MAY 21, 2003

-Discussion of Mailbox Installations and Roadside Safety Impacts with Traffic Safety Advisory Committee

MONDAY, MAY 26, 2003

-Memorial Day – No Commission Meeting

WEDNESDAY, MAY 28, 2003

-No Commission Meeting

MONDAY, JUNE 2, 2003

-Light Agenda

WEDNESDAY, JUNE 4, 2003

-No Commission Meeting

MONDAY, JUNE 9, 2003

-No Commission Meeting

WEDNESDAY, JUNE 11, 2003

-No Commission Meeting

MONDAY, JUNE 16, 2003

-Light Agenda or no meeting

WEDNESDAY, JUNE 18, 2003

5:30 P.M.

-Rededication of Judicial & Law Enforcement Center and Youth Services

MONDAY, JULY 14, 2003

-Light agenda or no meeting

WEDNESDAY, JULY 16, 2003

-Light agenda or no meeting

MONDAY, JULY 21, 2003

-No Commission Meeting

WEDNESDAY, JULY 23, 2003

-No Commission Meeting

MONDAY, JULY 28, 2003

-Light agenda or no meeting

WEDNESDAY, JULY 30, 2003

-Light agenda or no meeting

Douglas County

Department of Public Works

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To: Board of County Commissioners

From: Keith A. Browning, P.E. Director of Public Works/County Engineer *KAB*

Date: 05/07/03

Re: Proposed Chip Sealing of E 900 Road by Private Individual

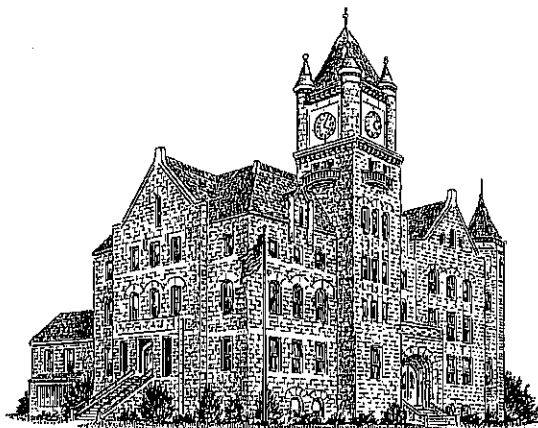
Mike Stultz is proposing to contract with a qualified contractor to chip seal E 900 Road from US 40 highway north to the entrance of Ranch Estates subdivision at his own expense. Ranch Estates subdivision was developed by Mr. Stultz.

This section of E 900 Road was constructed as part of the K-10 highway (SLT) construction project. As constructed, this road meets county standards regarding base rock depth and roadway width, and surpasses county standards for frontslopes, backslopes, and ditch width. The roadway will need to be prepared for chip sealing by ensuring a minimum 6" base rock depth, and blading, shaping, and compacting the base rock. The base will need to be primed prior to applying a double chip seal. Approximately 3,550 linear feet of road would be chip sealed.

This road is currently the maintenance responsibility of Kanwaka Township. It has been customary that Douglas County assumes maintenance responsibility of chip sealed roads outside of Wakarusa Township since other townships are not equipped to maintain chip seal roads. This department estimates that total average annual maintenance costs for this section of roadway would be \$3,550. The county already has assumed maintenance of N 1663 Road, the roadway within Ranch Estates subdivision.

Action Required: Approval for Mike Stultz to contract with a qualified contractor to chip seal E 900 Road from US 40 highway north to the entrance into Ranch Estates subdivision in accordance with plans and specifications approved by the County Engineer. Acknowledge that upon completion of chip seal project, appropriate action will be taken for Douglas County to assume maintenance of the roadway section.

MEMORANDUM



To: Board of County Commissioners
From: Jim Lawson
CC: Pam Madl, Craig Weinaug
Date: 5/8/2003
Subject: Personal Computer Purchases for 2003

It has been a year since we discussed PC purchases for Douglas County. At that time, we had sent a letter to four local computer makers/resellers requesting prices and we received responses from three of them. We then compared these prices to prices of computers that we can purchase utilizing the Western States Contracting Alliance (WSCA) contract. At that time, the WSCA contract price was \$28 less per system than the lowest local company, Microtech. I requested that we utilize the WSCA contract, but the board decided to utilize Microtech Computers to keep the money local. At that time, I voiced some concerns about ordering, delivery and service issues that we have had in the past with Microtech. The board then asked me to track problems that we had over the next year and that we would review this issue again in 2003.

Over the last year we have experienced problems in our computer purchases with Microtech. We have had problems with the on-line storefront that we are supposed to use to order computers. It has prices that are incorrect, the on-line shopping carts do not hold the items selected correctly and selections are not saving. The I.T. staff member doing the ordering could not trust the process and had to start e-mailing specifications to a sales agent for a quote. Sometimes we would not get a response for two to three days. We have also had problems with the quality of the computers. We have had at least six hard drive failures, multiple motherboard failures, several mice have gone bad and new computers have been delivered with problems. In addition, we have had problems getting the computers serviced when they have failures. Several times it has taken two to three days after the service call has been placed before a technician is sent out to fix the equipment. Also, there were several instances where it took two or more service calls to fix the problem.

I would like to propose that we take a new look at utilizing the WSCA contract for purchasing the rest of our computers for 2003. I priced two similar computers, one from Dell using the WSCA contract and one from Microtech. The Dell system is \$32 less than the one from Microtech. The Dell system also comes with a 3-year parts + onsite labor next business day support service. We will be purchasing 44 more computers this year for a savings of \$1408. We have ordered a couple of stand alone computer systems through this contract to get a feel for the ordering process, delivery process, quality and support. So far we have been very impressed. The orders were easy to configure and place on-line, they were delivered in a timely manner and the quality has been great. I would like to give the WSCA contract a try for the rest of this year. Not only we will be able to save some money, but also I think that we will get much better quality and service.

It is my recommendation that you approve the utilization of the WSCA contract for the rest of our computer purchases for 2003. Section 2.5 of the purchasing policy allows us to make use of governmental cooperative agreements with commission approval. I will be at the meeting to answer any questions you might have. Thank you for your consideration.

Douglas County

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Agent *gw*
Division of Purchasing

SUBJECT: Consider Recommendation for Pharmaceutical Services

DATE: May 8, 2003

Two pharmacies responded to our solicitation of bids for pharmaceutical services for inmates of the Douglas County Jail. Our current contract for the Jail is designed to purchase prescriptions in unit dose allowing for buy backs of unused non-controlled medications. This type of contract has proven to be cost effective for the Jail. Last year's prescription expenses totaled \$67,323 which include a credit of \$11,887 for buy backs.

The attached table summarizes the bids. Our evaluation criteria consisted of cost expressed as a percent of Blue Book Average Wholesale Price (AWP), dispensing fees, delivery fees, and the ability to provide 24 hour delivery service seven days a week.

The table below reflects usage from last month at the proposed cost:

DESCRIPTION	MONTHLY USAGE	QUALICARE, INC.	DILLON PHARMACIES
Generic	84	\$ 743 (92% AWP)	\$ 605 (75% AWP)
Brand	126	\$5,108 (92% AWP)	\$ 4,886 (88% AWP)
Dispensing Fee	210	None	\$ 630 (\$3)
Delivery Fee	32	None	\$ 160 (\$5)
MONTHLY COST		\$5,851	\$6,281
ESTIMATED ANNUAL COST		\$70,212	\$75,372

As you can see, QualiCare's percentage discount is slightly higher, but provides dispensing and delivery at no charge. After reviewing the bids with Rick Trapp, we believe QualiCare has furnished the best overall bid for meeting the needs of the Jail.

RECOMMENDATION: The Board of County Commissioners accept the bid submitted by QualiCare, Inc. to provide pharmaceutical services for inmates of the County Jail.

Courthouse

1100 Massachusetts / Lawrence, Kansas 66044 / (785) 841-7700

PHARMACEUTICAL SERVICES FOR COUNTY JAIL - RFPNo. 03006		
	QUALICARE, INC.	DILLON PHARMACIES
Proposed Cost	Generic: 92% AWP Brand: 92% AWP	Generic: 75% of AWP Brand: 88% of AWP or Pharmacy's Usual & Customary Charge, whichever is less
Dispensing Fee	None	\$3.00
Delivery Fee	None	\$5.00
Locations	2336 Ridge Court	Fifty-six (56) computerized pharmacies across Kansas, four (4) in Douglas County .
Hours	M-F 8:30 - 5:30; Sat 10-2	M-F 8-8, Sat 9-6, Sun 10-6 (Sun 10-2 at Mass. location only)
Detail Summary of 24-Hour Delivery Service	Doctor, nurse, or staff calls the pharmacy number after hours and is forwarded to the answering service. The pharmacist on call is paged and returns call to appropriate person to receive request. Deliver is made to the Jail within 2 hours unless other arrangements are made.	Prescription delivery is available from each pharmacy location, as well as, free mail service.
Experience	QualiCare services long term care facilities from Auburn - Lenexa, KS. Our operation is designed to handle the needs of such facilities. Have had the Douglas County Jail contract for six years. Familiar with their operation and the medical personnel.	Prescription Drug Program - Employee Group; Prescription Drug Program - Jail; Worker's Compensation Plans

Douglas County

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Agent 
Division of Purchasing

SUBJECT: Consider Recommendation for Draperies in the Courthouse

DATE: May 8, 2003

Bids were solicited for the purchase and installation of seventy-one (71) commercial grade draperies (including hardware) for the County Courthouse. An additional six (6) windows in the Law Library were included as an option.

The table below summarizes the six bids received:

VENDORS	71 DRAPERIES W/ WHITE HARDWARE	71 DRAPERIES W/ BROWN HARDWARE
Anderson Interiors	\$14,900.00	NA
Designed Business Interiors	\$15,474.03	NA
Fine Design	\$18,839.45	NA
Jane Bateman	\$19,691.00	\$24,310.00
Marlings Furniture	\$24,500.00	NA
Murphy Furniture	\$27,987.60	NA

The Law Library Board will approve separately their cost for the six windows. Funding for this expense is available through the Sales Tax Capital Project Fund.

RECOMMENDATION: The Board of County Commissioners accept the low bid in the amount of \$14,900 from Anderson Interiors.

Courthouse

1100 Massachusetts / Lawrence, Kansas 66044 / (785) 841-7700

Douglas County

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Agent *qw*
Division of Purchasing

SUBJECT: Request Approval to Negotiate Proposals for Long Distance

DATE: May 8, 2003

In our effort to establish cooperative contracts, the County, City, and Lawrence Public Schools issued a proposal request for long distance services. The following providers submitted proposals: Sunflower Broadband, R.A.T.E. Inc., Inter-Tel, Phone Service Company, Qwest, and SBC Communications.

A committee of six reviewed the scope of each proposal, and invited Sunflower Broadband, Inter-Tel, Qwest, and SBC Communications in for an interview. Following this process the committee unanimously agreed that SBC Communications provided the best proposal.

We are asking you to authorize the committee to negotiate with SBC Communications with respect to both features and cost. In the event our negotiations are unsuccessful, we would like the ability to open negotiations with Qwest. Award will be contingent upon each entities approval process. I will bring our final recommendation and contract to you for approval following negotiations.

MEMORANDUM

TO: Board of County Commissioners
FROM: Pam Madl, Director
DATE: May 8, 2003
SUBJECT: Health Insurance Renewal

For once I have good news to report about health insurance! We have had a good year with respect to utilization in 2002-03. This has resulted in two positives: we will have a reserve of approximately \$1.2 million at the end of May, and our maximum aggregate claim limit (before reinsurance kicks in) has been decreased by about \$600,000 for the 2003-04 plan year. Given the same revenue levels, we will be able to fully fund our plan and have a reserve of approximately \$1.8 million at the end of May 2004. The attachment provides a more detailed explanation of these numbers. It is the recommendation of the health insurance committee to renew the health insurance plan with the same benefit levels and the same premiums for the 2003-2004 plan year.

The health insurance committee also has two recommended policy changes:

(1) Elected Officials Retiree Eligibility. It is recommended that this eligibility be the same as for appointed staff, to be effective only for future elected officials (in other words, current elected officials would still be considered under the current policy): **Elected officials who have served a minimum of ten (10) consecutive years and are of retirement age (as defined within the retirement plan in which they are participating).** The current eligibility reads as follows: *"Elected Officials who have served a minimum of four (4) years and are of retirement age (as defined within the retirement plan in which they are participating)."*

(2) Retirees Premium. It is recommended that it be County policy that the retiree must pay 55% of the health insurance premium for which he/she is enrolled. Currently the County subsidy is 52% for an individual and 45% for retiree +1. Implementation of this change is recommended to be staggered: approximately half of the increase (\$6 for retiree only and \$45 for retiree +1) would be effective on January 1, 2004; another increase on June 1, 2004 would then bring them up to the full 55%.

We appreciate your consideration of these requests, and look forward to our discussion at the commission meeting.

PJM

HEALTH INSURANCE PLAN RENEWAL

2003-2004 PLAN YEAR			
		# Employees:	544
		Employee Only	Family
		333	211
Administration	\$14.00	\$91,392	
PHP	\$5.75	\$37,536	
Pharmacy	\$531/mo.	\$6,372	
Aggregate Insurance	\$3.84	\$25,068	
Specific Insurance	\$21.41/\$53.53	\$221,092	
TOTAL FEES			\$381,460
	\$328.30	\$820.74	
EST'D. AGGREGATE ATTACHMENT, @ 125%	\$1,311,887	\$2,078,114	\$3,390,000
<i>Includes Medical & Pharmacy</i>			
ADDITIONAL CLAIMS EXPENSE		\$50,000	\$50,000
<i>Larry Hughes</i>	\$50,000		
DENTAL	\$17,552	\$210,629	\$210,629
TOTAL PLAN EXPENSES @ 125%			\$4,032,090
PROJECTED 2003-2004 PREMIUMS	Current	Projected	Percent Increase
Employee Only	\$440.00	\$440.00	0.00%
Employee +1	\$860.00	\$860.00	0.00%
Family	\$1,230.00	\$1,230.00	0.00%
Revenues			
County Employees	\$398,364		
Bert Nash	\$929,640		
Health Dept	\$347,160		
Ext. Council	\$25,320		
Retirees	\$132,521		
Township	\$21,120		
COBRA	\$31,680	\$1,885,805	
County Budget		\$2,717,590	
Beginning Cash Balance (6/1/02)		\$1,228,445	
Total Revenue:			\$5,831,840
Fully Funded Plus			\$1,799,751

CASH ACCOUNTING:	
Bank Balance 4/30/03	\$528,842
Budget Remaining 5/31/03	\$859,967
Premium Revenue, May 2003	\$140,117
Grant/City Reimbursements	\$40,101
Est'd Expenses May 2003	(\$340,582)
Total Cash Available, June 1, 2003	\$1,228,445

Douglas County

Department of Public Works

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To: Board of County Commissioners

From: Keith A. Browning, P.E. Director of Public Works/County Engineer *KAB*

Date: 05/07/03

Re: Work Session on Waste Treatment and Related Issues for Lots in Lone Star Lake Park

Rural Water District #5 has submitted utility permit applications to this department for three water meters to be installed on lots at Lone Star Lake. The locations are on single lots. The Douglas County Health Department, Zoning & Codes Department and this department are concerned that if water meters are installed the owners will eventually request to connect new water lines to any new or existing buildings located upon the properties. If this occurs, the owners would be required to install septic systems to accommodate any wastewater that may be consequently generated. Because of the restricted land areas on these single lots, each individual lot would need to be measured by the Health Department to evaluate if adequate room is available to construct a new septic system. Based upon past experience, it is highly unlikely that adequate room would be available upon these single lots.

This issue leads to several other related issues at Lone Star Lake:

- Should the county allow encroachments on county owned property?
- Should the county amend the zoning and subdivision regulations to allow lots at LSL to be buildable, since currently they are too small to meet the setback requirements?
- Should county policy dictate that water meters are allowed, but all lateral systems must strictly meet all Health Department requirements (in other words, water meters will be for an outside water spigot only where proper lateral systems are not possible)?
- Should the county undergo further effort to define the extent of the waste treatment problem at LSL by determining the number of substandard lateral systems? If so, how?
- What, if anything, should be done to address substandard lateral systems installed prior to the existence of regulations and/or without permits?
- Does the BOCC feel that cabins originally intended to be weekend cabins with privies should remain so, or are more full time residences at LSL inevitable?
- Should the county begin planning for a larger waste collection and treatment system at Lone Star Lake?

Richard Ziesenis, Keith Dabney, Michael Kelly and I will attend the work session.

Action Required: Conduct work session on waste treatment and related issues at Lone Star Lake, and provide direction to staff as appropriate.

LAWRENCE-DOUGLAS COUNTY HEALTH DEPARTMENT

200 Maine, Suite B

Lawrence, Kansas 66044-1357

Office: 785/843-3060 Fax: 785/843-3161

Clinic: 785/843-0721 Fax: 785/843-2930

MEMORANDUM

DATE: April 29, 2003

TO: Craig Weinaug
County AdministratorMike Wildgen
City ManagerFROM: W. Kay Kent, RN, MS *KK*
Administrator/Health Officer

RE: Response to the Governor regarding Air Quality Designation

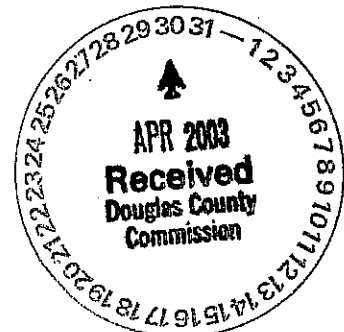
The Governor has until July 15, 2003 to submit a recommendation to the EPA regarding the Kansas City region 8-hour ozone non-attainment designation area.

It is our understanding that the Douglas County Board of County Commissioners, and perhaps the Lawrence City Commission, will want to convey to the Governor reasons why Douglas County should not be included in the Kansas City ozone non-attainment designation area. Enclosed is a draft letter for the Commission(s) use if they so choose. The recommendations in the letter are taken from the April 1, 2003 *Douglas County Air Quality Report*.

Please call if you have questions or if I can be of assistance.

cc: Linda Finger

Enclosure



May 5, 2003

The Honorable Kathleen Sebelius
Office of the Governor
Capitol
300 SW 10th Avenue, Suite 212-S
Topeka, KS 66612-1590

RE: EPA's consideration of the boundary of an 8-hour ozone non-attainment designation area within the Kansas City region that might include Douglas County, Kansas.

Dear Governor Sebelius:

Douglas County has become aware of a study being conducted by the U.S. Environmental Protection Agency (EPA) to consider boundaries for an 8-hour ozone non-attainment designation area within the Kansas City region. The purpose of this letter is to respectfully request your support of Douglas County and the City of Lawrence's position to not be included in any such Kansas City regional 8-hour ozone non-attainment designation area.

Our staff has studied the eleven factors used by EPA for determining a modification of an air quality boundary. It is our determination, based on a review of the findings for these factors, that Douglas County is not a significant contributor to Kansas City's air quality problem. We believe it would be inappropriate at this time to include Douglas County in any possible 8-hour ozone non-attainment designation area within the Kansas City region for the following three reasons:

1. Ozone monitoring in the Lawrence area during the 2002 ozone season recorded no exceedence values.
2. Douglas County makes no significant direct contribution of ozone or its precursors to Kansas City's ozone problems. The county is very rarely upwind of Kansas City on those days when Kansas City's ozone values exceed statutory limits.

3. Closure of the Lawrence Farmland Industries plant has reduced the county's total nitrogen oxide emissions substantially below values shown in presently available documentation.

As Governing Bodies, we are mindful of the need to be proactive in addressing air quality issues in our community. We consider it appropriate to take responsible actions to educate our citizens about the sources of and contributors to air pollution, and to take active steps to control, through voluntary measures, various pollutants produced within Douglas County. Our goal is to approach this issue from a preventive-maintenance perspective to forestall the chance of falling outside compliance with EPA's air quality rules and regulations. At the request of the Douglas County Commission, a Lawrence-Douglas County Air Quality Advisory Committee has been formed to help achieve this purpose.

We respectfully request that you, in your recommendations to EPA, support Douglas County and the City of Lawrence's position to not be included in any 8-hour ozone non-attainment designation area within the Kansas City region.

Respectfully,

Bob Johnson, Chair
Douglas County Commission

David M. Dunfield, Mayor
City of Lawrence