

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS
SITTING AS THE GOVERNING BODY OF SEWER DISTRICT**

REGULAR MEETING

SEPTEMBER 10, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, Sitting as the governing body of the Sewer District, was called to order at 12:01 p.m., Wednesday, September 10, 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 Melody C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Richard Euson, County Counselor; Mr. David C. Spears, P.E., Director, Bureau of Public Services; and Ms. Linda M. Leggett, Deputy County Clerk.

ROLL CALL

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

NEW BUSINESS

A. RESOLUTIONS (TWO) REGARDING WEST SEDGWICK COUNTY MAIN AND JOINT SEWER DISTRICTS.

1. RESOLUTION ESTABLISHING A DATE FOR PUBLIC HEARING ON THE ADVISABILITY OF ENLARGING THE BOUNDARIES OF THE WEST SEDGWICK COUNTY MAIN SEWER DISTRICT.

Mr. Joe L. Norton, Bond Counsel, Gilmore & Bell, P.C., said, "With the Commission's consent, these two items are related items and I think it makes sense to discuss them in tandem. The County has received a petition by a property owner requesting that a lateral sewer district be created and that property within that lateral district be included within the existing West Sedgwick County Main Sewer District in the existing West Sedgwick County Joint Sewer District. Prior to the County Commission's consideration of this request, a public hearing needs to be held after proper notice. With respect to the lateral district creation, that is automatic and we will take care of that publication with respect to expanding the boundaries of the two other district, that hearing can only be held upon a resolution by the Board of County Commissioners calling the public hearing.

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SLIDE PRESENTATION

“A little bit of background for those of you who may not recall. Several years ago, the County received an EPA grant to assist in the implementation of a sewer system in the western part of the County. On the map before you, the main east west road there in the middle of the screen is U.S. 54 Highway or Kellogg, the north south perimeter is 151st Street West. The boundaries outlined in yellow are various lateral districts that were created in addition to an existing miles west Twin Lakes Estates subdivision. The area in red has been known as the West Sedgwick County Main Sewer District. All these parcels together were formed into a West Sedgwick County Joint Sewer District. The purpose of the various districts was the Joint Sewer District shared the cost of installing an interceptor sewer connecting the Wichita City sewage disposal system and the main district had various lines and the lateral districts had their lines. Each property got an assessment for lateral, interceptor, and main.

“This property that is now on the map where the star is located was not within the boundaries of the original district although it is in the shaded area, which is in the natural topography area which can receive sewage on a gravity basis. The property owner now wants to hook onto the system. In order to do that, we have to create a lateral district and he has to pay the cost of that. The charge is approximately \$12,000. In addition, that property owner would need to in essence buy or pay an impact fee to pay the cost of the interceptor project which he was not assessed for at the time the project was completed. The petition has requested the willingness to do that. That number has not yet been totally ascertained, probably somewhere between \$500 and \$1,000 for the cost of that buy in depending upon the actual cost incurred.

“So the action before you today is to call a public hearing in both the Main and Joint Sewer Districts to determine and receive public comment prior to considering the request to create a lateral and expand the boundaries of the existing Main and Joint District. This expansion of the Joint District has been recommended by the Bureau of Public Services.”

Chairman Winters said, “Thank you Joe. Are there questions or comments? If not, we need a Motion on A-1 which establishes a public hearing for the Main Sewer District.”

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MOTION

Commissioner Gwin moved to adopt the Resolution.

Chairman Winters seconded the Motion.

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

VOTE

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

Chairman Winters said, "Now we need A-2, which is to set the date for public hearing on enlarging the boundaries of the Joint Sewer District."

- 2. RESOLUTION ESTABLISHING A DATE FOR PUBLIC HEARING ON THE ADVISABILITY OF ENLARGING THE BOUNDARIES OF THE WEST SEDGWICK COUNTY JOINT SEWER DISTRICT.**

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Thank you Joe."

B. BUREAU OF PUBLIC SERVICES.

- 1. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH UTILITY CONTRACTORS, INC. ON SEDGWICK COUNTY PROJECT - ROCKY CREEK ADDITION, PHASE 1; SANITARY SEWER LATERALS. DISTRICT #1.**

Mr. Jim Weber, P.E., Director, Sewer Operations and Maintenance, said, "In Item B-1 we are requesting your approval of modification of plans and construction number one and final with Utility Contractors on Phase 1 of the Rocky Creek Addition street project, with a net increase in our contract of \$4,143, resulting in variations from planning quantities from actual field measurements. All costs of the project are to be paid by the benefited properties through special assessment. We request your approval of the recommended action."

MOTION

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

Commissioner Hancock seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

- 2. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH NOWAK CONSTRUCTION CO. ON SEDGWICK COUNTY PROJECT - BRENTWOOD VILLAGE ADDITION, PHASE 1; SANITARY SEWER IMPROVEMENTS. DISTRICT #5.**

Mr. Weber said, "In Item B-2, we are requesting approval of modification of plans and construction number one and final with Nowak Construction on Phase I of the Brentwood Village sewer improvement project, with a net increase in our contract of \$1,000 resulting from variations in planning quantities from actual field measurements. All costs of the project are to be paid by the benefited properties through special assessments. We request your approval of the recommended action."

MOTION

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

Commissioner Schroeder seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

3. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH WILDCAT CONSTRUCTION COMPANY ON SEDGWICK COUNTY PROJECT - GILDER'S GARDENS; SANITARY SEWER IMPROVEMENTS. DISTRICT #1.

Mr. Weber said, "In Item B-3, we are requesting your approval of modification of plans and construction number one and final with Wildcat Construction on the Gilder's Gardens sewer project. Net increase in our contract of \$2,170 resulting in variations in planning quantities from actual field measurements. All costs of the project are to be paid by benefited properties through special assessments. We request your approval of the recommended action."

MOTION

Commissioner Gwin moved to approve the Modification of Plans and construction and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

Chairman Winters said, "Commissioner Hancock."

Commissioner Hancock said, "Jim, there is an addition or a notification to us that this is under consideration for annexation. Will that effect this project?"

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Mr. Weber said, “No. The sewer district continues to operate inside the city limits even after the annexation occurs. In fact, the Brentwood Village project was created inside the city limits from the time we started it, the one before. They already cover a pretty large part of the sewer district.”

Commissioner Hancock said, “Thank you. Thank you Mr. Chairman.”

Chairman Winters said, “Are there any more questions or discussion? We have a Motion, seeing no more discussion. Madam Clerk, call the vote.”

VOTE

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

Chairman Winters said, "Next item."

4. CONTRACT WITH SEWER MASTERS CORPORATION FOR INSPECTION SERVICES FOR SMITHMOOR 5TH ADDITION, PHASE 2, SANITARY SEWER IMPROVEMENTS. DISTRICT #5.

Mr. Weber said, “In Item B-4, we are requesting your approval of a contract with Sewer Masters for construction and inspection services for the Smithmoor 5th Addition Sewer Project, also inside the city limits. The cost of this work will not exceed \$9,600. All costs of the project are to be paid by the benefited properties through special assessments. Request your approval of the recommended action.”

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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 W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

5. CONTRACT WITH SEWER MASTERS CORPORATION FOR INSPECTION SERVICES FOR ROCKY CREEK ADDITION, PHASE 2, SANITARY SEWER LATERALS. DISTRICT #1.

Mr. Weber said, "In Item B-1, we're requesting your approval of another contract with Sewer Masters for construction inspection services on Phase 2 of the Rocky Creek Addition sewer project. Costs of this work will not exceed \$16,000 and as before, all costs of the project are to be paid by the benefited properties through special assessments. We request your approval of the recommended action."

MOTION

Commissioner Gwin 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.

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VOTE

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

Chairman Winters said, "Next item."

6. CONTRACT WITH MID-KANSAS ENGINEERING CONSULTANTS, INC. FOR DESIGN AND CONSTRUCTION STAKING SERVICES FOR THE ROCKY CREEK ADDITION, PHASE III, SANITARY SEWER PROJECT. DISTRICT #1.

Mr. Weber said, "The final item is B-6. We are requesting your approval of a Contract with Mid-Kansas Engineering Consultants for design and construction staking services for Phase 3 of the Rocky Creek Addition sewer project. Costs of this work will not exceed \$22,626. All costs of the project are to be paid by the benefited properties through special assessments and we request your approval of the recommended action."

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 W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

CONSENT AGENDA

C. CONSENT AGENDA.

Budget Adjustment Requests.

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970530	Rocky Creek Phase I-Sewer	Supplemental Appropriation
970531	Brentwood-Sewer	Supplemental Appropriation
970532	Gilders Garden-Sewer	Transfer
970533	Various Sewer Departments	Supplemental Appropriation
970534	Rocky Creek Phase 3-Sewer	Supplemental Appropriation

Mr. William Buchanan, County Manager, said, "Commissioner, you have the Consent Agenda before you and I recommend your approval."

MOTION

Commissioner Schroeder moved to approve the Consent Agenda as presented.

Commissioner Miller seconded the Motion.

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

VOTE

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

Chairman Winters said, "Is there any additional business to come before the meeting of the Board setting as the Sewer District? Seeing none, this meeting is adjourned."

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D. OTHER

E. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 12:10 p.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