

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MARCH 5, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, March 5, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Meldoy C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Ms. Irene Hart, Director, Bureau of Community Development; Ms. Susan Erlenwein, Director, Environmental Management; Ms. Deborah Donaldson, Director, COMCARE; Ms. Marilyn Chapman, Election Commission; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Sherdeill Breathett, Director, Animal Control; Mr. Jack Brown, Acting Director, MPA; Mr. Mark R. Borst, Deputy Director, Bureau of Public Services; Mr. John Coslett, Director, Bureau of Emergency Management; Mr. Darren Muci, Director, Purchasing Department; Mr. Daryl Gardner, County Controller; Mr. Fred Ervin, Director, Public Relations; and Ms. A. Karen Casto, Deputy County Clerk.

GUESTS

Mr. Mike Stewart, Science & Operations Officer, National Weather Service
Mr. William Skaer, DVM, 1481 N. Strafford, Wichita, KS
Mr. Mark Dick, Allen, Gibbs and Houlik
Mr. Joe Norton, Bond Counsel, Gilmore & Bell, P.C.
Mr. Milt Pollitt, Chairman, Solid Waste Management Committee

INVOCATION

The Invocation was given by Mr. David Clien of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

Regular Meeting, March 5, 1997

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

Ms. Becky Allen-Bouska, Finance Director, greeted the Commissioners and said, "You have previously received the certification of funds for today's regular agenda. I am available for questions if there are any."

Chairman Winters said, "Thank you Becky. I see no questions. Thank you. Next item."

APPOINTMENT

A. APPOINTMENT OF RICHARD A. EUSON TO THE POSITION OF SEDGWICK COUNTY COUNSELOR.

Chairman Winters said, "Commissioners, it is certainly my pleasure today to bring before us and the County, the appointment of Rich Euson as County Counselor. I would like to take just a moment to say a couple of things and then if any of you would like to add anything, please feel free to do that. As most of you know, Rich Euson is a long term employee of Sedgwick County, having started here in January of 1981. Rich has received his Law Degree from Washburn, his B.A. from University of Kansas. I've had the opportunity to work with Rich for four years and many of you have worked with Rich for much longer than that. I have found Rich to be very knowledgeable in the law as it deals with local and specifically county government. I have found him to have a temperment and a judgement that provides sound advice to Commissioners on many of the critical issues that we deal with and I have found him to be truly professional in the manner in which he conducts business. I really don't have much to say other than that. I know we have all visited about this appointment. I think Rich has done an exceptionally good job in this interim period and I see that a number of the legal staff are here in the room today and I certainly want to thank all of you for the extra effort and work that you all have done in the past several months. It has been very much appreciated and this Commission does have a great deal of confidence in the abilities of our legal staff as a whole and by our action today, I think we emphasize that we certainly have a great deal of confidence in Richard Euson. Commissioners, if no one has any other comments, I would certainly entertain a Motion for the appointment of Richard Euson."

Regular Meeting, March 5, 1997

MOTION

Commissioner Schroeder moved to approve the appointment of Richard Euson.

Commissioner Miller seconded the Motion.

Chairman Winters said, "We have a Motion and a second. Is there any other discussion?"

Commissioner Hancock said, "Mr. Chairman, I just want to add that we were very fortunate this time to have a number of very qualified candidates that made their application to the County. I was very pleased to see that so many fine individuals came forward looking at the County, deciding maybe this is the place they'd like to be and work and lead our legal department. I want to thank all the applicants who made application. We appreciate their interest. We did some interviews and those people that we interviewed were very impressive and I want to thank them for taking the time to come forward and looking at Sedgwick County as legal employment. We're very proud to have them and we're very lucky to have Rich on board. Thank you."

Chairman Winters said, "Thank you very much. We have a Motion to appoint Rich Euson as County Counselor, any other discussion? Seeing none, call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you very much. Any response?"

Regular Meeting, March 5, 1997

Mr. Rich Euson, County Counselor, said, "First of all Commissioners, thank you very much. I know you have a long meeting and I do have a few things to say other than the question of why you didn't put this on the Consent Agenda, which might have been my preference. I have been here for a little over sixteen years and it is with great pleasure that I accept this appointment. I want to tell you that really without hesitation, it is a privilege to be able to represent the County as a lawyer, to be able to represent the Boards of County Commissioners that have been here during that time, the County Managers, the other elected officials, bureau chiefs, and department heads. It is a privilege that very few of us get and it is one that I really appreciate. Before we close out the period of time from the last 5 ½ months involving the interim situation, I would like to say that I am very appreciative of what the staff has done to help the situation.

"We've had some turnover and some shortages in our department, which is a little unusual, and everybody has really come to the floor and really helped out. Everybody should be so lucky as to have an employee like Bonnie Turner, who was willing to come downstairs from Court Clerk duties and assist us during one of our periods of time when we had shortages and she is very knowledgeable of what goes on in the Courthouse and certainly in our department. That has been a very great help to us. Everybody else has certainly pitched in. There have been the attorneys who have worked into the evenings and weekends and that is very much appreciated.

"I certainly appreciate all the support that the Board of County Commissioners has given us during this time. You have continued to offer, during this past 5 ½ months, your assistance and as I've told you before, that's given me a lot of confidence and given us all a lot of confidence and we appreciate that very much. It's kind of like having an insurance policy. I don't think it makes you drive more recklessly, but it gives you a lot of comfort to know it is there, and we appreciate it.

"Finally, I would like to say a public thank you to Bill Buchanan who has helped me, helped me, and helped me. Bill, I really appreciate all the things you have done. Bill was in my office last September. I hadn't been back from vacation for more than two hours and he was offering advice and assistance, and he has continued to do that during this period of time. He has really been a great deal of assistance and I really appreciate it. Again, thank you for the opportunity and much thanks to the staff who has been a great help to me. Thank you."

Regular Meeting, March 5, 1997

Chairman Winters said, "Well, thank you again Rich. We look forward to working together in the future and we're confident that we picked the right person. We have another introduction that we need to make."

Mr. William Buchanan, County Manager, said, "Commissioners, while you were in the process of searching for the most excellent next County Attorney, we were also in the process of searching for a new Code Enforcement Officer. We found one hiding out in Hutchinson. Glen Wiltse was the Code Enforcement Director there for ten years and he has worked in that capacity in Parsons and Pittsburg, Kansas. He comes to us with some experience in other places and with a great deal of experience and with a great resume and references, so we're just delighted that he's part of our team. Glen Wiltse."

Mr. Glen Wiltse, Director, Code Enforcement, said, "First of all, I want to express my gratitude to the Commissioners and Bill and the rest of the staff who actually hired me for this position. I have heard nothing but praise from my past bosses about the organization in Sedgwick County and that's really what prompted me to come to Sedgwick County and I hope that I can succeed in offering a public service that everybody in Sedgwick County deserves. I appreciate. Thanks a lot."

Chairman Winters said, "Thank you and welcome to Sedgwick County Glen. Next item."

PROCLAMATION

B. PROCLAMATION DECLARING MARCH, 1997 AS "SEVERE WEATHER AWARENESS MONTH."

Chairman Winters said, "Thank you. Commissioners, I have a Proclamation I'd like to read into the record for your consideration."

Regular Meeting, March 5, 1997

PROCLAMATION

WHEREAS, it is estimated that any given moment nearly 2,000 thunderstorms are in progress over the earth's surface; and

WHEREAS, tornados occur in many parts of the world and in all 50 states, but no area is more favorable to their formation than the Continental Plains of the United States, and no season free of tornados; and

WHEREAS, local government has the responsibility to inform the public and promote awareness in an effort to reduce the loss of life, property, and personal injury; and

WHEREAS, the National Weather Service and the Kansas Division of Emergency Management will hold a statewide tornado safety drill Tuesday morning, March 11, 1997, designed to test the emergency warning systems throughout Kansas; and

WHEREAS, Sedgwick County will participate in this drill to increase public awareness in this vital area of personal safety;

NOW THEREFORE BE IT RESOLVED, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim March, 1997, as

“SEVERE WEATHER AWARENESS MONTH ”

in Sedgwick County, and urge all citizens to take part in scheduled activities.

“Commissioners, you've heard the Proclamation, what's the will of the Board?”

MOTION

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

Commissioner Gwin seconded the Motion.

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

Regular Meeting, March 5, 1997

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, “Here to accept the award is John Coslett.”

Mr. John Coslett, Director, Bureau of Emergency Management, greeted the Commissioners and said, “Mr. Chairman, thank you and Commissioners. The country as a whole has a feel for the time of season that we’re in here in this area where tornados are pretty much a way of life or severe weather during the season. Over this past weekend, the situation in Arkansas, extremely serious situations that are going on back in Ohio, Kentucky, and the eastern states, as far as flooding is concerned. We’re just at that time of year again when we need to get the level of awareness up to where our citizens are thinking about it and preparing themselves for what we’re going to be faced with.

“We have several activities planned throughout the month and we have our tornado spotters and severe weather meetings are in full swing. As the Proclamation stated, there will be some things going on next week. Also, I’ve provided each of you a copy, in the past three years, we’ve had a tornado awareness brochure, it was primarily made with Sedgwick County people in mind. That has been printed in English and we realized we needed to think about diversifying and providing it in other languages as much as we could. Starting with this morning, it will be available in Spanish and also in Vietnamese. Hopefully we’ll get some of the people who this is their native tongue and they can better understand what is being said. In order to accomplish this, we utilize or took advantage of County employees to help us with it. The names have been printed on the back of the people who helped with the translation. Two people from Sedgwick County were Diana Mansouri and Delmira Debow-Acosta, who works with Mental Health in Center City. They helped us with that and with the Vietnamese version, we started out with the individual at the Wichita Indochinese Center and found out that we have Mr. Harry Hayes in the Bureau of Human Resources has a person there, a lady who helped us with double checking everything. Hopefully, it is going to be something that will be meaningful to people out there. We realize that when you get into some of the languages that there are dialects and so forth, just like there is in English.

Regular Meeting, March 5, 1997

“We hope that what we put together will serve the people well that we intend to get them to. Also, I asked Mr. Mike Stewart, who is the Science and Operations Officer for the National Weather Service Office of Wichita, if he would come in and briefly tell you what is planned as far as the National Weather Service is concerned for the State as well as Wichita and Sedgwick County.”

Mr. Mike Stewart said, “Thank you. I represent the National Weather Service. The National Weather Service has a strongly working relationship with Emergency Management to achieve the same goals, save lives and property. To achieve that purpose, what we’ll be doing next week, the National Weather Service across the State of Kansas will be home of our own Civil Awareness Week. What we’ll be doing is running drills to get us back into the swing of things on issuing warnings and what to do when we have severe weather and also test governments, schools, and businesses.

“To attain that purpose, on March 11, we’re going to be having our own severe weather awareness drill here in our area in South Central Kansas, including Sedgwick County. At noon, the Storm Prediction Center is going to be issuing a county, state-wide, tornado watch. At 2:00 p.m. Sedgwick County will have its own tornado warning issued. What we are going to be using is spotters out in the field who will be relaying reports, in this case, canned reports, back to the weather office. What it will do is help us test our communication system between spotters and Emergency Management just to make sure that everything is working right in the event it really does happen. Also on March 11, at 7:00 p.m., we will have our county-wide spotter talk for anybody who is interested in attending and being a spotter at the City Council chambers here in Sedgwick County. So we are preparing for the upcoming severe weather season and hopefully everything will work out right. Thank you.”

Chairman Winters said, “Thank you. Thank you very much for being here with us to again get our awareness back in place. John, Commissioner Schroeder has a question or comment.”

Commissioner Schroeder said, “John, I appreciate you being here. One thing I wanted to say when you said you printed that in English and I thought hey, it’s about time, it’s not in technical jargon, but you were talking about other languages. You know, the more I think about that, the more sense that makes because we do have so many people in this community who do not know the English language and their lives are in danger when it comes to these kinds of things. I guess my next question would be, how do you distribute the material so it gets into the right hands?”

Regular Meeting, March 5, 1997

Mr. Coslett said, "Well, I made contact with people who deal on a daily basis in both the Spanish neighborhoods and the Vietnamese neighborhoods. They are going to give us advice on locations where we can put these. The Spanish in particular, at 25th and Arkansas, at the center up there. There is an area up in there. We're looking for other areas. The Vietnamese areas, there are several businesses along north Broadway. We're looking for places to put them and we're going to depend upon them to help us."

Commissioner Schroeder said, "So we're going to create a network, if you will, of some kind of a way to get out the information and that will be done on a yearly basis."

Ms. Coslett said, "Yes sir. Now we've got them where we can have them printed, where it is not going to be a problem."

Commissioner Schroeder said, "I appreciate your foresight in that and thinking ahead because it can be a devastating season if people are not aware of what the dangers are and are not able to read the information. I think that is a wonderful idea and applaud you for doing that. Thank you John."

Chairman Winters said, "Thank you John. We certainly appreciate the work that you and your staff do. We know that there are many nights when you are down there in the basement of the courthouse all night long. We hope there are not many of them this year, but we certainly appreciate the work that you do. I'm glad you are getting this awareness up because what happened this past weekend was certainly a bad deal. We all need to get back in the thought process of this time of year."

Mr. Coslett said, "That kind of damage and loss of life really shakes everybody and makes you realize with all the preparedness we'll be ready for it. One other thing I might mention. Normally speaking, we test the sirens at noon on Monday every week. Next week, with the drill going off on Tuesday, we will not test the sirens at noon on Monday but they will be tested as part of the drill on Tuesday. Again, thank you very much."

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

CITIZEN INQUIRIES

C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING TRASH MANAGEMENT, PARTICULARLY RECYCLING.

Regular Meeting, March 5, 1997

Chairman Winters said, "This is the time in our agenda where we do take public comment. If someone would like to address the Board of County Commissioners, if they'll notify the County Manager's Office at least a week before our meeting, we do give citizens an opportunity to address the Commission. We try to limit those to five minutes. If you'd please state your name and address for the record."

Mr. William C. Skaer, DVM, Wichita, Kansas, representing Sierra Club, Citizens for Recycling and Waste Control & Recycling Coalition, said, "I live at 1481 N. Strafford in Wichita. An amazing thing happened to our County on a cold and rainy day last Saturday. In a seven hour period of time, 2,680 County citizens came out in force to demonstrate their support for recycling. I am here today representing those people, the Citizens for Recycling, Waste Control & Recycling Coalition, Sierra Club, and all the other groups, the Kansas Natural Resource Council, Trees for Life, and Symbios Logic to mention a few, who participated in the great recycling rally last Saturday. Over 75 volunteers manned eleven drop-off locations in our community to collect those 2,680 signatures and names. The results of the rally show a deep commitment to resource conservation and recycling among many of our citizens. It shows that recycling is something real that people can do to try and make a difference for the environment. Just a few comments that were written included: We need these centers to change the future for our kids, they have learned with us how important recycling is; look to the future, the less trash that goes into the landfill the better; citizens take time to contribute this way to keep the city clean and beautiful; we use this facility regularly, I don't think I would have any options but the landfill if this was not here.

"Chairman Winters and members of the Commission, this rally last Saturday was a mandate from the people. In that very short period of time, almost one percent of the population of Sedgwick County came out to support the drop-off program. We know there are many more people who use those centers as well. The citizens of our community want the drop-off program continued and many of them even want expanded recycling programs in the future. As one woman said to me, this is going to be the wave of the future, why are we so far behind?

"I would like to acknowledge Margaret and Paul Miller, they are with the Citizens Recycling and the Waste Control and Recycling Coalition. They really were the ones that put this together, and Bob Howlot. Margaret and Paul are sitting in the audience. They really did all the work. I was just one of the workers, but we'd try to answer any questions you might have. Margaret or Paul could probably answer them better than I."

Regular Meeting, March 5, 1997

Chairman Winters said, "All right, thank you very much Dr. Skaer. Last week, we did talk about this momentarily at our meeting. We had a presentation coming from the Solid Waste Committee about their concerns over the drop-off boxes. We have developed and are going to be developing a task force to take a close look at what all the options are that we have. I personally think it is very important that we keep these drop-off boxes in place. I'm just trying to think about it in some non-traditional ways of how we make that happen. I have visited with several people of the past two weeks. I'm not going to tell you that I've been extremely successful so far, but I'm not going to give up. So I want you to know that last week we talked about it here. We are going to get together a task force to see what we can do, because I think we need to be working with other local governments and I think we can co-op some help from private business. This is just too critical a time to let this go away as we're dealing with this whole solid waste initiative and a whole integrative plan. I agree with you and all the people who signed, this would be a very inopportune time to let this project go away while we're developing a long range plan. I am confident that we'll be able to figure out some way to do this, I'm just not ready to say how it is going to be done."

Dr. Skaer said, "If we may, when you are finished with the cards and petitions and you've read some of the comments and so forth, we'd like to have them back to recycle them or set up a database."

Chairman Winters said, "Bill, do you have a question?"

Commissioner Hancock said, "Well, just one comment and certainly Doctor, you may be very much aware of this but other citizens may not. Last week, Dillons began a campaign to prompt citizens to contact us in regards to their drop-off boxes at their stores. You will probably be pleased to know that we've received dozens and dozens of calls last Thursday and Friday from citizens concerning the issue. We're pleased to get them. It is good input. So I just wanted you to know that we're very proud of Dillons and want to thank them for their past participation and with any luck and foresight and planning, maybe we'll pick up where they left off. Appreciate it."

Dr. Skaer said, "Thank you."

Chairman Winters said, "Thank you. Irene, would you see that after the Commissioners have had a chance to look at those that we get those back to Dr. Skaer? Next item."

Regular Meeting, March 5, 1997

D. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING WASTE DISPOSAL FOR THE CITIES AND COUNTY OF SEDGWICK.

Chairman Winters said, "All right, Leland Johnson? I was notified this morning that Leland would rather wait until next week, so if the staff will make a note to have this on the agenda for next week. Mr. Johnson is not going to be here and chooses to be here next week."

MOTION

Commissioner Schroeder moved to defer the item for one week.

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

PLANNING DEPARTMENT

E. CASE NUMBER 96-15 - "CLEAN-UP" AMENDMENTS TO THE UNIFIED ZONING CODE.

Mr. Marvin Krout, Director, Metropolitan Area Planning Department (MAPD), greeted the Commissioners and said, "Only one planning item on your agenda this morning and this is the item that we call clean-up amendments to the Unified Zoning Code."

Regular Meeting, March 5, 1997

“You remember last March, almost a year ago now, the City Council and County Commission adopted a new Unified Zoning Code that placed the zoning regulations for the City of Wichita and Sedgwick County together. A lot of other changes were made at the same time. Generally, we’ve gotten positive comments from all the customers and people who are involved in the process in terms of the document being more readable, more understandable, easier to find things. We have reduced the time frame for certain kinds of cases that now can stop at the Planning Commission, if they are not contested and don’t have to go on to the governing body. Generally, it has worked well. We always knew, in fact I think we knew as early as last March or April that we were going to have to come back and make some changes in the process of combining two different codes and practically rewriting them into a new document. We thought that there would be areas of ambiguity or uncertainty, corrections that needed to be made, so that’s what we have, a collection of our experience from using this new code over the past eleven or twelve months, about two dozen changes, and a few new issues that have come up that we hadn’t anticipated back last March. That is always going to happen. So we have about two dozen changes and if you have any specific questions about those changes, I’d be glad to try to address them in more detail.

“We sent out a very wide spread notice to all small cities, all the interest groups in terms of development and civic interest groups. The Planning Commission had a public hearing. We were contacted by one group and had a special meeting with the commercial realtors group. They didn’t understand what some of the proposals meant and after that meeting, received a letter from them saying that they had no objections at all to the amendments that were being proposed. There were no citizens that spoke at the advertised Planning Commission meeting back last month, either in favor or in opposition. The Planning Commission, by unanimous vote, has recommended to you and to the City Council that these amendments to the Unified Zoning Code be approved. The City Council yesterday, did act to approve their ordinance, which would make these changes effective for the City of Wichita on first reading, subject to any comments that you may have today. I think that I will stop there and try to answer any specific questions that you have.”

Chairman Winters said, “Okay, thank you Marvin. I only had one question and that was concerning the changes regarding transfer stations. Can you explain those changes to me briefly?”

Regular Meeting, March 5, 1997

Mr. Krout said, “Well, we realized, and this is going back to probably the summer months when the discussion began in earnest about how we were going to dispose of solid waste. We didn’t have a category called transfer stations. We have various categories for various types and sizes of recycling centers that are primarily for receiving recycled materials and then getting them out for re-use. We do have a category for a landfill, which is the on-site disposal of solid waste. We don’t have a category for receiving solid waste for storage and transmitting them from one type of vehicle to another to move them out or off-site disposal at some other location. If we didn’t create a definition, then it would be subject to interpretation. Well, is this closest to a landfill which has to do with disposal or is it closer to a recycling center, and rather than have it ambiguous and have it possibly subject to legal challenge, we thought that we ought to have this use, which was a likely use that we were going to be looking at somewhere in the County in the future, to define the use and make a place for it. So we have defined the use. We basically used the State, which has a definition for solid waste transfer station. We took out the last part of it which was already covered in our zoning code in terms of other types of collection facilities. Then we set it up in the use chart in terms of where these uses would be permitted. Basically, what the zoning code calls for is for these to be approved as a Conditional Use in the Industrial Districts or in the Rural Residential District, we think there may be some opportunities for a remote area where there may be an appropriate location for a landfill that doesn’t require industrial zoning necessarily, like we have sand pit operations and other operations that require conditional uses without requiring industrial zoning and that otherwise, we would expect these to locate in light and general industrial areas. The general use permit is because we don’t have a track record of dealing with these uses and so at least there would be a review by the Planning Commission, a public hearing by the Planning Commission, to determine suitability of the use. They might place special conditions depending upon the nature of the specific location or the specific use. Then, as with other conditional uses in the zoning code, if it is not contested, that is where the application would stop if it was approved or if it was denied and not appealed to the governing body.”

Chairman Winters said, “Okay, thank you. You said that the City of Wichita approved these as they are yesterday?”

Mr. Krout said, “Yes, let me explain. There was one point that the Planning Commission, they made a change. The Planning staff didn’t object to it, but I do want to lay this out for you on the record so that you’ll understand. The Planning Commission did make one change in what the staff brought forward and advertised. That has to do with enforcement of Conditional Uses.

Regular Meeting, March 5, 1997

“The sore point from time to time and it was actually your new County Counselor, who made the suggestion that we might be able to improve on the way that we enforce Conditional Uses by doing some redrafting of the provisions regarding Conditional Uses. The new proposal says that in condition to the normal tools that the Zoning Administrator, the County Code Enforcement Office has regarding zoning violations, which has basically citations, that the Zoning Administrator, either the City or the County, can declare that the conditions of that Conditional Use have been violated and declare that the use is null and void. It would not need to go through a public hearing process in order for a board to decide that the use should be declared null and void. If the property owner disagrees with that finding, he of course has the right to appeal that administrative decision that the conditions had been violated and his appeal would go to the Board of Zoning Appeals, either the City Board of Zoning Appeals or the County Board of Zoning Appeals. They would determine whether or not those conditions had been violated and whether or not to uphold the Zoning Administrator’s decision.

“Basically, the Zoning Administrator could, in his arsenal of enforcement tools and this additional leverage which would probably keep people a little more honest if they know that they could be declared null and void by the Zoning Administrator. The Planning Commission didn’t disagree with having that tool, but what they suggested and in the proposal that you have in front of you, they suggested that the kind of finding that the conditions have been violated and the use be declared null and void and terminated, by the Zoning Administrator but with the concurrence of the Planning Director. In the zoning code today, in the City’s landscape code and some other special ordinances, there are situations where there is administrative decisions, we have a concurrent approval process, where the Zoning Administrator and Planning Director concur in order to adjust the screening requirement or adjust the height requirements or waive the landscape requirements and the City’s landscape ordinance.

“It has worked pretty well. What it does, it provides check and balance systems so that there are two people looking at it from maybe a different perspective. If they both agree, something should happen administratively, then that is done. They felt that principle, on something as potentially serious as terminating use, ought to have those two perspectives. So the Planning Commission’s recommendation is that the Zoning Administrator can declare a use null and void with concurrence of the Planning Director.

Regular Meeting, March 5, 1997

“We haven’t been directly in the enforcement business up until now. I doubt that this tool is going to be used very often, but I guess the idea is that the Planning Department is also involved in the development of those conditions, so if there is any question about how to interpret it or what it means, then maybe we should be looking at the issue along with the Zoning Administrator. We don’t have an objection to it, I just wanted to point out that it was the one little twist that the Planning Commission has added in their recommendations.”

Chairman Winters said, “So that’s the way it is in what we’re working on today?”

Mr. Krout said, “Yes.”

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

Commissioner Miller said, “Thank you Mr. Chairman. Marvin, I’m glad to hear that change that the Planning Commission made. That may just be able to clarify some ambiguous lines when it comes to when we can pull or can basically shut down, not shut it down, but make this business comply or stop for a moratorium period of time, due to this violation. I’m glad to hear that now there is another level that can hear it and make a decision at that time. The other question that I have is actually concerning communication towers. Under number five, I guess you’d call it section, it says the owner of the tower shall agree in writing at the time of the issuance of the building permit, that reasonable accommodations will be made to lease space on the tower to other communication companies so as to avoid having a proliferation of towers which are not fully utilized. Is it simply, is it as simple as it is written here? That the owner shall agree in writing at the time of the issuance of the building permit that reasonable accommodations . . . what does that imply? Is there anything that backs that up or is it just as it is written?”

Mr. Krout said, “I think that in another location in the code, we try to define what reasonable accommodation means and I think other people have tried to interpret what that means too. Basically, reasonable means offer the space for another user at a price that is no more than what it would cost the user to build his own tower and maintain it. Anything less than that, it would be arbitrary for the government to try to establish a fee. I think that would be considered a reasonable accommodation. We’ve seen some other communities use language like that in trying to determine what is considered a reasonable accommodation. That is an existing clause that we’ve had in the code and so if you have seen new towers going up in the County in the past year, they have all been required to comply with this requirement.

Regular Meeting, March 5, 1997

“So there is co-location opportunities for any new tower that is going up to share the facility with a future user and as we know in that industry, we have two providers, two cellular telephone providers in the market today. We have one, a third, that’s going to be announcing very soon, and we have three more providers that have been granted licenses to operate cellular phone systems in Wichita and Sedgwick County so there is going to be more demand for these uses.”

Commissioner Miller said, “So you are saying that the opportunity is there but it certainly isn’t a directive.”

Mr. Krout said, “It is a requirement that the tower be constructed to accomodate at least one other user and that reasonable accomodation be made. So it is the burden of that owner to prove that it would interfere, that the proposed user wants to lease a spot on that tower, that his signal would interfere with the other signal or that there is some other reason why he can’t share that space.”

Commissioner Miller said, “Very good. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you. Commissioners, are there other quesitons or comments? At this time, we would receive public comment on these zoning clean-up changes. Is there anyone here in the audience who would like to speak to the Commissioners regarding our Planning Department Item E? Anyone here wishing to speak to the Commission? Seeing no one, we will reserve discussion to Commissioners and staff. Commissioners, what’s the will of the Board?”

MOTION

Commissioner Hancock moved to approve the "clean-up" Amendments to the March 4, 1996 Edition of the Wichita-Sedgwick County Unified Zoning Code as the new February 12, 1997 Edition of the Wichita-Sedgwick County Unified Zoning Code; adopt a Resolution and authorize the Chairman to sign; and instruct the MAPD to publish the Resolution.

Commissioner Gwin seconded the Motion.

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

Regular Meeting, March 5, 1997

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

NEW BUSINESS

F. BUREAU OF FINANCE.

1. PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING.

Ms. Allen-Bouska, greeted the Commissioners and said, "It is always a privilege to have peers recognize one another when you have an opportunity to put out as many documents as we do. The Government Finance Officers Association is a group of our peers, to whom we submit the Comprehensive Annual Financial Report (CAFR) and you'll hear us say CAFR all the time. This is the award winning document for this year. Our peers review us on whether or not we conform to GAAP, which is Generally Accepted Accounting Principles, whether or not we are within the legal boundaries of our state and the federal government, and some of the other items involved, for instance, what the auditors have thought of our performance in terms of financial statements as well. Today, I would like to thank Daryl Gardner, who is our County Controller and who is in charge of this project, Dollie Shaffer and Tammy Brandt, who are the two people instrumental in putting together the document as well as the entire Bureau of Finance staff who had contributed to the actual CAFR itself. If Daryl could stand up, I'd like to present to him the Certificate of Achievement for Excellence in Financial Reporting."

Mr. Daryl Gardner, County Controller, said, "Thank you Commissioners, for your support in allowing us to apply for this award and getting our recognition. This is the fifteenth consecutive year we've received this award and this is for year ending December 31, 1995."

Chairman Winters said, "All right, thank you very much Daryl."

Regular Meeting, March 5, 1997

MOTION

Chairman Winters moved to receive and file.

Commissioner Miller seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

- 2. PRESENTATION OF THE 1996 SEDGWICK COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND APPROVAL OF AN APPLICATION TO THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) FOR ITS CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING.**

Ms. Allen-Bouska said, "As you mentioned before, the Comprehensive Annual Financial Report is a document that we produce on a yearly basis to give you a financial status of our government. Last year was the first year we implemented including what we call is the trends section of the document. Which if you flip to the very back section under statistics, you can see our analysis of where the County has been and where we anticipate it going over the next few years in terms of financial stability. Today I have with me Mark Dick, who is the managing partner of Allen, Gibbs, and Houlik, who was the lead person on our audit, Diana Yates, who was the manager of the audit, and Daryl Gardner here today to do presentations on how we preformed in the audit of 1996."

Regular Meeting, March 5, 1997

Mr. Mark Dick, Allen, Gibbs, and Houlik, greeted the Commissioners and said, "Pleased to be here to discuss the 1996 audit results. We've got a few slides to share with you, but before we get to that, I just want to just make some brief comments about the audit and results of the audit. The first thing, by coordinating the efforts with the Bureau of Finance and our audit team, we were able to complete this process of February 14 this year, which is about six weeks earlier than has previously been done. This was done at the suggestion of the County Manager, Mr. Buchanan. It worked well, and I want to congratulate the County for that achievement. You are probably the only local government entity in the State of Kansas to have an audit completed that early. That is very important because it is timely information to you. Basically, three things we want to do in the audit. There are three simple questions that we need to answer and report to you the Board on them. The first question is, are the financial statements fairly presented? The second one is, are there proper controls over the County's resources, do those internal controls function properly? The third question is, did the County comply in all material respects with state, local, and federal laws as it relates to finances?"

"The answer to all three of those questions are yes. The financial statements are fairly presented, you have effective controls, they function, and yes indeed, you did comply in all material respects with all the finance related laws. One of the things that we did this year as a value added service for the County is try to analyze the financial condition of Sedgwick County as compared to your peer groups and we have known for years that Sedgwick County is in a very strong financial position but there wasn't sufficient data available to really make a meaningful comparison. We were able this year to locate a database that is comprised of about, as I recall, 383 counties nation wide that have submitted their financial reports to the GFOA for the award that Becky just talked about. That's how they came up with the database. We were able to look at that. They came up with a ten point financial test that I want to review with you briefly this morning and share with you the results of how your financial condition compares to those of your peers. Now in the database of about 383 counties, we've also segregated it into county size, because it doesn't make a lot of sense to compare Sedgwick County with a population of maybe half a million people to a very small rural county with 3,000 people. So in the population group for Sedgwick County, as the data base has been segregated into counties with a population between 250,000 and 750,000 people. In that group, there are 82 counties that we compared you to.

Regular Meeting, March 5, 1997

SLIDE PRESENTATION

“We’ll go through these very quickly here. One of the first measurements is we’re trying to measure how your revenue and expenditure patterns stack up against your peers. The first one is we simply take total revenues of the County, divide it by the population of the County and this just gives us an idea of in a sense not only the taxing of the population but all other government sources coming in. As you can see, Sedgwick County is average as compared to your peer group as far as that ratio. Now a high ratio suggests that the County has adequate annual resources and certainly you do. There is no problem there.

“The second chart shows the total general fund revenues from your own sources as compared to the total general fund revenues. What this means, what we simply did is we took out your state shared revenue and any federal money coming in and said okay, out of all your revenue coming in, really what of that is generated locally. As you can see, Sedgwick County is above average in that category and that really tells us that your financial operations are not dependent upon state and federal funding, which is a positive thing.

“The next one is general fund sources from other funds. This one just measures obviously the general fund sources from other funds as compared to total general fund sources and again, you are well below average which is positive in this case. Again, it is showing you are not dependent upon other governments.

“The fourth ratio, operating expenditures compared to total expenditures. What we mean by operating, it is important that we understand this, we have taken out debt service payments and capital outlay and what is left is the operating expenses, that’s the salaries, commodities, supplies, that type of thing, and measured that against total expenditures. The lower that ratio is, the more it indicates that the County is taking care of its infrastructure. What that really is saying is the lower the ratio the better it is because that indicates we’re spending a greater portion of our money on the infrastructure versus the operating expenditures. So again, it is a very positive trend for Sedgwick County.

“The next two or three things deal with what we call the operating position measurements and how are we doing from an operating point year to year. Are we spending more money than we take in, et cetera. This first one is a very simple measurement. Total revenues compared to total expenditures. Did we take in more money than we spent or vice versa or what’s the ratio of that?

Regular Meeting, March 5, 1997

“As you can see, Sedgwick County is slightly below average, but in your case that is a positive, because there has been a plan over the last several years to draw down on County reserves. As you do that, that means you are going to spend a little bit more money each year than you actually take in to draw down the reserves. So this is not a negative indicator in the case of Sedgwick County. The next ratio is the unreserved general fund balance as it compares to total revenues coming into the general fund. A high ratio there suggests that there is enough resources that are on hand that can be used to overcome any shortfalls that may occur and a high ratio is desirable. As you can see, Sedgwick County is above average in that category. Again, another positive indicator.

“The last one in the operating measurements measure the total general fund cash and investments at year end as it compares to the liabilities in the general fund, the bills that were unpaid right at year end. Obviously, a high ratio is desirable. In this case, it really demonstrates that you are in a very strong cash position in the general fund.

“Debt structure. This is very important as far as long term financial planning as you are tackling things like financing detention facilities, that kind of thing. We really have to be aware of what the impact is in the future as far as debt structure. So one of the things that we’re going to measure here is short and long term debt. The short term debt is the general fund liabilities as it is compared to the total revenue and a low ratio suggests that you could easily finance those from normal revenue coming in and you can tell that Sedgwick County is in a very strong position there. You have a very low ratio. Again, it is a positive. The second one is direct long term debt compared to population. Again, you can tell that Sedgwick County is right below average related to the total outstanding debt divided by the population. Again, you are right on target, positive results.

“I think this is the final one of the ten ratios. This ratio on first glance can be a little bit misleading in Sedgwick County’s case. Let me explain this. What this simply does is we take the amount of money that we’re paying for principal and interest on the bonds that are outstanding divide it by the total revenues that are coming in. It is kind of saying what percentage of our money are we using to make debt service payments. On the average in your peer group, the 82 counties spent about 4% of their resources on debt service. Sedgwick County spent almost double that, about 8% of your resources on debt service. Initially, that might suggest that you might have trouble making debt service payments. That is not at all the case. As we analyzed it, and as you recall, you have about the average amount of debt outstanding as other counties. What this really tells us is that you are paying your debt off about twice as fast as the average county in that peer group.

Regular Meeting, March 5, 1997

“Maybe to illustrate that in our work and in working with a lot of other entities, it is very common in government that when they issue bonds, a lot of bonds will have a twenty year maturity. The majority of Sedgwick County’s debt is on a ten year maturity. That’s why you are spending more money annually servicing that debt. So in your case again, that is a positive indicator not a negative indicator.

“Now, as we went through all those ten, one of the challenges is well, how do you put all those together and how does it make sense. Along with the database they provided a model that kind of grades the County as to each one of those ten and comes up with a final result or score if you will. As we ran the results through the model, I’m pleased to report to you that Sedgwick County ended up in the top 15% of the database of all these counties nation wide. You are in the 85th percentile, so you are in the top 15% as far as your financial condition, which I think is very commendable and I want to commend you as Commissioners for allowing your staff to have the latitude to create that situation for you. The Bureau of Finance has done a very good job. Be happy to respond to any questions about these ratios, any questions about the audit that you might have.”

Chairman Winters said, “All right, thank you very much Mr. Dick. Commissioners, anyone have any questions at this point? Don’t see any questions.”

MOTION

Commissioner Schroeder moved to receive and file the CAFR, and authorize the County Controller to submit the Application to GFOA.

Commissioner Miller seconded the Motion.

Chairman Winters said, “We have a Motion and a second. Is there any discussion?”

Mr. Dick said, “I think Mr. Gardner has some comments about the CAFR.”

Chairman Winters said, “Daryl, this would be a good time to make it then. We’ve got a Motion.”

Mr. Gardner said, “Well Commissioners, I had a few slides that I wanted to show you too concerning the results of the annual audit and the numbers that go into the CAFR itself.

Regular Meeting, March 5, 1997

SLIDE PRESENTATION

“The revenue picture for the County. We received a total of \$177,750,000.00 in revenue of which \$102,000,000.00 was taxes. This represents 57.9% of total revenues which means the County is heavily dependent upon tax revenue. Next we have expenditures and expenditures totalled over \$200,000,000.00 in 1996. The largest portion on public safety and general government. Capital outlay was \$38,000,000.00. It increased quite a bit during 1996 and this was due to some one time projects like the enhancement to the 911 radio system and a couple of sales tax road and bridge projects that were budgeted in 1995, but we actually spent the money in 1996.

“After we have revenue expenditures, we end up with unencumbered cash. This is the cash that is in the general fund at the end of 1996 showing we had \$11,200,000.00 in unencumbered cash which is falling down from previous years as anticipated and planned for by the staff and the Commission. The nine year peak in 1994 was based upon anticipated lay-offs in the aircraft industry and other areas and we have had anticipated reduction in the revenue but the economy stayed stable and we withstood the fluctuations of the employment picture. The next graph shows that the unemployment rate in 1994 as being high and then falling down through 1996 to a five year low at 4%.

“Bonded debt. This includes all the general obligation, special assessment, and fire district outstanding bonds at the end of 1996. It does not include the public building commission. This amount has stayed fairly stable over the past four years. That is indicating that we are paying off as much debt as we are issuing each year. The County has adopted a debt limit for how much debt we can issue and that is 5% of total assessed valuation. This graph shows that during the last five years we’ve maintained a level amount right at or underneath 60% level of bonded debt limit. The bonded debt limit includes all bonds issued in the County and it slightly decreased in 1996 due to increase in assessed valuation.

“Direct and overlapping debt is a concern of everybody in the County, to know how much debt the citizens can handle within the County and how much debt they are being required to pay for not only with the County, which has remained stable over the last five years, but also the school districts, cities, and any other districts within the County. The school districts and cities have shown a rise for a few years, but over the last couple of years, it has remained stable, thus indicating that may be leveling off of that debt.

Regular Meeting, March 5, 1997

“The County has also initiated a group of local entities to talk about overlapping debt and coordinate possibly some of the debt issues and at least know what other entities are doing within the County. The next debt shows the value of new construction over the last five years. There has been a steady increase in new construction the last five years; 1996 was lower than 95, but 95 was due to low interest rates and a lot of people hitting the building boom in 96 and it has leveled off a little bit to have a more steady increase over five years.

“The last graph I have is special assessments percent collected to the amount billed. We are doing fairly well on this. This has risen over the last few years. This is due largely to the value of new construction going up. Of new construction, we have homes being built on vacant lots and thus homeowners actually paying the special assessments for those properties.

“I’d like to thank you and the Manager for their support in producing this document and my staff for getting it out in a very timely and quick manner, considering the last few years, as Mr. Dick indicated, it is six weeks sooner than it has been in the past. If you have any questions for me or Dick, I’m here to answer them.”

Chairman Winters said, “Thank you Daryl. I would agree. I certainly think everybody appreciates the timing of getting this out. As everyone knows, this is going to be a challenging budget year and this is certainly information that is valuable as we go about that process. Thank you Daryl and your staff and Mark for getting this to us as early as it has been. Commissioner Miller.”

Commissioner Miller said, “Thank you Mr. Chairman. Daryl, could you just explain to me, is that intergovernmental on your first slide or handout? Is that intergovernmental revenues that 35.54?”

Mr. Gardner said, “Yes, it is.”

Commissioner Miller said, “Give me an example.”

Mr. Gardner said, “That is largely revenue received from the state and federal government as well as LAVTR and special highway tax distributions from the state.”

Commissioner Miller said, “Largely state, federal?”

Regular Meeting, March 5, 1997

Mr. Gardner said, "Yes."

Commissioner Miller said, "Thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner. Commissioners, if there are no other questions, we do have a Motion to receive and file the CAFR and authorize the County Controller to submit the application to GFOA. Any other discussion on this Motion? Daryl, do you have anything else?"

Mr. Gardner said, "No."

Chairman Winters said, "All right, Madam Clerk, call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you Daryl. Thank your staff very much. Mark, thank you for all your help. Next item."

G. CHARTER RESOLUTION EXEMPTING SEDGWICK COUNTY, KANSAS FROM THE PROVISIONS OF KSA 19-27, 181 RELATING TO THE CREATION OF BENEFIT DISTRICTS FOR PUBLIC IMPROVEMENTS; AND PROVIDING SUBSTITUTE PROVISIONS RELATING THERETO.

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., greeted the Commissioners and said, "This item if adopted would create a modification of existing state statute relating to certain types of improvements that the County can do in creating of special benefit districts to levy assessments for those improvements and the County's ability to finance those. The particular statute referenced by the Charter Resolution is one which was adopted in 1991, some of you may remember, as a result of some legal action taken in Douglas County challenging the county's home rules and authority to do certain things without state statute.

Regular Meeting, March 5, 1997

“The County was proceeding with the project at that time doing the interchange of I-135 near the Kansas Coliseum and the race track under the County’s home rule authority and this was questioned indirectly by this case in Douglas County. The County went to the legislature to get this statute adopted primarily to give counties the same kind of authority to create benefit districts that cities have in this state. That statute was adopted with a few modifications that were made at the last minute in the legislative process, I think primarily in relationship to the County’s discussion at that time at having to levy assessments on the Four Mile Creek sewer project in the eastern portion of the County which is a very large project at the time. So the County could not, by legislative mandate, use this statute to do wastewater treatment facilities or improvements within various subdivisions. We believe that based on history now, that particular controversial issue has been taken care of and those issues that were arising at that point of time are no longer issues before the County and local cities within the County.

“The Charter Resolution process, the state statutes give the Board of County Commissioners upon a four-fifths vote the ability to make certain modifications to existing state statutes that govern the County but are not uniformly applicable to all counties within the state. That statute that we have before us today is one of those statutes. It only relates to Sedgwick County and does not relate to any other County within the state. The process is that the Charter Resolution is adopted and then a notice is published twice in the official County newspaper in a sixty day period during which citizens may protest the action if a sufficient petition is filed. If no protest petitions sufficient is filed then that matter becomes law within Sedgwick County and you have that ability to utilize that for future Capital Improvement Projects. The Charter Resolution eliminates that restriction on not being able to use this particular improvement statute within residential subdivisions and for wastewater treatment facilities. It does not change the other provisions of the Act that is set up to benefit districts. All those safe guards that were put into the state statutes are still in existence. This Charter Resolution does not modify those. It is also important to note that this particular Charter Resolution does not authorize any particular project. All it does is propose to modify the state statutes to give you some additional flexibility. If the Charter Resolution becomes effective, then you could consider additional projects under this, but this does not mandate or authorize any particular project at this point in time. I would be happy to try to answer any questions about the Charter, its history or the statute that you may have at this time.”

Chairman Winters said, “All right, thank you very much Mr. Norton. Does anyone have any questions or comments?”

Regular Meeting, March 5, 1997

MOTION

Commissioner Schroeder moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

H. RESOLUTION PROVIDING FOR THE SALE OF CERTAIN REAL PROPERTY LOCATED IN THE VICINITY OF 51ST STREET NORTH AND MERIDIAN.

SLIDE PRESENTATION

Mr. Euson said, "On the overhead this morning is a map showing, at least on the left hand portion, an area near 53rd and Meridian. I believe it was last year that the County began a project to widen Meridian from two lanes to four lanes between the north City of Wichita city limits and south of the city limits of Valley Center. In connection with the design of those improvements, it was necessary to provide for drainage across a piece of property as shown in the aerial. That piece of property was owned by persons by the name of Michael and Neva Drees and comprises about 34 ½ acres. The County was unable to reach an agreement as to purchase price for this drainage easement and we went into a condemnation case in order to acquire the easement from them.

"Commissioners, this next overhead is a little more of a closeup of that property showing how the drainage easement goes diagonally through the property. The easement itself consists of approximately five acres and it is only for the purpose of drainage.

Regular Meeting, March 5, 1997

“When the County went in and tried to purchase this and was not able to reach an agreement, it filed a condemnation case. The appraisers believed that the landowner was severely damaged and allowed the landowner damages in excess of \$80,000. We had several discussions last October in Executive Session regarding this and the County believed that it would be in the County’s best interest to go ahead and purchase this entire 34 ½ acre tract and we did that. The purchase price for the entire tract, including the five acre tract easement was about \$5,300 per acre. We have been approached by the landowner to the south, who is Brad Buckman and Mr. Buckman has asked that the County sell him the acreage, which is shown on the horizontal lines. That acreage comprises of approximately seven acres. That acreage is landlocked and has no other access to any public road and so it is pretty much of a captive situation and really our only market is either the landowner to the west, which is also Mr. Buckman, or the landowner to the south. The purchase contract that you have before you makes an offer in an amount of approximately \$4,600 per acre. We have negotiated with Mr. Buckman over this and we feel that even though it is less than the \$5,300 purchase price per acre, we feel that given the fact that there is not a market for this and there is no access to a public road, we believe that this is a fair price and we recommend that to you.

“The law says that if the Board of County Commissioners is going to sell real property and it has a value of less than \$50,000, which this seven acres would, then you are able to sell that at a negotiated sale price and you need to pass a Resolution which must be passed by a four-fifths majority and then you must publish notice of that sale and the Resolution. If you approve this this morning, it will authorize the Chairman to sign the contract and the closing is set, I believe, for March 30. I will be happy to answer any other questions at this time.”

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

Commissioner Gwin said, “Okay Rich, so let me see if I get this straight. If we do not sell it, we hold on to a piece of landlocked land of about seven acres that would stay off the tax rolls, is that correct?”

Mr. Euson said, “That’s correct.”

Commissioner Gwin said, “And if we do sell it, then the developer who owns land to the south will probably develop it, build homes or whatever and those properties will go on the tax rolls, correct?”

Regular Meeting, March 5, 1997

Mr. Euson said, "That is Mr. Buckman's intent, yes."

Commissioner Gwin said, "Well, I can support that. I appreciate the difference in the acreage cost, but I think at the time we made the decision to buy the entire piece, we recognized that a crosswise drainage was going to cause some development problems and understood that it was in the best interest to taxpayers, the best thing we could do was turn this land as quickly as possible, get it developed, and get it on the tax rolls. I will certainly support this today. Thank you Mr. Chairman."

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

Commissioner Miller said, "Thank you Mr. Chairman. I too Rich will support this, but in the conversation that I had with you, is the understanding that it is an as is property, that I cannot project as an individual into the future that this property will hold much more value than what it is that we are contracting to actually sell for. I think it is a given that yes, it will be developed, that those lots would sell, and I would only be speculating on what those lots will sell for, but it will obviously be more than what it is that we are actually selling for at this time. I am comfortable in making the decision to be supportive of this understanding that I am looking at it as in the situation or current condition that the property is in and I need to make that statement. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner. Commissioners, you've heard Rich's report, any other questions?"

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

Regular Meeting, March 5, 1997

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

I. RESOLUTION REPEALING RESOLUTION #347-1989 PERTAINING TO POLICY AND PROCEDURES FOR THE CAPITAL IMPROVEMENT PROGRAM.

Chairman Winters said, "Well, I see Mr. Manager has stepped out of the room. The next item following this is probably going to be rather lengthy. He is back in."

Mr. William P. Buchanan, County Manager, said, "Commissioners, you have before you a Resolution which repeals a Resolution which was established in 1988 I believe. The purpose of that Resolution was to examine our Capital Improvement process. It is very important that the Capital Improvement plan, as we just heard through our financial report, take care of our infrastructure, and that we do it in such a way that is a meaningful way to do that. We have won awards because of this plan and the County has benefited because of it. We have found a technical difficulty. Despite all the nice things we said about the new County Counselor, he has, in his infinite wisdom, suggested that the procedure that we've used in the past for the CIP Committee, because in its appointed by you, it would require a public notice and open to the public. Now the intent was not for this staff work, because the members of this committee are the County Manager, the County Attorney, the County Engineer, the Director of the Planning Agency, that we four set there and listen to presentations by staff. We also do receive analysis from the Budget Department and talk about the issues of what projects we will recommend to you. This is the process that we go through for the budget. In the next several months, I will be meeting with department heads and elected officials, talking about their priorities, suggesting ideas, crunching numbers, and doing all the staff work that needs to be done to present a document to you. It seems to me that process for the CIP Committee to have that as a public process is really inappropriate and was never intended.

Regular Meeting, March 5, 1997

“It is my recommendation that you pass this Resolution, which repeals the previous Resolution and we will continue to do business as usual looking at our Capital Improvement Projects with those folks in a manner that we have in the past to produce the high quality product that you are used to, but in a way that will not require us to notify the press, notify the public that we’re going to have a staff meeting. We are recommending that you approve it.”

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

Commissioner Schroeder said, “Bill, I was looking through the back-up here and then the old policy under definitions. Procedure is our problem, obviously, but what about definitions? Will that change where it refers to Capital Project, what is considered a Capital Project, additions, facility, infrastructure, that will all remain the same?”

Mr. Buchanan said, “Yes.”

Commissioner Schroeder said, “All right, thank you.”

Mr. Buchanan said, “Let me state one more thing. We are not going to do business any differently than what we have in the past.”

Chairman Winters said, “You’re going to have those same folks involved?”

Mr. Buchanan said, “Same process.”

Chairman Winters said, “Commissioners, you’ve heard the report, what’s the will of the Commission?”

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

Regular Meeting, March 5, 1997

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Commissioners, I am going to suggest that we take a ten minute break right now. We've got a long agenda item coming up on the solid waste plan and then we need to take up an off agenda item, so I suggest we recess now for ten minutes."

J. PRESENTATION OF THE DRAFT SOLID WASTE PLAN.

Ms. Irene Hart, Director, Bureau of Community Development, greeted the Commissioners and said, "I have been waiting for this day for the last five months. We are very pleased today to present to you the draft solid waste plan. It represents hundreds of miles, hundreds and hundreds of volunteer and staff hours, and thousands of pages through the photo copier on background material, draft plans, agendas. . . I think we wore out a couple of copiers. What I would like to do is introduce to you Susan Erlenwein, our Director of Environmental Resources. She will have a presentation. Mil Pollitt, Chair of the Solid Waste Planning Committee will have a presentation and then I will return and let the public know and let you all know where the copies of the draft plan will be available for public review. Susan."

Ms. Susan Erlenwein, Director, Environmental Management, greeted the Commissioners and said, "As Irene said we have spent five months working on this plan since the County took over the planning authority for solid waste. We have worked with many members on the Solid Waste Committee. They have put in many hard hours, many meetings and they have done research, visiting other sites, other landfills and I'm very pleased with their work and I have been very proud to work with this group of people. They have done a terrific job for the County and the community. We have also had a lot of work by County staff. In doing all of this they have made many recommendations.

Regular Meeting, March 5, 1997

“The committee was divided into four sub-committees that worked on this plan and their recommendations were incorporated in the plan in which I would like to hand to you right now. Then I would like to review the plan with you. The Solid Waste Plan is divided into ten sections. I would like to briefly go over each section and highlight some of the recommendations made on each one.

In Section one there is an introduction which outlines the background material such as what landfills are currently in use and recent studies that have been done as well as the community involvement that has taken place in the recent past, such as last February, the Wichita State University (WSU) Assembly and also the Town and Country meetings of last spring.

Section two describes the planning area and that goes into the demographics of our County, the geology of our County, wetlands and other pertinent information that is needed for siting a landfill. Then it goes into the siting requirements for landfills. Also in this section is a description of what other counties are doing around us and what communities in the midwest are doing to address solid waste. We look at communities that are similar in size to our particular community. So that information can be found in Section 2.

Section three deals with the solid waste analysis. The solid waste is divided into two categories. Municipal solid waste known as MSW and special waste and the special waste is things like batteries, tires, medical waste, and other materials that have to be looked at separately from MSW. There is a lot of data generated in that section for you to look at as to what is happening in our community and how much waste is generated.

Section four is waste minimization. This looks at a snapshot of what's currently happening in our community to reduce the amount of waste going to the disposal facility, whether that's the drop-off centers, or buy back centers, or information on how people can mulch to cut back on waste and it has many good recommendations in this section. I'm about to mention a few of them to you. There is no way I can cover all recommendations in the plan. In this section they have the recommendation for Sedgwick County to find ways to subsidize the drop-off recycling centers which will close April 1st. Milt Pollitt brought this item to the Commission last week and again it was mentioned today. I know that the Commission has already addressed this by appointing the task force that is looking at this issue. Another recommendation is to ban yard waste from municipal solid waste landfills starting January 1998. This yard waste would be grass clippings and leaves, it would not be flowers, trees branches or things like that.

Regular Meeting, March 5, 1997

“This is something the committee has worked on for a couple of years and they are bringing it up again that this is one way to reduce the amount of material going to the disposal facility. They also want to recommend that we begin a waste analysis of what is going to the landfill. The last waste analysis was performed 1991 and I was part of that where we picked through the trash at the landfill and I just can’t tell you how much fun that is. I tried to vote to oppose this but it didn’t work. What this entails is picking through the trash to determine the percentage of material going to the landfill. This is important especially when you start to look at how we can reduce material going to the landfill; how much is plastic, how much is yard waste, how much is paper. The recommendation is to do a monthly pick starting this year and to do this again in five years and in ten years. The reason for starting this year is to get background information to see how all recycling efforts improve the future and it’s something that we need to look at; what is the picture of what we’re disposing of. The good information is, there are grants available from the State to help pay for this that we’re looking into right now. There may be some money available to help us with this recommendation. We also want to investigate many recycling items such as the Christmas Tree Drop-Off Recycling Programs that may stop in the future. If they want to investigate that along with incentives for recycling, right now there is a general feeling there is disincentives for recycling and that want to change that around. So these are just some of the highlights from Section four.

Section five is management for specific waste and as I mentioned earlier specific waste deals with lead, acid, batteries, tires, medical waste and other materials that need to be looked at separately, especially household hazardous waste. There are many recommendations through here on investigating how we handle some of this material. They look at how it is currently handled. Is it adequate? In many cases, they feel it is adequate. Where do changes need to take place?

“Some of the recommendations in Section five were to expand the current household hazardous material program. Right now, there is a facility on the south end of town that is open the first Saturday of the month. They would like to expand that so it is opened longer, so we have satellite facilities located around the community. Also longer hours at the current facility. We need a permanent site. That is one of the recommendations in this section. They also want to promote small quantity exempt generators of hazardous waste. Businesses’ that generate waste that aren’t handled under hazardous waste. They are still generating hazardous waste, but it is not enough that they have to handle it specifically, and that waste can go to the landfill. They want to look at that.”

Regular Meeting, March 5, 1997

Commissioner Schroeder said, "Could you give examples of that?"

Ms. Erlenwein said, "You have many small businesses in town, let's say an auto repair shop or paint shop that has a small amount of material that don't fall into the state or federal category of having to handle that waste specially. So it is a small amount that needs to be handled, especially if you don't want to pollute a landfill. Right now, that material can go to a landfill. What we'd like to do is investigate how do we keep that material from the landfill. Maybe that can be incorporated in an improved household hazardous material facility. So they'd like to investigate that first and incorporate that in household hazardous material facility and then look into banning that material from a future disposal site. But it is not just a ban, you need an option first, and they realize that. They want to look at having that handled in a special way. As we know, you have groundwater pollution in our community and part of that is from this sort of material. So that was an important proposal by the committee.

"They also would like to look at agricultural pesticides and maybe having an annual event for collecting agricultural pesticides. Again, to help keep it from going to a final disposal facility and possibly polluting in the future. So they were looking at how material is handled. Again, there are many more recommendations and in this section you can find a recommendation on construction and demolition, landfills, and currently the definition makes it hard to have construction and demolition landfills and the County is already working on that right now and changing that definition for the state legislative. But that is in this section.

"Section six deals with existing municipal solid waste management and disposal systems. This describes current regulations, handling the waste, it looks into what is happening currently in our community for handling this waste. It also points out how many past landfill sites or dumping sites that we have had. Not illegal dumping sites, but sites that have been used. There are sixty-one sites in our County that have been used as dumping sites. Some of them are still being used on that list is Brooks Landfill for example. There are many sites from small towns and other areas that have been used as dumping sites in the past and that does not include just the road side dumping. So you could find this in section six. Section six has some key recommendations when they were looking at the way waste is handled in our community. One thing they looked at is the current laws that allow burial and burning of waste in rural areas by residents. They felt there were many options open to the rural resident that they can now take waste themselves to a landfill or we've heard from companies through surveys, that they will pick up waste anywhere in the County, but it may cost more.

Regular Meeting, March 5, 1997

“So one recommendation in this, is to look at banning the burial of waste on rural residential land. The other recommendation is to ban the burning of municipal solid waste by rural residents. This does not mean that you can’t burn brush any more or agricultural waste, this is looking at waste from the house. So these are two recommendations in the plan that you can find in section six and the dates for those two bans would be June 1, 1998.

“Section seven looks at applicable solid waste technology options. We’ve heard about many options that are out there from incinerators to transfer stations to landfills to material recovery facilities. These are outlined in section seven. Some of it is technical information. It goes into some of the laws that affect these. It describes the advantages and disadvantages of these systems. So if you want to learn about the different options that are out there you can find that in section seven.

“Section eight is public education. Public education is a very important component of this plan. It is listed throughout the other sections. Waste minimization listed public education in many of their recommendations so did specific waste that if you have a ban, the public needs to know what the ban is, what the options are to do other things with that material. We did not want to encourage illegal dumping at the road side. So this goes back to education. Education is a very key component throughout that we have to let the public know what the options are. We have to let them know how they can recycle better. Buying options they can make. It encourages the media to do more for education to the public, PSA announcements. There is a variety in section eight, but it was a key component.

“Section nine, this is the selection of the solid waste management disposal system. In section nine, what is brought out clearly, is an involvement with the community. We must involve all of the community in our decisions. We have been involving our community with our community discussion groups and this information from the community discussion groups can be found in section nine. Also in section nine are some key recommendations for the County Commission. One is the fact that before we pick a final disposal option, we need to look at best ways of minimizing solid waste. To follow the hierarchy of the EPA to reduce and reuse as much as we can, to then recycle and compost as much material, before picking a final disposal option. So it is really recommending that we look into recycling and composting and educating the public prior to that in ways of reducing waste. One of the ways to recycle and compost is to look into material recovery facilities (MRI).

Regular Meeting, March 5, 1997

“In section nine is a recommendation to examine material recovery facilities nicknamed MRF by June 1, 1997. Material recovery facilities take the waste in, somehow presort it, and then you can use the recycled materials, separate them out, the rest of the waste will be disposed of in some other manner and that is the next phase on the final disposal option. What do you do with the leftover material after you have recycled and composted it as much as you can. The recommendation is to pick that final disposal option by August 15. This is a phased in process. We need to first look at how we can recycle and compost as much as we can. One way of doing that is with MRF’s. Now there are different kinds of MRF’s, some of them are what we nicknamed Dirty MRF’s, and that is when all the garbage is mixed together and it is taken to the facility and others are called Clean MRF’s, where you have some separation ahead of time. We need to look at both of those.

“Many people would prefer the Clean MRF’s to the Dirty MRF’s because it makes a cleaner material, it is better to recycle. But initially we need to look at that situation, recycling and composting. One way is MRF’s, we need to examine that. Once we determine how much material we can recycle and compost, then we need to look at the final disposal option for the remaining material. We need to know how much is left over before we pick that option. It was recommended that the final option be either incineration, landfill or transfer stations. The committee did hear from companies with what we might consider new technology, such as plasma torche and others. They feel at this time, those technologies are not advanced enough to handle the volume of trash that we have here in Sedgwick County. They have pilot facilities, small facilities operating that handle a very small amount of trash a day, no where near the 1,500 tons a day that we have in our community. So the final option would best fit the amount of material left over after we recycle and compost what we can.

“Another recommendation in section nine is to consider the aesthetics of a final design for a facility. No matter what that is, if it is an incinerator, transfer station or a landfill. People who live here it will have to look at it. People who drive by will have to look at it. People have to live with this facility. It is very important to consider what it looks like and the aesthetics of that facility. It is important to consider the road structures of that facility, considering safety and convenience for our community.

“Another recommendation pertains specifically to landfills, that if the landfill is the final disposal option, the committee wants that to be stricter than the federal subtitle D landfills by having a double liner and leache collection under that landfill. That is something the committee voted on just the other day, so instead of a single liner system, to protect our environment, they prefer a double liner system.

Regular Meeting, March 5, 1997

“We did hear from waste haulers on the committee that said this does happen in other places in the country. This is something other communities have required. The reason it came up in our meeting is that we know our current landfill is leaking. We do have groundwater contamination problems in our community besides the landfill. We feel it is very important to protect our groundwater. So this is why that option came up.

“The section that follows that is section ten, which is a time line that outlines the recommendations made in all of the sections. The time line has a lot of material to do in this year, in 1997. We do have a big task ahead of us. We need to look at recycling and composting and then a final option by August 15. So there is a lot of work to do between now and August. You can see that on the time line. The time line is a ten year time line. This plan has to be reviewed once a year. We have to have public hearings every five years on this plan. So it doesn't just end today, it is a work in progress. We will be working with the committee on this plan. I would be happy to answer any questions, but before we do, I'd like to thank the committee for their hard work on the plan, the County employees who have worked on it. I would especially like to thank my staff, Jo Linthro and Caroline Hosford, who worked on this very long hours to finish this plan. I would like to thank other County employees who have worked on it, we have had them staff the committees so we've had very good work. I'd like to thank our consultants, Allied Environmental Consultants, AEC, for helping us put this plan together. We picked them because they have worked on plans in our surrounding counties. They've worked with the state and they knew what the state wanted and I think we have come up with a very good plan for our community. Milt Pollitt, the Chairman of the Solid Waste Committee is here. He'd like to say a few words. I would also like to say that the subcommittee chairs are here, Jim Spencer, who was specific waste subcommittee chair; Margeret Miller, who work on waste minimization; Karen Gail, who worked on collection and disposal options, which is very important for our community, is here. They have done a tremendous job in helping us. Public Education was done by Vicki Skaer, and should could not make it here today due to an illness in her family. But it is a very good job by these people. We owe them a debt for our community. Milt, if you would like to come up and say a few words and I'd be happy to answer any questions.”

Mr. Milt Pollitt, Chairman, Solid Waste Management Committee, said, “I'm the Chairperson of the Sedgwick County Solid Waste Management Committee. I, of course, would second everything that Susan has said about all of the help that we've had from the citizen committee and from the staff and I know in the case of Susan, she has worked really hard, particularly in the past few weeks, to get this all put together. We could not have done that without her extra effort.

Regular Meeting, March 5, 1997

“What I would like to address would be our next step for the committee and for the community and for you as Commissioners. That is a way to identify and evaluate all of the options that are contained in the plan which Susan has named a lot of them. Each of the options, in my view, needs to be identified so that everyone who studies it can assign their own personal values to and so it is clear as to what the options are and what they entail and then with the services of an independent professional consultant, have all of the options priced with a cost per ton or a cost per household or some fashion of assigning an economic value to it. It would be very similar to the purchase of an automobile. You can decide how, from your own personal view, how nice an automobile you want and then when you get down to making that decision you have different models to consider and of course all the options that you need to consider before you reach your final decision. That may not be the best analogy but I think it is closest to what the community will ultimately want to do in order to come up with final decisions on all of the issues, the recycling, the composting, the final disposal of the material. We will immediately commence this procedure of identifying these options and ask that, we’re not sure as a committee what the tasks assigned to the consultant, but we would ask that the service be provided so we could assign the cost to them.

“The other thing I would mention is, most of you know there is a House Bill 2226 that I understand has been passed by the House and sent to the Senate, that makes a number of changes, additions and deletions to the State solid waste regulations. Only one of which, is their suggestion that construction packaging, small amounts of construction packaging, be allowed in a C and D waste stream, which would of course make it much easier for contractors to do that and easier for the C and D landfills to accept it. So the committee has not yet had the time to do that, but they will do so and we would also ask that the particular revision that you make a review of it from a legal standpoint to see what the ramifications might be. Beyond that, I have no other comments. I think Susan did an excellent presentation of how we feel about it. Thank you.”

Chairman Winters said, “Okay, thank you and thank you Susan. I would just say that we still have a long way to go on this solid waste decision and a fully integrated system but we have certainly passed a milestone today and I certainly, on behalf of the Board of County Commissioners want to thank Irene and Susan and all of the staff that worked with you from the County level, we realize that a number of people put together a lot of effort and time. We certainly want to thank Milt and the committee and I appreciate those from the committee who are here today.

Regular Meeting, March 5, 1997

“We certainly appreciate the work that all of those committee members did and to all of the outside consultants that helped us, we certainly appreciate their efforts very much. I think what I would like to do right now, Mr. Buchanan, is spend a couple of minutes talking about, unless Irene has got something else, I was going to say where we need to head from here the next two weeks. We’ve got scheduled on our agenda for next week, the next two weeks, to take public comment on this, to hear from the public. When we met with the City a couple of weeks ago, we indicated that we would get back to them and give them some kind of a briefing on this. We need to brief the smaller communities in the County. So I don’t know if we’re prepared to answer this question right now, but we need to get a plan in place where the next two weeks we can get this information in lots of folks hands. So Irene, do you have a suggestion or Mr. Buchanan, do you have a suggestion or idea on what the next two weeks will look like?”

Mr. Buchanan said, “I’ve been in touch with Chris Cherches, who indicated the City of Wichita would like a briefing regarding the solid waste plan and I think that makes some sense. We had originally thought about a briefing for other municipalities also, to do that. I don’t know if we have picked a time or not.”

Ms. Erlenwein said, “That will be March 15. ALARM has a meeting set up or March 15.”

Chairman Winters said, “Okay. How about with the City of Wichita?”

Mr. Buchanan said, “We have not picked a date there. We’re in the process.”

Chairman Winters said, “I would encourage you to try to be in contact with them as soon as possible so we can get this information into their hands. Do we intend on having any other workshops for Commissioners on this book or do we need to start wading through it individually as quick as possible?”

Ms. Erlenwein said, “How would you like to have it handled?”

Chairman Winters said, “Commissioners, any suggestions? Do you want us to take a look at it individually?”

Commissioner Gwin said, “I have a question. As I have been getting these draft sections all along, are these the same as what is in here? So if I have read these, I’ve read this, or have their been amendments?”

Regular Meeting, March 5, 1997

Ms. Erlenwein said, "There are amendments and they've been updated considerably. As we've found errors, as the committee has made recommendations, it has been updated."

Commissioner Gwin said, "Okay, so we may just have to read them again."

Chairman Winters said, "Mr. Buchanan."

Mr. Buchanan said, "Commissioners, what we have proposed to do and what we will do, although Susan's effort has been directed to finishing the product, what we need to do now is an executive summary of what the recommendations are and where they can be found so that you can look at those specifically, rather than let any of the recommendations fall through the cracks. We'll do that. We'll go through the document and show where the recommendations are and what action may or may not need to be taken. At that point, once that occurs, then the next week or so we maybe need to have another workshop and talk about each of those recommendations and what the ramifications of those recommendations might be."

Chairman Winters said, "All right. I saw in the newspaper this morning, there were some methods of which folks can get a hold of this document if they are so inclined. Irene, can you expand on that?"

Ms. Hart said, "The Solid Waste Committee finished their work late Monday. Just the mere logistics of getting 125 copies made and bound and distributed will take us until Friday afternoon. So Friday afternoon, we intend to have copies distributed. They will be available outside of Wichita at the City Halls in the cities outside of Wichita, they will be available at libraries in those communities that have them. At the Downtown Library, the Westlink Library here in Wichita, the Rockwell Branch Library, they will be available for review in the County Clerk's Office. Within the next week, we will have a summary on the internet on our web site, home page, or whatever it is called, but it will be there. Where else will it be? People can comment either by mail, by telephone, by fax, by E-mail, we will have available hopefully an executive summary that can be mailed, but as you've seen, the document itself quite substantial with a number of maps and other lengthy and expensive documents. We haven't established a cost yet in case someone would like to purchase one, but I don't think we can make them available to anyone who wants a copy, so we're trying to get them into public places and available as much as we can."

Regular Meeting, March 5, 1997

Chairman Winters said, "It still is just a draft copy. It is not the final document, but we need to make sure that we get it out there enough that people who have a particular interest will have an opportunity to look at it. I would assume that at next Wednesday's meeting, which will be March 12, and on March 19, we will accept public comment from the public at those meetings. Comments will be limited to five minutes. I am not sure how many people will want to address us but I would think there will probably be several. If anyone would like to make their wishes expressed, I would suggest too, that writing a letter to either your particular Commissioners or to the entire Board, a copy to all Board members, written comments would certainly be welcome as we obtain input for the next round of decision making."

Ms. Hart said, "I would like to describe what happens next. You have your public hearings on March 12 and March 19. Following the public hearing, you will make whatever modifications to the draft plan that you deem necessary and pass an official solid waste plan. Within the next couple of days, we'll take that up to the Kansas Department of Health and Environment. They will then start their review process. We would expect to have the results of their review sometime in June. So that is the official part of it. Within a week or two following March 19, the Solid Waste Committee will be meeting again, working on the next revision and update to the Solid Waste Plan. So even though you do approve a plan on the 19th, it immediately goes into revision. We'll take comments after that date, try to incorporate them into the plan as necessary. We will be planning additional public opportunities for comment and discussion as we work on this through the summer. So this is not the plan, the end of it and it is done. It is a work in progress and there will be ongoing work and deliberation on it."

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

Commissioner Schroeder said, "Irene, at some point in time, the Kansas Department of Health and Environment will make approval, is that correct? I mean it is sent for their review, but at some point in time they make a final approval, do they not, of our plan?"

Ms. Hart said, "Yes, they do."

Commissioner Schroeder said, "What date would that be?"

Ms. Hart said, "We expect it some time in June."

Regular Meeting, March 5, 1997

Commissioner Schroeder said, "Okay. Once the approval is made, or before the approval is made, there may be opportunities that we will be interacting with them, making changes if they see something they are not in agreement with or do not understand?"

Ms. Hart said, "Yes."

Commissioner Schroeder said, "Okay. Once the plan is approved, what's the next step?"

Ms. Hart said, "Then we start working on getting the revision approved."

Commissioner Schroeder said, "Okay."

Ms. Hart said, "We anticipate that you all will make a decision on a revised plan by August 15, so we'll be working toward getting that document put together with the changes, the recommendations, and again transmitting that to the State after August 15, so they can start the review process over again."

Commissioner Schroeder said, "Okay. That's fine. Thank you."

Chairman Winters said, "Commissioner Gwin."

Commissioner Gwin said, "And then by that August 15 date then, we expect, with the help of the community, to be able to select the disposal option that we're going to recommend for this County?"

Ms. Hart said, "Yes, ma'am."

Commissioner Gwin said, "Okay, thank you."

Chairman Winters said, "All right, thank you very much. Anything else from staff?"

Regular Meeting, March 5, 1997

MOTION

Chairman Winters moved to receive the draft Solid Waste Plan, set March 12 and March 19, 1997 as public hearing dates regarding the draft Solid Waste Plan and authorize publication of notices of public hearing.

Commissioner Hancock seconded the Motion.

Chairman Winters said, "Commissioner Hancock do you have a comment?"

Commissioner Hancock said, "Just one comment, and I want to reiterate what Chairman Winters has said and this is coming from someone who is a bit skeptical in the beginning and I've acknowledged that over and over again, that I really appreciate the work of the Solid Waste Planning Committee. It has been an incredible effort led by the staff and a whole bunch of dedicated people on that committee. Folks, I've watched these processes. I've had the privilege of watching these processes for eight years as a Commissioner and this is beyond anything that I've ever seen a group of ordinary citizens do. It's been fantastic. I can't believe people get together so often to work so hard to do something that is so complex and difficult to produce. I know I speak for the other Commissioners and the people of all of Sedgwick County. We really appreciate what you've done so far. If I was on your committee, I think at this point I'd say goodbye, I'm out of here, but I don't see that happening and I really appreciate what you're doing and what you've done so far. Coming from a former skeptic, you've changed my view on this whole thing and made me a true believer, so thank you very much."

Chairman Winters said, "All right, thank you. Are there any other comments or discussion on the Motion? Seeing none, call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Regular Meeting, March 5, 1997

Chairman Winters said, “Thank you Irene. Thank you Susan. I would like to take just a moment to acknowledge a former Commissioner who has entered the hearing room. Bud Hentzen is here with us today. Mr. Hentzen, it is nice to have you in the meeting room. At this point, I’d like to take up an off agenda item.”

MOTION

Chairman Winters moved to take an off agenda item.

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, “Commissioners, it has been brought to our attention that there has been a petition filed with the Election Commissioner to put before the County electorate, the opportunity to vote on the issue of whether public safety expenditures should come out from under the State imposed tax lid. In January of this year, the County Commissioners did adopt Charter Resolution 59 to be exempt from expenses incurred in public safety. We have had a petition presented and I would now defer to Marilyn Chapman.”

Ms. Marilyn Chapman, Election Commissioner, greeted the Commissioners and said, “Kansas law permits petitions to be circulated in protest of Charter Resolutions. Such petitions are required to be filed within 60 days of final publication of the Resolution and to contain the signatures of registered voters equal to not less than 2% of the number of people who voted at the last November election. On Monday, March 3, a petition was submitted to my office in protest of Charter Resolution 51. The petition has been filed within a 60 day period. According to my calculations, 3,361 valid signatures were required. We have determined that the petition contains more than that number of valid names.

Regular Meeting, March 5, 1997

“At this time, I’d like to present you with some options in regard to this petition. Pursuant to Kansas Law, the Charter Resolution cannot take effect until it has been submitted to a referendum and approved by the voters of Sedgwick County. An election needs to be called within 30 days, or by April 2. It must be held within 90 days, or by June 1. Special elections can be held in a couple of ways. One is the traditional polling place election in which voters go to their voting place and cast a ballot. Turn out at a special issue election is typically simpler, somewhere between 15 and 30%. This type of election will cost approximately \$120,000 and supposing that the turnout was a high 30%, the cost per vote would be about \$1.80. Another way is to hold the election by mail. This type of election a ballot is mailed to every registered voter in the County. Voters have 20 days in which to mark and return their ballots. While the overall cost is somewhat higher, about \$132,000, voter turnout is historically much higher, ranging from 65 to 75%. A low turnout of 65% would cost about \$.90 per vote. An election by mail could be scheduled for May 15, well within the 90 day limit. Or, if we act quickly, an election could be called for on April 1. On April 1, every voter in the County will have an opportunity to vote at some election or another. To schedule the election on this date would cost very little more than the election will cost anyway. So I leave you with those options and we’ll wait for your decision on what you want to do on this matter.”

Chairman Winters said, “All right, thank you Marilyn. On the April 1 election, every voter in Sedgwick County will have some reason to go to the polls if they choose to do that?”

Ms. Chapman said, “That’s correct. On April 1, we will be electing not only city officials, but school board officials and everybody, whether you are in a city or not, is in a school district. The only school district that does not have Board members on the ballot this time is the Circle District, # 375, out of Butler County, but they are having a special bond issue on the ballot so those voters will be going to vote anyway.”

Chairman Winters said, “Okay, thank you. Commissioners, any discussion, ideas, or thoughts?”

Commissioner Hancock said, “I think in the interest of saving money, it doesn’t make much sense to go beyond April 1. I would like to see us put it on the ballot for April 1 if we can possibly get it on there at this time. We’ll have a better than average turnout and at the same time, the costs go down.”

Chairman Winters said, “Commissioner Gwin.”

Regular Meeting, March 5, 1997

Commissioner Gwin said, “Mr. Euson, you prepared a Resolution in this matter and does that Resolution indicate that April 1 would be a good date for it?”

Mr. Euson said, “Yes, the Resolution that I prepared calls for the election to occur on April 1, 1997.”

Commissioner Gwin said, “And in this time period, we have the time to publicize it as required by law?”

Mr. Euson said, “Yes, it is required to be published once each week for three consecutive weeks and the Resolution says that shall be done on March 7, 14, and 21.”

Commissioner Gwin said, “All right. Well, I would support the Resolution.”

Chairman Winters said, “I guess as we think about it, if we have a special election, we’re looking at \$120,000. A mail collection is about \$132,000, or we can get it on the April 1 election. I’m looking at supporting the April 1. Does anybody else have anything that they think would be a better solution.”

Commissioner Schroeder said, “I think it’s a no brainer.”

Chairman Winters said, “Okay, somebody prepared to make a Motion?”

MOTION

Commissioner Gwin moved to adopt the Resolution indicating that this item will be on the ballot for April 1, 1997.

Commissioner Miller seconded the Motion.

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

Regular Meeting, March 5, 1997

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Chairman Winters. I appreciate the work that Karl Peterjohn did in the taxpayers network putting together the petition and practically getting on with the program so that we can get this on by April 1. Looking the petition over and the information is being disseminated by the taxpayers network, it was probably a pretty easy petition to get signed. There are a couple of things I want to mention here and I may not have an opportunity from now until April 1 to say another word about it. I think most of the coverage that the media looks at will be from the perspective that the taxpayers network has been given. There are two things that I want to mention. First, the information is incomplete and wrong that is being sent out. The petition being circulated under the guise that we are attempting to raise our taxes 25%. That's wrong and I probably will only have a chance to say this once in public. It authorizes us to raise our taxes approximately 25%, but it certainly doesn't guarantee that we'll be raising our taxes 25%. I think it is unfair to the voting public for the Taxpayers Network to present this petition or to have presented these petitions and I know now to carry on a campaign that will indicate that we intend to raise taxes 25%. Not true, not true. We are not going to do that, it is not our intention. But it does authorize us to have some flexibility when we begin to staff and operate the County jail.

"Secondly, the petitions indicated that the monies that would be allowed under the raising of the tax lid would be used possibly for other things. That's not true. The District Attorney's Office mistakenly wrote that in there and it is not true. We have every intention of using this for only public safety. Last year, during my campaign, I promised that over and over and over again and that any tax increase in Sedgwick County will only be used for public safety. That's where I remain today. So with those two things in mind, I think the Taxpayers Network, they intend to actively campaign against the passage of this Resolution, should put out correct information, complete information. What they put out so far is essentially correct, but it is certainly incomplete and it is not the whole story.

Regular Meeting, March 5, 1997

“The people of this County, the people of this State, through their elected representatives made a number of requests that they want us to do and a lot of action has been taken. Drunk driving, at the legislative level, made a change once. It increased our beds that were used in our jail. The sentencing matrix, we call sentencing guidelines, once again we had an increase in the number of folks who are visiting our jail. The City of Wichita, domestic violence, once again an increase of folks who are staying overnight in our jail. Over 7,500 bookings in our jail every year for domestic violence alone. So the folks out there have said when you break the law, we want you to be put in jail. We want you to be punished somehow. The legislature has acted and we’ve acted. I somehow look at those things and say if you don’t want to pay for those things then maybe they are incompatible and maybe we need to think a little bit longer and clearer on these things.

“At this point, I think that Karl Peterjohn specifically, and the Taxpayers Network, I challenge them to come to us and present us with a program other than tent city, which they presented at one time and is ridiculous. A program whereby we can finance the jail honoring the request of the people in this State and this County. I have asked that before and it has failed to come as of yet. So those are the only comments I have Mr. Chairman. I’ll honor any requests that the voters of this County and agree with the request of the voters of this County to determine what is best for this County government. I have no difficulty and I’d be proud to do that. I want those votes based upon information that is correct and complete.

“Beyond that, if they choose, based on the information that it is correct and complete to say no, we want you to work within the framework of the budget that you have in place now, we’ll do it and we’ll make it work somehow. But if they say yes, we’d like to give you the flexibility to have options to do things that may come up, we’ll do that also. Either one of those scenarios, I’ll be proud to do. The frustrating part is when citizens who think they are acting in the benefit of other citizens do not tell the right and correct story and then I have difficulty with that. Mr. Chairman, I’m glad we’re going to get this on April 1 and get it over with and I challenge Taxpayers Network and George, I know you are here today and you’ll carry the message to Karl. Appreciate what you’ve done so far, but I challenge you to get it right and spread the word. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you Commissioner Hancock.”

Commissioner Hancock said, “I want to add one other thing. They do not necessarily reflect the attitudes of the other Commissioners, they’re mine. So if I’m in trouble, blame it on me, I’ll take the responsibility for it. It may not reflect what the others feel.”

Regular Meeting, March 5, 1997

Chairman Winters said, "Alright, thank you Commissioner Hancock, I appreciate that very much. Marilyn, I would certainly like to thank you and extend to your staff, we appreciate the work that you went through this week so we could get this on the ballot on April 1 and we certainly appreciate your efforts in saving the tax payers \$120,000. We know you put in some long hours but extend our thanks to your staff. All right, Commissioners, we're ready to move on to Item K. Madam Clerk, would you call that item?"

K. AGREEMENT WITH ARTHRITIS FOUNDATION, KANSAS CHAPTER, FOR USE OF SEDGWICK COUNTY PARK MAY 31, 1997 TO HOLD A JOINT PARADE WALK FOR ARTHRITIS.

Mr. Jarold D. Harrison, Assistant County Manager, greeted the Commissioners and said, "The Agreement before you today with the Arthritis Foundation would allow for the Joint Parade Walk for Arthritis in the Sedgwick County Park on May 31. We have coordinated the dates with the Park Superintendent and we have received the certificate of insurance and would recommend your approval."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

Regular Meeting, March 5, 1997

L. BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE).

1. CONTRACT WITH FAMILY CONSULTATION SERVICE TO PROVIDE IN-HOME FAMILY THERAPY SERVICES FOR SEVERELY EMOTIONALLY-DISTURBED CHILDREN, YOUTH AND FAMILIES.

Ms. Deborah Donaldson, Director, COMCARE, greeted the Commissioners and said, "This first item is an ongoing contract with Family Consultation Service for in-home family therapy. I think you have probably already approved one earlier this month. That was a different funding source. This particular funding source is our children's federal grant and I would recommend your approval."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

2. AGREEMENT WITH BERTHA MAYHUE, R.D. TO PROVIDE PROFESSIONAL DIETICIAN CONSULTATION SERVICES TO COMCARE.

Regular Meeting, March 5, 1997

Ms. Donaldson said, “Commissioners, this contract is also a renewal. Part of this funding is out of the general fund, the County mill levy and part of the funding is mental health reform and this particular individual works with our folks who have a serious mental illness, when they have special dietary needs and also just basic nutritional and dietary workshops for those consumers who are looking towards living independantly. I’d be glad to answer any questions.”

Chairman Winters said, “Commissioners, are there questions or comments?”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, “Next item.”

3. CONTRACT WITH UNIFIED SCHOOL DISTRICT #259 TO PROVIDE PARENTS AS TEACHERS PROGRAM SERVICES.

Ms. Donaldson said, “This particular contract is again a renewal. This is truly a prevention program that works with families and children where there is a high risk for that child developing serious emotional disturbance and works with a zero to five population. These dollars are federal dollars out of our children’s grant. I’d be happy to answer any questions.”

Regular Meeting, March 5, 1997

MOTION

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

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

M. INTERLOCAL SERVICE AGREEMENTS (NINE) WITH THE CITIES OF ANDALE, BEL AIRE, BENTLEY, COLWICH, GARDEN PLAIN, GODDARD, HAYSVILLE, MAIZE AND VIOLA CONFERRING AUTHORITY UPON SEDGWICK COUNTY TO PROVIDE ANIMAL CONTROL SERVICES AND ESTABLISHING A FEE FOR PICK-UP AND TRANSPORTATION OF LIVE ANIMALS.

Mr. Sherdeill H. Breathett, Sr., Director, Animal Control Department, greeted the Commissioners and said, "We worked very hard and long to comply with County Codes and it has stated that if there is any service rendered to incorporated cities that it is through an interlocal agreement and we are happy to say we have nine currently that have signed and are ready to move forward with this. We look at others to come on board later. We ask that you would at this time approve and authorize the signature of the Chairman."

Chairman Winters said, "Commissioner Miller."

Commissioner Miller said, "Thank you Mr. Chairman. Sherdeill, how are you?"

Regular Meeting, March 5, 1997

Mr. Breathett said, "Doing the very best."

Commissioner Miller said, "I need to follow up on a situation that we had in Valley Center. Have they chosen to do anything differently there?"

Mr. Breathett said, "It is pretty much a stalemate there and that situation is pending and we'll be getting back with Mr. Finkbeiner to see what we can do to close that and move on."

Commissioner Miller said, "Alright, thank you very much."

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

Commissioner Gwin said, "Just as a point of information. You are going to establish fees. Do you expect the fees, Sherdeill, to cover the costs of us providing this service or will it still need to be subsidized?"

Mr. Breathett said, "For the most part. To make sure I'm clear as far as the question is concerned. It should offset our initial costs per call as pertains to that particular city per animal. Because when we broke it down, the costs for the sheltering fee has gone up and then for the mileage, we just came up with a flat rate of \$20 for delivery."

Commissioner Gwin said, "All right, you'll keep us posted as you see fit."

Mr. Breathett said, "Sure will Commissioner."

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

Chairman Winters said, "Thank you Commissioner. Are there any other questions or comments?"

Regular Meeting, March 5, 1997

MOTION

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

Commissioner Miller seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, “Thanks for your hard work on this Sherdeill. Next item.”

N. COMMUNITY HEALTH DEPARTMENT MONTHLY REPORT.

Mr. Jack Brown, RS, MPA, Acting Director, greeted the Commissioners and said, “Several items I thought I’d bring to your attention on the monthly report. Number one is that the CHAP report is coming out and I mention that because I think it will be a very important document that will look at a community health assessment for all of Wichita and surrounding communities in Sedgwick County. This CHAP process is a collaboration of Wichita State, KU, the Health Department, and the Kansas Health Foundation. It has been in process now for about a year and we’ve talked about a solid waste plan earlier, this will be another community wide based type plan that a lot of effort has gone into. That should be available in the near future. I mention that and I think probably for April we’ll have that available so wanted to let you know about that. You’ll hear more about it I’m sure.

“In this interim period, at the Health Department, we’ve entered into a contract with Dr. Dismuke at the University of Kansas School of Medicine, to provide Health Officer Services for the Health Department. Offcassionally, we get in situations where we need a medical doctor to provide some review of various documents, prescriptions, and those types of things. We have on that hand with Dr. Dismuke.”

Regular Meeting, March 5, 1997

“Another item of general information. Public Health Week is scheduled for the second week in April. We’ll have an open house and all sorts of activities going on there in April. In Personal Health Services, we do want to note that we are getting more cases of TB. It is nothing that is a major concern, but it is something that we’re having to do some internal staffing changes to take on the extra load. We have four cases of TB, which is unusual and it is something that we’ll have to do all of our investigative work and working with Kansas Department of Health and Environment on that. It is not a cause for community concern, but it is something that we need to stay on top of and we are.

“Lastly some updates in the environmental area. The North Industrial Corridor groundwater contamination area, we have moved ahead. We have had a kick-off meeting with the participants up there that are potentially responsible for some of the contamination and they are on board with us. We have quarterly meetings established for the rest of the year. We have our consultant on board that is doing our investigative work and we’ll be coming out with the community information plan to get information about the project out to the community so that citizens know exactly what is going on with that particular project.

“Brooks Landfill, the remediation activities at the landfill are on schedule. We’re still planning to have a Phase I, the low level contamination to be addressed by September of this year and then the major source of contamination addressed by December of this year, subject of course to approvals at the state level and then going through those processes. We now have testing going on out there of cleanup mechanisms and those are going as the schedule would dictate in order to meet the December deadlines. I think I mentioned before, but as a precautionary measure, all of the down gradient citizens who were on domestic water wells have been connected to public water supplies and that has been completed.

“Might mention a couple of other projects. One is 57th and North Broadway Superfund Site. There was a public hearing held by the EPA recently on that particular site. That area is roughly 45th Street to 61st Street North either side of Broadway approximately one half a mile. EPA hopes to have a private contractor complete the investigation into groundwater contamination in that area by September of this year. The last item I was going to mention was the North Meridian Park project at 21st Meridian, an old landfill site. Maybe you received some calls. That is in compliance with the state and local regulations. It is a grading and filling project that is partially funded by KDHE to help repair old abandoned landfill sites that are adjacent to rivers and that site qualified and that is how that work was done out there. Any questions?”

Regular Meeting, March 5, 1997

Chairman Winters said, “Yes, Commissioner Miller has a question.”

Commissioner Miller said, “Thank you Mr. Chairman. Have a couple of questions Jack. The first one will be under the epidemiology update. One that was kind of interesting to me was that we’re doing some investigation in terms of syphilis and that there has been twelve new cases this month and we’re expecting that there will be others cropping up. Where are we doing this investigation? Is it from individuals who come into the clinic?”

Mr. Brown said, “Through referrals or individuals who come in through clinics and one of the tasks of the Mobile Health Department is to help maintain records on these types of cases, treatment and that type of thing. So we get a lot of referrals when we treat a case and this is a fairly high number and we’ve had higher numbers. Again, this is something that will be managed somewhat similar to what I indicated earlier on the TB with additional staff investigate contacts and sources and try and eliminate or reduce any type of outbreak. We actually had two state health department disease intervention specialists on this particular program working on this particular situation.”

Commissioner Miller said, “Okay, thank you for that update. Then on to the Northeast Industrial Corridor, time line wise and I did underline that the consultant will start the remedial investigation upon approval of the work plan by KDHE. Time line wise, when will we actually begin remediating and secondly, and I might have to refer this to our Finance Department, but if I recall, is that a TIF District?”

Mr. Brown said, “Yes, it is.”

Commissioner Miller said, “Okay, so it is a TIF District, what I’m trying to do is parallel the time line for the TIF District, because usually fifteen, can be I suppose 20 or 25 years, particularly if it is a polluted affiliated area. I’m trying to associate it to the time line to remediate this.”

Mr. Brown said, “Well, we don’t know how long it will take to remediate. Some remediation activity has gone on already and will continue. This is quite a bit different than the Gilbert-Mosley site in we have a number of businesses that already know they have some problems and have already initiated studies and cleanup activities.

Regular Meeting, March 5, 1997

“So I would assume that the twenty year period would be sufficient enough to address the investigation and cleanup as with the other sites. With this particular site, we have an upfront seed money provided by approximately twenty of the businesses up there who have provided the initial start money for the investigative work, similar to what was done with Gilbert-Mosley when Coleman initiated the upfront money for the investigative work. So, in terms of budget, the TIF is really not very much money has been used out of the TIF at all. In fact, the TIF just began this year collecting money so this funding right now is by the private sector through donations and an agreement with the City of Wichita for the investigative work.”

Commissioner Miller said, “Okay. I’d like to be kept up to date of the remediation efforts that are going on and I’m sure we will by your reports, will they more than likely show up here?”

Mr. Brown said, “I’ll always include updates on major projects like that.”

Commissioner Miller said, “All right, very good. Thank you Mr. Chairman.”

Chairman Winters said, “Thank you Commissioner. Commissioners, you’ve heard the report, what’s the will of the Board?”

MOTION

Commissioner Gwin moved to receive and file.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Regular Meeting, March 5, 1997

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

O. BUREAU OF PUBLIC SERVICES.

- 1. RESOLUTION AUTHORIZING THE ESTABLISHMENT AND INSTALLATION OF TRAFFIC CONTROL DEVICES AT CERTAIN INTERSECTIONS OF TOWNSHIP ROADS WITHIN RIVERSIDE TOWNSHIP, AND PROVIDING FOR THE ENFORCEMENT THEREOF. DISTRICT #5.**

Mr. Mark R. Borst, P.E., Deputy Director, Bureau of Public Services, greeted the Commissioners and said, "Item O-1 is a Resolution authorizing the establishment and installation and enforcement of stop signs at the intersection of Greenhaven, Englewood, and Cumberland in the Sunview area in Riverside Township. This intersection presently has northbound and southbound stop signs on Englewood, but a hedge in the southeast quadrant creates some sight restrictions that those stop signs don't help us overcome and we can overcome most of that problem by switching those stop signs to eastbound, westbound for Cumberland and Greenhaven. The Township Board has concurred with this recommendation and I would recommend you adopt the Resolution."

MOTION

Commissioner Schroeder moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

Chairman Winters said, "Is there any additional discussion?"

Commissioner Schroeder said, "Question. Mark, we're going to do some kind of a warning plan aren't we, not just change stop signs from one way to the other?"

Mr. Borst said, "What I recommended to the Township and in the recommendation letter was that they work with the newsletter that the Oaklawn-Sunview area has to get this word out. Last month, when we had our intergovernmental meeting down in Oaklawn and I can't remember the lady's name who works with that news letter, knew about that and said that they would be putting it in the newsletter."

Regular Meeting, March 5, 1997

Chairman Winters said, "Can you put flashing lights on there even temporarily?"

Mr. Borst said, "You could put the construction type. What we have here is this is an internal subdivision or residential intersection. So if the people are going to read their news letter, they should get the information that they need."

Commissioner Schroeder said, "I don't want to depend upon that newsletter. The only thing is if there was some kind of a way to put a sign out ahead of time that these . . ."

Mr. Borst said, "They could put some additional stop ahead signs, things like that. That would not be a part of this Resolution and I can talk with township officials on that."

Commissioner Schroeder said, "Okay."

Chairman Winters said, "Yes, David?"

Mr. David Spears P.E., Director/County Engineer, Bureau of Public Services said, "Sometimes we bag new signs as we put them up, put a bag over it so that people can see that and know that something is coming and we do that quite often."

Mr. Borst said, "And I would recommend to the township, too, that they make sure that this gets in the neighborhood newsletter before they actually makes that switch too."

Chairman Winters said, "I would do something. The newsletter, people are going to read that, but they're not going to think about that one second after they get in their car and start driving down that street. So I would encourage you to work with them somehow, with either bagging it for a while or a temporary construction baracade with a flashing yellow light or something to draw attention to it for a period of time."

Mr. Borst said, "We can work with the township."

Commissioner Schroeder said, "I'd appreciate that. The last thing I would want to hear is that we've had a wreck at that intersection."

Mr. Borst said, "I don't know of an accident history that we have there now. The township, the new board members perceived this to be an itnersection that needed something different done to it, so."

Regular Meeting, March 5, 1997

Commissioner Schroeder said, "Thanks."

Chairman Winters said, "Thank you. Any other discussion? Call the vote."

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

2. RESOLUTION AUTHORIZING THE ESTABLISHMENT AND INSTALLATION OF TRAFFIC CONTROL DEVICES AT CERTAIN INTERSECTIONS OF TOWNSHIP ROADS WITHIN ATTICA TOWNSHIP, AND PROVIDING FOR THE ENFORCEMENT THEREOF. DISTRICT #3.

Mr. Borst said, "Commissioners, Item O-2 is an item authorizing the establishment, installation and enforcement of a single stop sign at the intersection of Cedar Crest, Cedar Downs and Wheatridge in the Cedar Downs subdivision in the Attica Township. This is an uncontrolled intersection at this time that is a modified T intersection, I guess is the best way to describe it and we have some large evergreen trees to the north of the T that creates some sight restrictions. By stopping Cedar Crest, which would be the eastbound traffic on the west leg, we will give the reasonable assignment of right-of-way that we need there. The township board does concur with this recommendation and I would recommend that you adopt the Resolution."

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

Regular Meeting, March 5, 1997

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Absent
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "You may show Commissioner Miller absent from this point on. Thank you Mark. Next item."

Commissioner Miller left the Meeting:

3. **CONTRACT FOR ENGINEERING SERVICES (DESIGN) WITH PROFESSIONAL ENGINEERING CONSULTANTS FOR TWO SEDGWICK COUNTY PROJECTS:**
 - **827-V, W; OLIVER BETWEEN 47TH STREET SOUTH AND 63RD STREET SOUTH. CIP #R-212. DISTRICT #5.**
 - **811-S½ K, L; RIDGE ROAD BETWEEN THE NORTH CITY LIMITS OF WICHITA AND K-96. CIP #R-222. DISTRICT #4.**

Mr. Spears, said, "Item O-3 is an Agreement with Professional Engineering Consultants for professional services regarding the design of Oliver between 47th Street South and 63rd Street South, designated as R-212 in the Capital Improvement Program and also for the design of Ridge Road between the north city limits of Wichita and K-96, designated as R-222 in the Capital Improvement Program. The total costs of these services will not exceed \$425,221. Final plans, specifications, and estimates for Oliver will be completed by November 1, 1998, and for Ridge Road on December 31, 1997. Both projects will be improved to four lanes. I recommend that you approve the Agreement and authorize the Chairman to sign."

Regular Meeting, March 5, 1997

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Absent
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Mr. Spears said, "Thank you."

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

P. REPORT OF THE BOARD OF BIDS AND CONTRACTS' FEBRUARY 27, 1997 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have before you minutes from the February 27 meeting of the Board of Bids and Contracts. There are six items for your consideration.

(1) FILE SERVER - APPRAISER'S OFFICE
FUNDING: APPRAISER'S OFFICE

"Item one is a file server for the Appraiser's Office. It was recommended to accept the low bids of Business Computer Center on the tape cartridge items for \$533 and the hardware items from Microage Infosystems Services for a total of \$11,893.93.

Regular Meeting, March 5, 1997

**(2) PERSONAL COMPUTER HARDWARE & SOFTWARE - YOUTH
DETENTION FACILITY
FUNDING: YOUTH DETENTION FACILITY**

“Item two, personal computer hardware and software for the youth detention facility. It was recommended to accept the low total bid of Microage Infosystems Services in the amount of \$19,261.60.

**(3) RIDING SWEEPER - KANSAS COLISEUM
FUNDING: KANSAS COLISEUM**

“Item three is a riding sweeper for the Kansas Coliseum and the Central Motor Pool. It was recommended to accept the low responsible proposal of Tennant Company, in the amount of \$17,525.96 with trade-in.

**(4) TELEPHONE DATA CIRCUIT - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

“Item four, telephone data circuit connection contract with Southwestern Bell Corporation. It was recommended to accept the sole source bid of Southwestern Bell Telephone in the amount of \$102,165.26.

**(5) 15 PASSENGER VAN - MOTOR POOL
FUNDING: MOTOR POOL**

“Item five is a 15 passenger van for the Central Motor Pool and the Sheriff’s Department. It was recommended to accept the low bid of Frye Chevrolet in the amount of \$12,979 with trade-in and optional manuals.

**(6) SECURITY CARD ENTRY SYSTEM - CAPITAL PROJECT
FUNDING: CAPITAL PROJECT**

“Item six, security card entry system for Capital Projects and the District Attorney. It was recommended to accept the low bid of Multimedia Security Services, in the amount of \$5,475, that includes the purchase of an additional 100 proximity cards.

Regular Meeting, March 5, 1997

ITEMS NOT REQUIRING BOCC ACTION

**(7) TRACTOR - CENTRAL MOTOR POOL
FUNDING: CENTRAL MOTOR POOL**

“There is one item that does not require action at this time. That is a tractor for the Central Motor Pool and Judge Riddel’s Boys Ranch. Those bids are being reviewed. I would recommend approval as presented by the Board of Bids and Contracts.”

MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Absent
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

Regular Meeting, March 5, 1997

CONSENT AGENDA

Q. CONSENT AGENDA.

1. Right-of-Way Easements.

The following tracts of land have been granted by Easement for Right-of-Way at no cost to the County. These Easements were requested by the Director, Bureau of Public Services, as a condition of receiving a Platting Exemption on an unplatted tract.

- a. Road Number 795-B, Owners: Vernon R. Eash and Cynthia D. Eash, located in the Northwest Quarter of Section 9, Township 25 South, Range 2 West, more specifically located on the east side of 183rd Street West and south of 117th Street North. Eagle Township. District #3.
- b. Road Number 787-P, Owners: Donald M. Kerschen and Dana K. Kerschen, located in the Southeast Quarter of Section 21, Township 27 South, Range 3 West, more specifically located on the west side of 263rd Street West and north of 6th Street South (Maple). Garden Plain Township. District #3.

2. Section 8 Housing Assistance Payment Contract.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V97003	\$375.00	5	John Walke

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

Regular Meeting, March 5, 1997

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V95048	\$389.00	\$230.00
V95065	\$346.00	\$328.00
V94039	\$208.00	\$204.00
C95032	\$332.00	\$287.00
V96049	\$223.00	\$213.00
V95141	\$335.00	\$254.00
V96074	\$121.00	\$31.00
V97007	\$212.00	\$275.00

4. **Business Tax Application to Kansas Department of Revenue for Sedgwick County Park.**
5. **Order dated February 26, 1997 to correct tax roll for change of assessment.**
6. **Consideration of the Check Register of February 28, 1997.**
7. **Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970128	Central Services	Transfer
970129	Sheriff	Transfer
970130	Capital Projects	Supplemental Appropriation
970131	Detention Facility Expansion	Supplemental Appropriation
970132	Road and Bridge Sales Tax	Transfer
970133	Road and Bridge Sales Tax	Transfer
970134	1997 Road Projects	Supplemental Appropriation

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

Regular Meeting, March 5, 1997

MOTION

Commissioner Hancock moved to approve the Consent Agenda as presented.

Commissioner Schroeder seconded the Motion.

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

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul Hancock	Aye
Commissioner Melody C. Miller	Absent
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Is there any other business to come before this Board? It is my understanding that we have no Fire District or Sewer District. We do not need an Executive Session. This meeting is adjourned."

R. OTHER

S. ADJOURNMENT

Regular Meeting, March 5, 1997

There being no other business to come before the Board, the Meeting was adjourned at 11:55 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chair Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997