

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

November 8, 2000

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, November 8, 2000 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Carolyn McGinn; Commissioner Betsy Gwin; Commissioner Bill Hancock; Commissioner Ben Sciortino; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Jo Sanders, Recycling Coordinator, Environmental Resources; Ms. Deborah Donaldson, Director, Division of Human Services; Ms. Jo Templin, Assistant Director, Division of Human Resources; Mr. Thomas D. Borniger, Attorney for Petitioners; Mr. Robert W. Parnacott, Assistant County Counselor; Ms. Jan Kennedy, County Treasurer; Mr. Paul E. Taylor, P.E., Director of Sewer Operations and Maintenance; Ms. Iris Baker, Director, Purchasing Department; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Lisa Davis, Deputy County Clerk.

GUESTS

Mr. George Huffman, 11321 W. 53rd Street N., Maize, Ks.
Mr. David Adams, 11139 N. 53rd Street N., Maize, Ks.
Ms. Brenda Mullins, 11101 W. 53rd Street N., Maize Ks.
Mr. Harold D Adams, P.O. Box 173, Mt. Hope, Ks.
Ms. Carol Bloodworth, City Administrator, City of Maize.
Mr. Marvin Krout, Director, Metropolitan Area Planning Department.

INVOCATION:

The Invocation was led by Ms. Rosella Taylor, Bahai.

FLAG SALUTE

ROLL CALL

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

Chairman Winters said, "Next item."

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YOUR COUNTY SERVICES

A. ENVIRONMENTAL RESOURCES.

Chairman Winters said, "Each Wednesday, we take a few moments to receive some information about a specific County department and this morning we're going to hear from Environmental Resources. Jo, welcome."

Ms. Jo Sanders, Recycling Coordinator, Environmental Resources, greeted the Commissioners and said, "Next week, Wednesday, is America Recycles Day, but in Sedgwick County offices, America Recycles Day happens every day, throughout the year. Over a year and a half ago, Sedgwick County formed a Waste Minimization Team. The goal of that team was to create programs or expand current efforts to reduce, reuse or recycle. Their vision was for Sedgwick County to be a role model in conserving valued resources. This committee is composed of 12 employees and one County Commissioner. These members are appointed by our County Manager and serve a one year term.

"This year, we are focusing on five different areas. Members of our Biodegradable Waste Diversion Subcommittee are exploring ways to dispose of food waste, yard waste and animal waste. We have found out that our County facilities have learned to mulch mow their grass. We've also learned that the Zoo and the Kansas Coliseum are delivering their animal waste and bedding material to the Wood Recycle and Compost Center. Here the tipping fees are lower than at the landfill, so Sedgwick County is saving disposal cost, but more importantly, this material that we all regard as waste is converted, is composted into a valuable product that the Wood Recycle and Compost Center then is able to sell.

"A second working committee is the Green Purchasing Committee and they hope to soon develop contracts and specifications to increase the amount, the number of items that contain recycled material, so that those purchases do increase within Sedgwick County. Did you know that 90% of the paper purchased by Sedgwick County for our offices has a 30% recycled content? We are currently looking at introducing recharged printer cartridges and, hopefully coming soon, envelopes with recycled content.

"Our Marketing and Events Subcommittee works hard to spread the waste minimization message throughout our organization. They were present at our recent Columbus Day activities and they will be in the lobby, the Courthouse lobby next week Wednesday to visit with any interested employee, or anyone from the public, to share how they can minimize their waste, not only at the workplace, but in their homes as well.

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“Our fourth sub-committee is our Office Process Improvement and this committee is working hard to help departments minimize their waste and to make recycling efforts in the organization easier. We have updated the employee recycle guide. They have added many building coordinators. Your employee recycle guide is available on the E-line. I ask you to look at it there and please try not to print a hard copy, because it’s going to stay on E-line whenever you need to look at it.

“And finally, our Performance Measurement Subcommittee is trying to make some useful data, gather useful data from all of these efforts.

“I’m proud to say that, since January 1st of 2000, our Courthouse complex has collected 69,517 pounds of paper, sending it to Weyerhaeuser to be recycled. Every week over 800 pounds of cardboard is also removed from our Courthouse complex to be recycled.

“Currently, we know of 18 departments that, since June 26th of 2000, have collected 139 pounds of aluminum cans. These cans are sold and the money is then donated to Habitat for Humanities. And finally, in October, three pallets of used printer cartridges were delivered to a local elementary school. This school with exchange these printer cartridges for computer equipment.

“These are just a few of the recycling efforts taking place within Sedgwick County. In fact, I want to point out that our own Commissioners’ Office has two recycle bins, one for aluminum cans and one for paper. I congratulate everyone who is participating and I thank Sedgwick County employees for their effort, because we are showing that with all of us doing just a little, collectively, we are all doing a lot. Thank you for your time.”

Chairman Winters said, “All right, thank you. We have a question or comment. Commissioner McGinn.”

Commissioner McGinn said, “Thank you, Mr. Chairman. Jo, I think you answered one of my questions. That is, about a year and a half ago we started the minimization process and so, we probably only have a complete year on some of the things that we’re measuring, as far as what we’ve saved, the cardboard and all that.”

Ms. Sanders said, “Some items, paper is one, I believe records go back two, if not three years. As we go along, our process of reporting has improved. From the beginning, it was just kind of guesstimated the weights and a scale has been purchased now, to where the paper at the Courthouse complex is actually being weighed. So, our reporting is becoming more accurate, as we go along.”

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Commissioner McGinn said, "When you talk about 800 pounds of cardboard a week, that's . . ."

Ms. Sanders said, "It's significant. It really is."

Commissioner McGinn said, "The other question I had, I've been hearing a local television station talk about food waste and I haven't had a chance to hear their story, but I was just thinking that that was something that the County's kind of been . . . Have we been working with them or just working through wood recycling?"

Ms. Sanders said, "We are . . . the Bio-degradable Waste Diversion Committee is looking at that. It is my understanding that no decisions have been made, but it is being investigated, yes."

Commissioner McGinn said, "Okay, thank you."

Chairman Winters said, "All right. Thank you very much. Jo, how long have you been with Sedgwick County now?"

Ms. Sanders said, "Nine months. Not very long."

Chairman Winters said, "So, you're really just getting started going full speed in this process. So, good job. Keep up the good work and if we can be helpful, let us know."

Ms. Sanders said, "Okay, thank you."

Chairman Winters said, "Thank you. Do I have a motion to receive and file Jo's report?"

MOTION

Commissioner McGinn moved to receive and file.

Commissioner Sciortino seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

DONATIONS

B. DONATIONS (THREE) TOTALING \$2,000.

- 1. DONATION OF \$500 EACH BY ELI LILLY AND COMPANY, AND NOVARTIS PHARMACEUTICALS CORPORATION, TO BE USED FOR COMPREHENSIVE COMMUNITY CARE'S (COMCARE) COMMUNITY INTEGRATION PROGRAM.**
- 2. DONATION OF \$1,000 BY CHERYL RUNYAN, TO BE USED FOR COMCARE'S SUPPORTED EDUCATION SCHOLARSHIP.**

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "These two items are donations that we've received. The first item is a donation of \$500 each from Eli Lilly Company and Novartis Pharmaceuticals Corporation to be used for our wellness program within COMCARE for adults with a serious mental illness. This wellness program is based on the Mary Muller model, which is state-of-the-art and it helps consumers learn how to take care of themselves and manage their own illness.

"The second donation is \$1,000 from Cheryl Runyan, and that's to be used for the supported education scholarship for, again, adults with a serious mental illness. As you are aware, education is a very important component to help consumers move forward, in terms of their goal of competitive employment and that was for \$1,000.

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“I would recommend you accept the donations and authorize the Chairman to sign letters of appreciation.”

Chairman Winters said, “All right, thank you, Debbie. Cheryl is not here this morning, is she by chance?”

Ms. Donaldson said, “No.”

Chairman Winters said, “Okay, very good. Commissioners, you’ve heard the presentation of these donations? What’s the will of the Board?”

MOTION

Commissioner Gwin moved to Accept the donations and authorize the Chairman to sign letters of appreciation.

Commissioner McGinn seconded the Motion.

Chairman Winters said, “We have a motion and a second to accept these awards and we certainly do appreciate them a great deal. They’re very important to the work that COMCARE’s about. Is there any other discussion? Seeing none, call the vote.”

VOTE

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

Chairman Winters said, “And Debbie, you’ll make sure that those letters are prepared then?”

Ms. Donaldson said, “Yes, they already are.”

Chairman Winters said, “All right, very good. Thank you. Next item.”

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AWARD PRESENTATIONS

C. PRESENTATION OF CAREER DEVELOPMENT CERTIFICATES.

1. SUPERVISORY/MANAGEMENT

- ! MIKE BOUDDHARA, AUTO LICENSE**
- ! MARTHA GARDNER, AUTO LICENSE**
- ! TIM MACDONALD, EMERGENCY MEDICAL SERVICE**

2. PROFESSIONAL DEVELOPMENT

- ! JULIE HIEBERT, CORRECTIONS**
- ! MARGO PROVINCE, LEGAL**

3. QUALITY CUSTOMER SERVICE

- ! JANET BAPTIST, APPRAISER'S OFFICE**

Ms. Jo Templin, Assistant Director, Division of Human Resources, greeted the Commissioners and said, "This agenda item today is to recognize several Sedgwick County employees for their achievement in completing career development certificate programs. These employees have shown a commitment to personal development, to improve their knowledge and skills in their jobs, as they provide quality public service. We would also like to commend their department heads and supervisors for allowing their employees and supporting their employees in these achievements.

"I would like to read the names of these employees, and as I read them, please come and except your certificate."

"The first certificate is to Mike Bouddhara from Auto License and he has achieved the Supervisory Management Certificate. Also from Auto License we have Martha Gardner. She is receiving the Supervisory Management Certificate. Tim Mc Donald, from EMS (Emergency Medical Services) has

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also received the Supervisory Management Certificate and he was unable to be with us today.

“Julie Hiebert, from Corrections, is receiving the Professional Development Certificate. Margo Province, from the County Counselor’s Office, is receiving the Professional Development Certificate.

“We developed a new certificate program this year, in the year 2000, called the Quality Customer Service Certificate program and today we have our first employee who has achieved this certificate, Janet Baptist from the Appraiser’s Office. Thank you.”

Chairman Winters said, “All right, thank you. Let’s give them a round of applause. You know, I’d make one quick comment to all of you employees who have taken the opportunity to continue your training and education. In the past couple of years, I’ve been involved with several groups in Economic Development prospects, working with the Chamber and others and one of the things that corporate people now are saying every day is, ‘How does your community handle training and re-training and what assets are available for us’. As we will think about how our employees will become better trained and I think we’re fortunate here that we’ve got a tremendous organization and an internal training that Jo and her group utilizes outside folks, inside folks in this continuing training. But, training and re-training and learning and continuous learning is something that is very important and as a Board of County Commissioners, we appreciate your efforts to participate in those. They’re very good and we appreciate Jo and all of her staff that puts those together. So, thank you for your participation in those training exercises. All right, next item please.”

PUBLIC HEARINGS

D. PUBLIC HEARING REGARDING A PETITION TO ATTACH LANDS TO RURAL WATER DISTRICT NO. 3, SEDGWICK COUNTY, KANSAS.

Mr. Thomas D. Borniger, Attorney for Petitioners, greeted the Commissioners and said, “As most of you know who have been here before, Rural Water District #3 is a small rural water district that’s in the southeast quadrant of Sedgwick County, approximately running from Mc Connell Air Force Base out to Udall and running east of K-15 out to approximately and around Rose Hill and out to Douglass.

“While the majority of it is in Sedgwick County, it does have significant parts that are in Butler County, Cowley County and Sumner County and in fact, since we have the majority of that quadrant that’s within the boundaries of Sedgwick County, almost all of the growth now in the periphery occurs in these other counties.

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“That’s what this situation that is in front of you today is. Because of the law, and because Sedgwick County is . . . or because Rural Water District #3 is primarily located in Sedgwick County, we always come to you on any attachment to add territory on the periphery, even though we also go to the counties where the specific land is proposed to be attached.

“In this case, there are two small parcels. One of them is in Butler County. It is something less than a quarter section, immediately northwest of Rose Hill. There are two landowners that have this. They want to build a house there. We have checked with the City of Rose Hill. They have no objection to it. They are unable to provide water to it at this time. And my understanding was that they had even recommended that these people contact the District to get their property added on. The reason we have to attach property to the District is, even though the District has no taxing ability, the law simply says that we cannot provide any water service to anyone who’s property is not within the boundaries of the district. So, we have a defined boundary, and what we need to do is simply change that boundary to include these people in.

“The second parcel that’s proposed for attachment is a small subdivision, First and Second Addition of Kiowa Estates which is in Cowley County. This is approximately a mile and a half north of Udall. Again, since it’s within the three mile ring we have notified the City of Udall. We have spoken with the City of Udall. They have no objection, again, to this land being brought within the boundaries of the District. It is outside their service area and outside the area that they foresee themselves providing service to in the near future.

“All of the notices that are required by statute have, in fact, been given. We’ve also gone to Butler County already and they have considered it and, my understand is, they have approved it. The Cowley County Commission considers this next Monday. If there are any questions, I’d be happy to try and answer them.”

Chairman Winters said, “All right, thank you very much, Tom. I think that was the only question, was what those other counties had done. Commissioners, I see no other questions right now. At this time then it would be appropriate to open the public hearing and receive public comment regarding this petition concerning Rural Water District #3. Is there anyone here in the Meeting Room who would like to address the Commission on our Item D? Is there anyone here who would like to address the Commission on Item D? Seeing no one, we’ll close the public hearing.

“Commissioners, you’ve heard the report. What’s the will of the Board?”

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MOTION

Commissioner Hancock moved approve the attachment to Rural Water District #3.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

E. PUBLIC HEARING REGARDING ANNEXATION REQUEST BY THE CITY OF MAIZE, KANSAS.

OVERHEAD PRESENTATION

Mr. Robert W. Parnacott, Assistant County Counselor, greeted the Commissioners and said, "This is a County approved annexation, under K.S.A. 12-521. It's kind of a catch-all statute. If you can't annex under another statute, or for some reason you decide you don't want to annex, the city decides they want to proceed under this statute they can. In this particular case, if you look at area A and area B, they are adjacent to the City of Maize. However, they're unplatted territory and they don't meet the requirements for unilateral annexation. So, the City of Maize has decided to approach us and seek a County approved annexation, under K.S.A. 12-521.

"This differs, principally, from an island annexation in that in an island annexation, once you've approved that annexation, they cannot do a unilateral annexation off the island until the island has become a part of the city fully. In this case, once this annexation is approved, if it is approved, the city would be able to do a unilateral annexation to areas adjacent to areas A or B, if they met the other requirements for a unilateral annexation.

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“The statutory requirements are that the city has to pass a resolution approving a petition to be filed with the Board of County Commissioners. They have done that. You have a copy of the petition and the plan and report that’s attached that was included as part of the backup materials. Once that’s been filed with us, we have a certified mail notice requirement. We have to send notices of the hearing, by certified mail, to the landowners involved. That was done. Following that there’s a publication requirement. We published notice, in the Wichita Eagle, on October 31st with a sketch of the area to be annexed, so we’ve met the publication requirements.

“Another statutory requirement is the MAPC, Metropolitan Area Planning Commission, must review the plan, or the proposed annexation actually, and determine whether it’s compatible with the Comprehensive Plan for the area. That review is undergoing, tomorrow I believe, at the November 9th MAPC meeting and we will, hopefully, receive that by next week. We’ve had an unofficial recommendation from MAPD that it is compatible with the Comprehensive Plan but we’ll await the actual finding by the MAPC. There’s also a MAPD report that addresses some of the statutory factors that you should consider in determining whether this annexation is advisable or not. And that was provided to you separately. That’s a November 2nd report.

“The role of the Board of County Commissioners in this matter is to consider the impact of the annexation on the entire community involved. That is the City of Maize and the area around it, the land to be annexed. You have to determine whether the annexation, if approved, would cause manifest injury to the landowners involved or the landowners of the property that is adjacent to or near the areas to be annexed. And also, if you decide to deny the annexation, or in order to deny the annexation, you would have to find that no manifest injury would occur to the City of Maize in denying the annexation. So, the manifest injury determination is what is before you. The statute has a laundry list of factors to be considered. You’re not limited to those factors and those factors have been set out in the MAPD report.

“At this point I would answer any more questions you might have on the process itself or the procedure. Otherwise, we have Carol Bloodworth, the City Administrator from Maize here to present the plan and we also have Claire Donnelly who is the president of the City Council and then I believe we have some members of the public who may want to address you, too.”

Chairman Winters said, “All right. I think Commissioner Sciortino has a question for understanding.”

Commissioner Sciortino said, “Yeah, Bob, just to clarify, this isn’t a unilateral annexation?”

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Mr. Parnacott said, "No, it is not."

Commissioner Sciortino said, "Okay, so the City of Maize doesn't butt up right now . . ."

Mr. Parnacott said, "Well, it does. The City of Maize is adjacent to it and the only reason they can't do a unilateral annexation is there's a requirement that the area has to be platted, if it's less than 21 acres or . . . I'd have to re-read the statute. For some reason, it does meet the unilateral requirements and that is why the City is proceeding under K.S.A. 12-521, which is a separate . . . It's called a county approved annexation."

Commissioner Sciortino said, "Yeah, I was just curious cause it looks like they were butting up and why it wouldn't be unilateral."

Mr. Parnacott said, "And they do. They're separated by the roadway, I'm sure, but they do abutt."

Commissioner Gwin said, "But the area is over 21 acres and it's unplatted. That's why it's here."

Commissioner Sciortino said, "Okay. And once that gets annexed, they could unilaterally annex to the west then, if they get it platted and everything else, and if it met all the requirements, could they also go south, across Central Avenue?"

Mr. Parnacott said, "I believe so. Unfortunately, I'm not up to speed on all the annexation ins and outs yet, but that would be my understanding."

Commissioner Sciortino said, "Okay, all right, thank you."

Chairman Winters said, "All right, Commissioners, if there's no other questions, what I think I'd like to do is open the public hearing and ask anyone who is here supporting this annexation to give us their input about what is happening and then open it up to anybody else that wants to comment. Is that acceptable. All right, at this time I will open the public meeting for public comment and would ask if there is anyone here who would like to speak in support of this annexation if they would come forward and give your name and address for the record please?"

"Let me make one comment here before we start here, Carol. We do try to limit our comments to five minutes, but we certainly want to have all the information that we need in this. So, the Clerk will be setting the timer, but if you need time, we'll try to make sure we hear all the information."

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Ms. Carol Bloodworth, City Administrator, City of Maize, greeted the Commissioners and said, “The City of Maize has passed a resolution and presented to the County Commission, asking for their consent for the annexations in area A and B. Those areas have land which is adjacent to the City, but there are lots on both of those which are not adjacent to the City and could only be annexed piece meal, a piece at a time.

“The National League of Cities has identified six basic reasons for annexation. Those being to provide orderly growth and prosperity for the area, to plan and provide public service facilities, such as water and sewer systems, street extensions and recreational facilities, and to bring fringe areas under land use control and police powers, and to regulate and deliver health and sanitation services to the fringe areas. The City of Maize is currently in the process of developing a municipal water system and also is working very diligently on drainage improvements. The city has voted to tax itself another five mils, this next year, for working on drainage issues.

“These properties, that are west of the city limits, are all within that drainage basin and in order to plan a water system that has all the pieces together at once, we would like to have these properties in the city. I believe you have the maps where the sewer lines currently exist and they exist on the north side of 53rd Street North, all the way to 119th and north to the Coleman plant. There was a question about across Central to the south, the large area you see there is entirely U.S.D. 266 property, with Cray-Woodman and Maize High School located on that lot.

“The city is . . . as you know, a community without a water system has real problems with its growth and with the development of business and commercial interests that help support the tax base for the residents who live there. Business and commercial development requires sprinkler systems and adequate water supply in order to be able to locate in the community. And these things are needed in Maize to help support the mostly residential base that we currently have. We have looked at the utilities. The police department currently already patrols all of these areas. I visited with my interim police chief on the calls, and they make most of the calls, in the County, in this area already. They respond to those on an emergency basis.

“The Fire District is, the fire protection is provided by Sedgwick County and that will not change. The

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thing that will change, in the development of a water system, a fire hydrant for that fire department to hook up to and decrease the fire rates in Maize dramatically.

“So, in order to provide adequate drainage and design a water supply system that services the community, both now and in the future, we are requesting that we be allowed to annex these areas.”

Chairman Winters said, “Okay, I think there are a couple of questions. Carol, can you tell me how many different property owners are there on these two parcels? Does A and B just refer that there are . . . ?”

Ms. Bloodworth said, “The different properties.”

Chairman Winters said, “How many total property owners are there in the area that you’re requesting to be annexed?”

Ms. Bloodworth said, “Some property owners own more than one lot and I don’t know whether I brought my list with that. Do you have that list? There are seven different owners but some owners own more than one piece of property.”

Chairman Winters said, “Okay.”

Commissioner Sciortino said, “How many, ma’am? I’m sorry, I didn’t hear you. How many?”

Chairman Winters said, “She said seven. All right, we’ve got a couple of questions. Commissioner Gwin.”

Commissioner Gwin said, “Thank you, Mr. Chairman. Carol, on the map that you gave us that shows the sewer lines, am I reading it right in seeing that there are sewer lines that are around this parcel currently?”

Ms. Bloodworth said, “The sewer lines go down 53rd Street on the north side of 53rd and in order to serve the properties and, these are the properties that are on 53rd, in order to serve them we will have to bring a sewer line lateral underneath 53rd to serve these properties.”

Commissioner Gwin said, “Okay, so they are currently not on city sewer.”

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Ms. Bloodworth said, "No, they are not. All of these properties are on septic systems."

Commissioner Gwin said, "And what about the source of water for these properties?"

Ms. Bloodworth said, "All of these properties have individual wells."

Commissioner Gwin said, "Okay, my other question then is, as you work on developing a municipal water system, what will be your source of that water?"

Ms. Bloodworth said, "We currently have identified water rights that are available and are in the process of finalizing the decision on the amount of those water rights will be made. Obviously, at the election last night, the bond issue did pass for the Maize school district and the school board will make a decision on their participation in the water for that particular school at some time. We have to finalize them by the first of December, but they have been located. The water has been tested. It is very good quality water."

Commissioner Gwin said, "So, you're working on wells then. Water rights purchasing from wells."

Ms. Bloodworth said, "We're negotiating with the property owners at the current time."

Commissioner Gwin said, "Okay, thank you. That's all right now, Mr. Chairman."

Chairman Winters said, "Okay, thank you. Commissioner Hancock."

Commissioner Hancock said, "Thank you, Mr. Chairman. Carol, give it to me one more time, the reasons for annexing the property?"

Ms. Bloodworth said, "We have, as you probably know, very large drainage problems in Maize. We also are designing our new water system. It is much easier to design a system completely, rather than design for add-ons, when you know that that will probably be coming shortly. So, we would like to have these included in our water system from the beginning and to have them a part of the city, in order to make more adequate relief for the drainage problems that we have."

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

Chairman Winters said, "Okay, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "Thank you, Mr. Chairman. That area there that's on the northwest corner there. It looks like a housing development or something. It's up there on the corner of 119th and 53rd . . ."

Ms. Bloodworth said, "Yes, that is a housing development."

Commissioner Sciortino said, "Is that annexed already into the city?"

Ms. Bloodworth said, "No it isn't, and I will have to claim that the reason that we didn't go that far on this annexation was ignorance because my belief was that properties over 21 acres we couldn't . . . that were totally agricultural, we could not and we still had one property in between here and that, so that's the reason we were doing it piece meal. My understanding now is that 21 acres does not apply except to unilateral annexations but I was unaware of that."

Commissioner Sciortino said, "Well, that was were I was . . . if you're designing a sewer system, I would assume that area would be on the sewer system also."

Ms. Bloodworth said, "That's our overall plan is to go clear to 119th and 53rd and then we do . . . Coleman property is part of the city already, which is north of 119th, on 119th north of 53rd."

Commissioner Sciortino said, "Okay."

Chairman Winters said, "All right, thank you very much. Are there any other questions of Carol? Thank you very much, Carol. Is there anyone else here who would like to speak in support of this annexation? All right, is there anyone who would like to address the Board of County Commissioners who is opposed to this annexation, or has any other comments they'd like to give the Board of County Commissioners concerning this annexation? Is there anyone else here? Yes, please come forward. Please give your name and address for the record and we're trying to limit our comments to five minutes."

Mr. George Huffman, 11321 W. 53rd Street N., Maize Ks., greeted the Commissioner and said, "I own part of the property that they're wanting to annex. I think the biggest reason why I'm concerned about

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it, they offer nothing to us property owners for annexation. It's all 'pie in the sky' that's going to come later, like the sewer, like the water. It's not there now. They've got an incomplete plan. The development area that you talked about at 53rd and 119th is a lot bigger population area that's to be concerned than what they're talking about with our area. The area now here, on the south side of Central, you've got a whole city down there, that's the school, that's a bigger concern than what we are. The drainage is Maize's problem, not our problem. In fact, we get drainage from Maize, not the other way around.

"I think it's ill conceived and under-planned at the best. Some of that is personal opinion, obviously, but I own 21 ½ acres there. It's all farm ground, other than the residence. There's no advantage, there's no reason for that to be in the city that I can see of."

Chairman Winters said, "Mr. Huffman, I think we . . ."

Commissioner Gwin said, "I was going to ask him how much acreage he owned, but he already . . ."

Chairman Winters said, "Do you have a pointer he can use? Could you . . . Allison is going to get just a pointer and I'm interested to know where your property is. She's going to hand you a pointer there."

Mr. Huffman said, "Okay, in area B, most of this is mine. It comes down to here and there's a little area in the corner. This area right here, you see this plat right here, that's 25 acres. It's 660 feet wide by 1,650 feet long. This is the same area, except for 3 ½ acres out of the corner and there's two houses on that 3 ½ acres."

Chairman Winters said, "And the rest of it's farm ground?"

Mr. Huffman said, "The rest of it is mine, and there's a house on the frontage and then the rest of it's farm ground."

Chairman Winters said, "Okay."

Commissioner Sciortino said, "Is that also your land to the west there, too? That part . . ."

Mr. Huffman said, "No, sir. That's another property. There's a single property owner that owns that 25. I say single. The parents of the people that own it are passed. There's four children that own that property now but it's intact property."

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Chairman Winters said, "All right, I see no other questions. Thank you very much, Mr. Huffman. Is there anyone else who would like to address the Commissioners? Yes, sir. Please come forward. Please give your name and address for the record and we're trying to limit our comments to five minutes."

Mr. David Adams, 11139 W. 53rd Street N., Maize Ks., greeted the Commissioners and said, "I'll agree with what Mr. Huffman said. The water comes from Maize, not from us. We're not the problem, we're in their problem. But anyway, back to the police coming over to patrol us. The County also goes into Maize, so I don't think that's an issue there. Colwich helps out Maize, Maize helps out Colwich and the County helps out everybody in between, so I don't think that's much of a benefit."

"And I think we ought to know what the cost of sewer and water will be to us. They've got an approximate amount on the sheet that we got. I don't think it's very accurate. I think . . . I was told that we had to know, that they had to tell us what it was going to cost to do this, by an attorney. I'm against it and that's about all I got to say."

Chairman Winters said, "Okay, we have a question. Commissioner Gwin."

Commissioner Gwin said, "I guess the same question for you. Do you live in one of the homes that's on Mr. Huffman's or adjacent to Mr. Huffman? Where do you live?"

Mr. Adams indicates with the laser pointer.

Commissioner Gwin said, "Right there. And how many acres or what size parcel is that?"

Mr. Adams said, "That's two acres."

Commissioner Gwin said, "Okay, I guess my other question is, you said that your properties don't drain into Maize. You said that the water drains onto you?"

Mr. Adams said, "It comes from all of this area in here. It runs down here and across us, to there."

Commissioner Gwin said, "Okay. Okay. Thank you. Does that cause you a great deal of problems? I mean, does your house flood and that kind . . . ?"

Mr. Adams said, "Ours don't but the other ones do."

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Commissioner Gwin said, "Some of the other ones near you do?"

Mr. Adams said, "Well, they don't flood but they get a lot of water."

Commissioner Gwin said, "Get a lot of water. All right, thank you. Thank you, Mr. Chairman."

Chairman Winters said, "Okay, Mr. Sciortino, do you have a question?"

Commissioner Sciortino said, "I did, but . . ."

Mr. Adams said, "And I do also have a business that I'm running out there."

Commissioner Sciortino said, "I'll hold off. I think my question is about to be answered."

Chairman Winters said, "Okay. Mr Adams, thank you very much. Is there anyone else? Are there others? Yes, ma'am, please come forward. Just give your name and address for the record."

Ms. Brenda Mullins, 11101 W. 53rd Street N., Maize Ks., greeted the Commissioners and said, "And I would be the homeowner, a little less than two acres, in your upper right-hand corner. I think that they've covered most of the issues. This is a very small issue, but for me, it's on a personal level. It's going to impact my personal income, my jobs, you know and when can I work. Maize now provides my children with a school bus to pick them up. It is my understanding that if Maize annexes us, I won't have that service any longer, so that's going to be taken away from me. I am the one that the water lands on and the property right underneath there.

"I think that when my father, which is in the room also, first purchased the ground that he did a lot for the City of Maize to help drain some of that off and now it's, with development south of us, we're getting the brunt end of that and yes, my water comes up pretty high now and it didn't before. So, there just those kinds of issues. Mr. Adams, Dave Adams was up here before. I know he owns a business. If he's annexed, that may effect . . . you know, he may have to change his, the way his um . . . what's the term, . . . whether it's personal property, whether it's industrial, commercial whatever, that's going to effect him. That's all."

Chairman Winters said, "All right, thank you very much, ma'am. Commissioner Gwin."

Commissioner Gwin said, "I have a question. I guess you said the water lands on you. What kind of

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impact does that have on your property?"

Ms. Mullins said, "Well, it's just it's, to this point, we have not had home damage. We have had water into our shed, you know where we keep our lawn mowers and that sort of thing. It's come clear up to about two foot up, we have a concrete wall base, about two foot up on that."

Commissioner Gwin said, "I guess my follow up question is, wouldn't you want to be a part of that solution?"

Ms. Mullins said, "I don't think they have a plan in order. I just don't think that that's a solution. I don't know. I don't think they have a plan for that. I think they weren't planning when this happened."

Commissioner Gwin said, "All right. Thank you. Thanks for your input."

Chairman Winters said, "All right, thank you very much. Are there others who would like to address the Commissioners? Yes, sir. Please come forward. Please just give your name and your address for the record, please."

Mr. Harold Adams, P.O. Box 173, Mount Hope, Ks., greeted the Commissioners and said, "I own the property, well the last two that spoke were my children. I own the property in that southern half acre part there. I own the property on the northwest corner and the southeast corner of that property.

"The water doesn't bother me up on the corner that I live in. That the northwest corner but down in the southwest corner, it does. I'm like my children, who have stated we haven't received any kind of a plan and I would like to know what kind of a plan that the City of Maize has to take care of our water, the flood water that is.

"We all have good wells on our property. Our septic systems work good and there's really no advantage to us being taken into the City of Maize. All I can see is it's going to cost us a bunch more taxes, from what rumors we hear. I'm like my son, I would like to know before we're annexed just what is going to cost us, cost each parcel there, before it's annexed. I'd like to know accurately. I don't know as I have . . . well, let's see. I don't know as I have . . . Well, and another thing, I'd like to know how they're going to route the sewer that comes through our place. We have beautiful trees on the front of our property and they haven't given us any clue as to how they're going to come down the south side of 53rd with the sewer and I'd like to know how they're going to go through there and what they intend to do about our trees and how they're going to get the sewer across the properties to serve the back lots. I think probably that's all I have. Any questions?"

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Chairman Winters said, "All right, thank you very much, Mr. Adams. No questions. Thank you very much. Is there anyone else? Mr. Huffman, come back up to the microphone. We're not going to run through everyone twice, but it looks like you've got something you want to say. Please, try to just keep it pretty short if you could, but we want to hear what you've got to say."

Mr. Huffman said, "I guess the biggest thing that you guys should have gained from this is the lack of planning, the lack of information that was given to us. The lack of any communications as to what they're going to do and how they're going to do it. The sewer runs on the north side of 53rd Street. What I was told, and this has been a while back but I haven't received anything since then, that we will pay to get that across 53rd Street and to run the lines and to hook our places up to it and we'll be forced to do that. Not an option. We will have to pay for any water that is brought out there."

"It's not the city providing us with these services. It's us paying for those services and we're not in need of those services right now. I guess that's the biggest part of it. They've got plans, they say now, to do the rest of all of this. Well why isn't it part of the plan? I've not seen any of this planning."

Chairman Winters said, "All right, thank you Mr. Huffman. That's a good summation there. Is there any other new speakers who have not addressed the Commission who would like to address the Commission? Are there any other speakers? This is the public hearing for this item, so if there are any other speakers, this is the time. All right, seeing no one, we're going to close the public hearing. Commissioner McGinn."

Commissioner McGinn said, "Thank you, Mr. Chairman. I've been visiting quite often with the elected officials of Maize and Carol Bloodworth and it mostly had to do with their drainage problems that they have in the area. And I know our Public Works Department is trying to help in what ways they can and I know that they are . . . the city is working diligently to solve some of their drainage problems."

"With that, as far as trying to understand whether the water's coming onto your property from Maize or elsewhere, we are doing a hydrology study in that area. It's not yet completed. We started this because of a lot of the rapid growth that's going on in west Wichita, but we also included the Maize area. So, I know, Mr. Spears, I just asked him a question about that and that's not yet completed and we will take a look at that and see if we can get that on the fast track and that may answer some of your questions as to which direction the water is coming from. And so, we are looking at that."

"And as Commissioner Gwin said, I believe it was, if that area is an area that will help the Maize drainage"

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problem I think that we need to think in terms of being part of the solution. So, we need to take a good look at that and we at the County, we'll see if we can get that in high gear and see where that's at.

"The second thing is, and I keep hearing there's no plan, but I have talked to Carol about their water situation and I know that they have been working with the school. Water rights are not an easy thing to acquire. It's very difficult. It's a long process. They do need to find out what factor the school's going to be before they can finalize the detail of water and so, I'm hoping that they can get some answers quickly on that.

"And then the sewer, I had one question for you, Carol, on this sewer map. It looked to me like there is a line that comes to the back side of this property."

Chairman Winters said, "Carol, would you come up to the microphone please."

Commissioner McGinn said, "I mean, I see the one there on 53rd that may have to go under the road, but it looks to me like . . . and I can't read the street, Albert Avenue it looks to me like."

Ms. Bloodworth said, "There is a mobile home park here. The streets in that mobile home park are private streets and the sewer lines go to those private sewers. But you know, it may very well be that it may make better sense to come this way, but we'll have to acquire road right-of-ways for us to actually reach those properties. This area up here, (*inaudible*) that corner, has been divided into four lots and it has (*inaudible*) That's an unusual way to do lots splits, without even consulting even the Planning Commission. So, you might be able to hitch to that point, but we're still going to have to go across 53rd Street and the estimated cost (*inaudible*)"

Commissioner McGinn said, "Well, I just wanted to know if that was an option for the back side."

Ms. Bloodworth said, "Yes, we have looked at it. (*inaudible*)"

Commissioner McGinn said, "Okay, thank you. That's all I had on that. And then the other thing . . ."

Chairman Winters said, "Just a second. Mr. Adams, I see that you want to say something and we're not going to start back through. I'm going to give you the opportunity to make your expressions known before a decision is made, but we're not going to start back through the public again."

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Commissioner McGinn said, "If you don't have a chance today in this meeting, please call me. Thank you. The other thing, I was just looking at sewer systems in the area. It appears to me, if the backup materials correct here, the houses range from 1910 to 1974, so the newer homes are almost 30 years old and septic systems generally only last around 15 years. So, I mean, I see that that perhaps might be an area in need of some type of sewer system."

"The final comment that I want to make right now is we are waiting to hear some comment from Metropolitan Planning Commission tomorrow?"

Mr. Parnacott said, "The MAPC is required to make a finding of compatibility with the Comprehensive Plan. They have to review the proposed annexation. They're going to do that at their meeting tomorrow and then provide us with that finding. So, it's just a statutory requirement. Unofficially, we've been informed by the Planning Department that it is compatible, but we need the official finding from MAPC."

Commissioner McGinn said, "And so we can extend this item to next week?"

Mr. Parnacott said, "Well, you know, the Chair already closed the public hearing and the way the statute reads is that you have to make your decision within seven days of the close of the public hearing. If we're not continuing it, then the clock is running but you still have seven days to make a determination."

Commissioner McGinn said, "Which would include next week?"

Mr. Parnacott said, "Which would be next Wednesday, sure."

Chairman Winters said, "Is that it?"

Commissioner McGinn said, "Yes."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Okay, two questions, Bob. We could continue it, but we could only continue it for one week?"

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Mr. Parnacott said, “No, no, no. If you were going to continue the public hearing, you can continue it for good cause for as long as necessary and you don’t need to republish notice or anything.”

Commissioner Sciortino said, “Okay, because that’s what your recommended action is.”

Mr. Parnacott said, “Yeah, originally, the recommended action was continue the public hearing and leave it open but, if you close the public hearing, then you have a clock that starts running on your decision. Statute requires that you make the decision within seven days.”

Commissioner Sciortino said, “Okay. Let me ask you another question, because it was brought up by one of the gentlemen that talked about it. If they get annexed and the City of Maize wants to do something with their sewer system, will these citizens be forced to pay to get on the sewer system? They can’t stay on their septic tank? I mean, they would have to be obligated to get on the sewer system, whether they wanted to or not?”

Mr. Parnacott said, “I’m not sure how to answer that. If they were annexed, then they would be under the city’s control and how the city finances or arranges to construct those systems and to recoup the cost I’m not sure. I’m sorry, but I don’t know how to answer that.”

Commissioner Sciortino said, “Okay, because that’s the one question that was brought up that was a concern of mine. I know, normally, when we do something, if we’re going . . . it’s a special assessment, but it’s the vote . . .”

Chairman Winters said, “Commissioner Sciortino, let’s ask the City Administrator that question. Carol, would you come back to the microphone.”

Ms. Bloodworth said, “In visiting with each one of these property owners, when we first began this process, we did make an agreement that there would be a three year period in which they would, as long as their septic tank was in workable condition, that they would have three years to be required to hook on to the sewer system. But, currently, you can imagine every one of these, even on these small two acre lots, have septic systems, drainage problems and water wells and public health reasons, that’s not a really good thing to have. But we have talked to them all. It will be at least three years before they would be required to hook on to the sewer system.”

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Commissioner Sciortino said, "And would they also then be required to pay for this sewer system being brought down?"

Ms. Bloodworth said, "They would pay for the portion that is on their property, and the special district, just like anybody else in the city would have paid for a special district."

Commissioner Sciortino said, "Okay, and could you just real layman's language for me, we've talked about you have a drainage problem. Could you give me just kind of a thumbnail as to what you're going to do on this property that will relieve the drainage problem?"

Ms. Bloodworth said, "We have a lot of little things and some bigger things that we're looking at. One is increasing the size of the structures that go across Maize Road. This doesn't give you a really good picture of what Maize's drainage problem really is but Maize, on the east side of Maize, has a railroad track, a sixty inch water line for the City of Wichita and Highway 96, all of which the water must pass under, around, over, through before it can get away from Maize. And as those things develop further north and west of Maize, over toward the Colwich area, all development creates more run-off. And so, we get more and more coming from the north and west of Maize, that comes down around 53rd Street North and into Maize and through Maize before it can get out of Maize, on the other side of the railroad tracks, that 6 [sic] inch waterline and that 96. It's a terrible, terrible problem but we've been working with the County and they've been very cooperative in helping us look at the issues and see what can be done in a really bad situation. Replacing drainage structure and resizing them, we have in our plans the development of a retention pond to store some of the water, so that it will . . . we looked at detention ponds both north and west of the city, to keep some of that water from actually coming into Maize, to slow it down so that it's in a manageable area and then one over closer to 96 that would handle the water that can't get away quickly, under the railroad tracks and under 96 and under that waterline. So, we are working very diligently on finding solutions. This is not a problem that developed overnight and it's not one that's going to be solved overnight."

Commissioner Sciortino said, "Thank you. That's all I had."

Chairman Winters said, "All right. I believe Commissioner Gwin was next. Commissioner Gwin."

Commissioner Gwin said, "Thank you, Mr. Chairman. Bob, I have a question of you. Can you give me,

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approximately, the total number of acres we're talking about here?"

Mr. Parnacott said, "I don't know if I've seen a number on that."

Commissioner Gwin said, "Carol, do you know?"

Ms. Bloodworth said, "About 55."

Commissioner Gwin said, "That's fine. And then, who prepared this report?"

Mr. Parnacott said, "That was the City of Maize."

Commissioner Gwin said, "The City of Maize did. Okay. And before we make our decision then, are we going to get some report from our staff or someone else as to the fourteen criteria that we're supposed to consider?"

Mr. Parnacott said, "You were provided a report, last week, on November the 2nd, that was an October 31st report from MAPD, where they went through the fourteen statutory factors and provided you some information regarding each factor. So, if you don't have a copy of that, I can get you another copy."

Commissioner Gwin said, "Are we going to have an unbiased presentation from some entity that tells us, talks to us about these fourteen points. Because I think there's bias, obviously from the City of Maize. I may or may not believe that there's bias from the Metropolitan Area Planning Department. I've got to depend upon my legal staff or somebody to help me kind of get a, what I would consider, an unbiased assessment of these fourteen criteria."

Mr. Parnacott said, "Well, certainly there's no statutory provision or requirement for that, but you are entitled to considered any evidence and so, if there was some sort of . . ."

Commissioner Gwin said, "So, if I have a question about one of these fourteen, I can ask you or Rich during this next process, to give me your opinion?"

Mr. Parnacott said, "Sure, we're always able to answer those kinds of questions."

Commissioner Gwin said, "Okay, all right. Thank you, Mr. Chairman."

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Mr. Richard Euson, County Counselor, greeted the Commissioners and said, “We could attempt to answer those questions for you, but most of those questions have to do with engineering considerations and planning considerations and things that we can help gather information, but I’m not sure that we’re in a great position to be able to answer a lot of them and if your concern is that you have a biased opinion on both side, and you need something to be independent, then I think maybe we need to be looking at employing a consultant that can help us sort through that, because our department can tell you about how to weigh the factors and whether you have sufficient evidence in order to make a decision, but I’m not sure that we can assist you in developing those factors, as to population and population trends.”

Commissioner Gwin said, “And I guess, and your suggestion might be a good one, because I suspect this is one of several of these kinds of issues that’s going to be coming before us, and I want to make sure that, as this Board has to consider those factors, that we consider those based upon, obviously, all the information that’s submitted to me, but I have to be able to get some sort of impersonal, unbiased assessment of these fourteen criteria and, certainly, no offense meant to the City of Maize or to the other side of the folks who are on the other side, but we are in between two very difficult positions here, and because of potential litigation and those kinds of things, I think we need to assure ourselves that we are hearing from some position in the middle of the road and then we can decide whether or not that’s appropriate or what presentation we want to hear, but I do think it’s a little unwieldy at this point.”

Mr. Euson said, “And if that is the will of the Board, then it would be necessary for you to reopen the public hearing and continue it to a time in which we could receive such a report and I really don’t know when that would be.”

Commissioner Gwin said, “I was going to say, I’m concerned that the report couldn’t be done and to us in a week. Okay.”

Chairman Winters said, “I was going to ask later on, is there . . . I, evidently, made a mistake in closing the public hearing. I mean, if I closed it, can we change that from a closing it to continuing the public hearing, or have we crossed over some kind of magic boundary?”

Mr. Euson said, “I think you can reopen it and continue it if that’s your will.”

Chairman Winters said, “Well, let’s go ahead and continue this discussion and we’ll see what it’s like

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at the end of the discussion. Commissioner McGinn.”

Commissioner McGinn said, “I just had a question on the sewer hook up. I know Wichita has annexed up in the north part of the City and I have some friends in that area and it was my understanding that they laid the line and they don’t have to hook up til they’re ready. I mean, it was just whenever they were ready to hook up. Do you know anything about . . . ?”

Mr. Parnacott said, “No, I don’t have any information on that.”

Commissioner McGinn said, “Do you have to tell them they have to hook up, or can you leave it open that you hook up when you’re ready or when your system breaks down? Can we find that out?”

Mr. Parnacott said, “We could certainly look at that and get an answer to that. I wouldn’t be prepared to answer that today.”

Chairman Winters said, “Okay. Commissioner Sciortino.”

Commissioner Sciortino said, “Yes, thank you, Mr. Chairman. That’s the only part of this process that’s causing me a little concern. I know there’s an area inside the city limits of Wichita that the people are still on septic tanks and the City has run sewer lines down. They do get City water. I’m not to sure about City water but I know they don’t have sewers and it’s an option for the homeowner, the main lines have been run down and paid for by, I guess, the City at large and then if they want to hook on there’s a hook up fee or impact fee or whatever you call it that’s always an option. That’s the only thing that’s got me a little concerned is that, regardless if it’s immediately or in three years, that these people would be forced to hook on and I assume that’s an expense, too. You’re not hooked on for free, and then start paying for sewer services when they have, maybe, a well working septic tank or something.”

Commissioner McGinn said, “To tie onto that, I’d like to know what the process is. Maybe look at Wichita, what their process is on that, because I’m a little bit confused that that’s a normal process in which to proceed. Usually it’s either their system breaks down, they’re ready to hook up and, as Commissioner Sciortino said, maybe the City pays at large. I don’t know, so I don’t know if that’s a municipality decision or if there’s some kind of standard procedure.”

Mr. Parnacott said, “Certainly we can look at that and get you an answer on that question.”

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

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Commissioner Sciortino said, "I'm fine. Thank you, sir."

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

Commissioner Hancock said, "Well, thank you. Let me ask Bob. Bob, if this was a platted area, this wouldn't be here today. We wouldn't be looking at this. So, I want to ask you just straight out, what decision are you asking us to make based upon what? Benefit to the city or to the neighborhood or what is the criteria upon which we based our decision. I don't think it's a matter of whether they have to hook up to a sewer or not. That's not relevant to me at all. What is relevant here is what is the thrust of our decision here? What are we supposed to be deciding?"

Mr. Parnacott said, "The thrust of the decision is whether manifest injury would occur to the land owners of the properties involved or to the nearby or adjacent land owners, if the annexation were to be approved. Manifest injury is often described as placing a substantial burden on those land owners, without some sort of substantial compensating benefit. The flip side of that is, if you decide to not approve the annexation, you should make some sort of finding as to whether there would be manifest injury to the City of Maize if you didn't allow them to annex this. So, you do have to look at it from both sides. But it's a manifest injury inquiry and finding that you have to make."

Commissioner Hancock said, "So, can we look at it from the point of view of what benefits both sides also?"

Mr. Parnacott said, "That's certainly something you should look at. Like I say, I can read through the statutory list of factors right now and that's part of it, and besides the statutory factors, you can consider any other factors you feel are relevant to the decision making process."

Commissioner Hancock said, "The reason I asked that question is I'm still not clear of why the City has chosen to annex this property that's not platted. I understand drainage and I understand water. They want to improve them. I'm not sure how they're thinking about doing that and I'd sure like to have, if we're going to continue this until next week, if I could get something that explains in a little more detail what the plan is. Why this is so vital to the City of Maize. I don't want to be getting in the way of this annexation if it benefits the city and it looks like it's going to be necessary to do at some point. If there are problems being created, I want to avoid them if we can. That's all I'm asking. Why is this so important and with that, maybe I can make a decision that this is not going to be some kind of, as you say, manifest injury to those being annexed. But it's been a little difficult to understand what we're trying to

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decide here. It's getting clearer."

Mr. Parnacott said, "Okay. We can certainly get addition information and do what we can to provide you with addition packs."

Commissioner Gwin said, "And may I interject that, Bob, it might be helpful for them to have a copy of this K.S.A. 15-521 that I have, that has the fourteen criteria listed in it very specifically."

Mr. Parnacott said, "Each of the Commissioners? Sure."

Commissioner Gwin said, "Yes, I don't believe they have it, and I think they need to see that list."

Mr. Parnacott said, "Okay."

Chairman Winters said, "Okay, I would like to . . . Marvin, would you come up, Marvin Krout, would you come up for just a minute. I don't want to start a long dialogue with you, but want to make just a couple . . ."

Mr. Parnacott said, "Let me make a couple of quick points before he gets up here. The statute also contemplates a five year window that the city is to provide these services in that they're going to be giving to the area. This Board is required to have a hearing in five years, a public hearing, as to whether the city met its requirements in providing those services and, if you don't, if you find that they have not provided the services that they said they were going to provide, then I believe they have like a two and a half year window to provide those services and if they don't within that time, you can approve a de-annexation of that area. So, there is a safety valve in this process. If the city were to promise to provide certain services and then, down the road, decide 'Well, we got the property, now we don't want to provide the services'.

And the other point I would make, and I don't know if it's really relevant in this particular situation, but the statute also does allow you the option, kind of a midway option, of you can approve a partial annexation, if you decided part of this property should be annexed, but not all of it, you would have the authority, under the statute, to approve only a part of the annexation. So, that's your three options, actually under statute is to deny it completely, approve partially, or approve the entire annexation."

Chairman Winters said, "Okay, thank you. Marvin. Now, Marvin, would you just comment briefly on what the Planning Commission is going to do tomorrow at their meeting and will you take public input? These folks, I think, have other comments, more comments they want to make. What's your procedure

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going to be tomorrow and do you know what time you're going to talk about this?"

Mr. Marvin Krout, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, "Yes, I indicated to the property owners that the Planning Commission will take this item up on earlier than 4:15, after a number of zoning cases. This is not an advertised public hearing item, according to statutes, and we didn't advertise it. We put it on our agenda, and when we have other annexations that come from, either Wichita or other small cities that are doing unilateral annexations, we haven't provided a separate notice to property owners of that determination because it's really a technical determination by the Planning Commission and a statement to you or to the City of Wichita, if the City of Wichita was annexing, as to whether or not the area in question is, if it would be in conformance with the master plan for the area to annex the property that's in question. In the case of this 521 statute, the Planning Commission is required to look at both the Comprehensive Plan for Sedgwick County, because this is in unincorporated area.

"Also the comprehensive plan for the City of Maize, because this is an expansion of the City of Maize, and determine whether or not it's consistent with both of those plans. It doesn't have to be consistent with either or both of those plans in order for you to approve the annexation but it's one of the factors that you would weigh in deciding whether or not there is, in balancing these issues of injury and benefit to the city and to the property owners."

Chairman Winters said, "That's right. So, you will not plan on taking public comment at the meeting tomorrow?"

Mr. Krout said, "Well, the Planning Commission's policy is like yours. On items that aren't officially public hearings, if there's someone there in attendance that wants to speak on it, I'm sure that they will open it up."

Chairman Winters said, "Okay. And at the conclusion of your meeting then, you'll bring . . . have some recommendation from Metropolitan Planning Commission about what they think about this."

Mr. Krout said, "Right. We'll sent that recommendation to you, in advance of your next meeting."

Chairman Winters said, "And again, it won't be from staff. It will be from the Planning Commissioners themselves, who are regularly appointed citizens in the community."

Mr. Krout said, "Right, now we did try to objectively respond to the fourteen criteria that are in the statutes. For your information, and for the information of the Planning Commission but really, the Planning

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Commission isn't making a recommendation on whether you should annex it or not. They're just making a finding as to whether or not annexing it would be consistent with the plans for the County and for Maize."

Chairman Winters said, "Okay. Commissioner Sciortino, do you have a question for Marvin?"

Commissioner Sciortino said, "Yes. Just real quickly, and I think you just answered it but I want to make sure. The MAPC is not going to look at what Maize's plan to do with the property as a determinant whether or not they're going to recommend that it get annexed. It's just whether or not it's consistent with the overall comprehensive plan or the growth area or what have you. Is that correct?"

Mr. Krout said, "That's right. It's kind of like when they review your Capital Improvement Program. They may say, 'These projects are consistent with the Comprehensive Plan', but it's hard for them to maybe hold back from saying, 'but we really would like to do this before this or do this instead of this' and so they may have additional comments and recommendations for you."

Commissioner Sciortino said, "Okay, and then I did hear that, while it isn't an official public hearing, if any of these citizens show up you will allow them to speak."

Mr. Krout said, "Sure. Yes."

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

Chairman Winters said, "All right, thank you, Marvin. I guess I would say, and I know that a couple of you have been raising your hands wanting to talk again and we're, right now, we're not going to get this into a debate situation, back and forth and back and forth, because we could be here a long time doing that. It appears we are not going to make a decision on this issue today, because we are going to wait for what we hear from the Metropolitan Planning Commission. So, I would suggest that you attend that meeting tomorrow and make your comments known to them and just have them well thought out, so you can say everything at one time. And if some of you are not able to be there, Marvin, I'm confident that you heard what their concerns were and can help relay that to the Planning Commissioners."

"Now, Rich, before we proceed on, I'd like to make sure we all are clear where we are on the public meeting and if I need to retract the closing and say we need to continue the public hearing so we can hear

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from MAPC and others if we wish. Do we need to do that now or how should we proceed?"

Mr. Parnacott said, "Well, in terms of procedure, the way we read the statute, it's not necessary to continue the public hearing solely for receiving the MAPC finding. That doesn't need to come in as part of the public hearing. Really, what keys the public hearing issue is, if you continue the public hearing, that gives you a time to make your decision if you need additional time. Do you understand what I'm trying to say?"

Chairman Winters said, "So, in that case, I guess, is it sufficient if I just say that 'let the record show that we're not closing the public hearing, but we are extending the public hearing'?"

Mr. Euson said, "Make a motion, please, to reopen the public hearing."

MOTION

Chairman Winters moved to reopen the public hearing.

Commissioner McGinn seconded the Motion.

Chairman Winters said, "Is there any discussion? Commissioner Hancock, I see your lights on."

Commissioner Hancock said, "Go ahead."

Chairman Winters said, "Okay. We have a motion to reopen the public hearing. Is there any discussion? Seeing none, call the vote."

VOTE

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

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Chairman Winters said, "All right. Now, do we need to then just extend the public hearing?"

Commissioner Gwin said, "Recess this? What do we do?"

Commissioner McGinn said, "Well, why couldn't we just make a motion to continue the public hearing, pending the receipt of the finding from the Metropolitan Area Planning Commission?"

Chairman Winters said, "Okay. Before we make that motion, Commissioner Hancock."

Commissioner Hancock said, "Just two things. One is unbelievable to me, I was wrong awhile ago when I said that it's immaterial whether there would be injury, as far as mandatory hook up. That's the first thing, in that we're mostly deciding manifest injury and I presume that has to do with financial interest also."

Mr. Parnacott said, "That would certainly be one consideration, the idea that they're getting a substantial burden placed on them by increased taxes, and if they're not getting some sort of compensating services for those increased taxes."

Commissioner Hancock said, "Okay, and so I just want to make it clear that I know Commissioner McGinn was talking about that a while ago, and I apologize for saying that's not relevant to this discussion. It is relevant then. That should be considered, is the financial parts of it. Rich is shaking his head yes."

Commissioner Gwin said, "Yes, it's number eight. It says 'the proposed cost extent and necessity of governmental services to be provided by the city proposing annexation and the plan and schedule to extend such services. So, yeah, that's one of the fourteen.'"

Commissioner Hancock said, "And the second thing I had to say is, we've never had one of these before, and we are going to learn together. So, hang with us. We'll do the best we can."

Mr. Parnacott said, "And I would point out, there is another one on our schedule from Valley Center for later on. In December, there'll be a public hearing on this type of annexation."

Commissioner Hancock said, "We just open the flood gates and here it comes."

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Commissioner Gwin said, "Well, may I real quickly then go back. I'm sorry, are you done."

Commissioner Hancock said, "Yes, ma'am."

Commissioner Gwin said, "I need to interject then. I think this Commission needs to consider the resources of someone to assess these, the fourteen criteria for each of these cases that are coming to us. I think we need to see, in all deference given to Mr. Krout or Ms. Bloodworth or anybody else or the City of Valley Center or the City of Wichita or Clearwater or whomever, but there will be biases in those analyses of those fourteen points. And I believe this Board needs to consider, quite seriously, contracting with someone who can give us an analysis of those fourteen points, based upon an unbiased view."

Mr. Parnacott said, "Certainly, if you look at those factors, some of those are very objective type of factors but I think the bulk of them are subjective and really depend of a viewpoint."

Chairman Winters said, "Commissioner Sciortino."

Commissioner Sciortino said, "Well, just to respond to Commissioner . . . I had some conversation with Mr. Euson on this and my sort of reading of that is that, yes we could contract with someone, but it may be three or four months before a determining thing is put to bed and it would be all detailed and dollar signs start going. I had asked, could there just be a layman's type, you know, manifest injury. Just give me a basic kitchen English what does that mean, number one. And there was some reluctance, I believe, on Mr. Euson's part, probably rightfully so that if you oversimplified it, it may inadvertently make you think 'turn left is correct, where really turn right is correct' and the sense I got was that he was uncomfortable to give us a real simplified version. Would rather we contract for a full blown in depth . . . did I say that right or not, Rich?"

Mr. Euson said, "I think we just need to . . . I was trying to be conservative in my answer to you, so that you wouldn't be disappointed if something didn't come back in a two week period, but I think we just need to look at it. We can look at today or tomorrow and see how long it might take and get you an answer."

Commissioner Sciortino said, "Okay."

Mr. Euson said, "I don't think that should be a concern. I think the concern for this Board is to have the best information you can have available to you in order to make a decision. That's the biggest concern."

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Commissioner Sciortino said, "Because we are plowing new ground here and I just heard we're going to get another one coming up in Valley Center."

Chairman Winters said, "All right, thank you. Mr. Manager, you have a comment?"

Mr. William P. Buchanan, County Manager, greeted the Commissioner and said, "In reviewing the fourteen points, many of those points need some careful analysis and I think we have plenty of people on staff who have expertise in some of those fields. So, I don't think it would be terribly difficult for Mr. Euson or someone in this organization to put together a group of expertise, engineering from David Spear's operations, the economics of land use from certainly Gerry Franz's organization and others to put together some information for you and then, if necessary to parcel out a piece that we don't have expertise in. But there's a way, I think in which, in thinking about this problem and unfortunately we're talking about it here, and not having an opportunity to talk about it amongst ourselves before but I think there's a way in which some staff can provide some expertise or that we could put together something for you in a reasonable amount of time. And I know Planning Commission has already provided that and some of that just needs to be reviewed."

Chairman Winters said, "Okay, thank you very much. Well, I think, unless somebody else is, I'm about ready for a motion here, but I would say to the folks who came here today, and if you have other comments, I certainly, I would be willing to take your phone call. I know Commissioner McGinn would also, as this is in her district. So, if you have other thoughts or comments that you want to share with us, please pick up the phone and give us a call."

Mr. Parnacott said, "Before we do something, I would just like to touch base with you. I took some notes, but I would like to go back over and see exactly what we're looking for at this point. What information you need, what questions you want answered. If we could go back through the list real quickly."

Commissioner McGinn said, "Can maybe you just come around and visit."

Chairman Winters said, "Yeah, maybe you ought to just, those that are asking specific question, you can just get with them and find out."

Mr. Parnacott said, "That would be fine."

Mr. Buchanan said, "Mr. Chairman, before you move on, and I think it's certainly the citizen's obligation

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and opportunity to talk with you as individuals about these issues, but it's equally important, if not more important for them to express that publicly at the public hearing. What you hear publically is what you're going to base the decision upon, and the criteria of the law. And so, it's important for them to be here also."

Chairman Winters said, "So, in other words, we should say 'you can all talk next week. I'm mean, we'll go through this exact same process, which was where I was headed in trying to get the comments done when we were here but, if the public meeting is going to be open, we'll hear from you all again, and go through the same steps again."

Commissioner Sciortino said, "Well, but just one clarification. Since we've already heard specific objections, they're not obligated to restate those specific objections again, since this public hearing is being continued. I don't want them to think we're complete idiots. We heard you once. Now, legally, we've got to hear the same thing twice. I don't think that's correct. Is it?"

Mr. Euson said, "That's correct. But I think the Manager's point is that you should be hearing comments in a hearing, you know a hearing that's open to the public and not over the telephone."

Commissioner Sciortino said, "Oh, if they have other questions. I got it. So, personal conversation is not in lieu of the public hearing or a substitute for the public hearing is what you're saying."

Mr. Euson said, "That's right."

Chairman Winters said, "I agree with that and I think that all of us are smart enough to know how to talk to our constituents, so I am ready for a . . ."

MOTION

Commissioner McGinn moved to continue the public hearing, pending receipt of the findings from the Metropolitan Area Planning Commission.

Commissioner Sciortino seconded the Motion.

Chairman Winters said, "All right. So, the public hearing is not closed, but it continues to be open. Is there any discussion on this motion? Seeing none, call the vote."

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VOTE

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

Chairman Winters said, "Thank you very much, Bob. You get the good ones. I think . . . we don't have a lot more to do. I think I would like to take just about a five minute recess."

The Board of Sedgwick County Commissioners recessed at 10:33 a.m. and returned at 10:42 a.m.

Chairman Winters said, "We're back in session from a brief recess. Madam Clerk, will you call the next item."

NEW BUSINESS

F. DIVISION OF HUMAN SERVICES.

1. AGREEMENT WITH CHRIS WINSLOW, M.D. TO PROVIDE PSYCHIATRIC SERVICES.

Ms. Deborah Donaldson, Director, Division of Human Services, greeted the Commissioners and said, "This first item is an employment contract with Dr. Winslow to provide six hours of psychiatric services on the weekends for the Crisis Case Management program. That will be \$17,760 and those are State funds. I'd be glad to answer any questions."

Chairman Winters said, "All right, thank you. Commissioners, what's the will of the Board?"

MOTION

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

Chairman Winters said, "Next item."

2. CONTRACTS (FOUR) WITH VIA CHRISTI REGIONAL MEDICAL CENTER.

- ! FLEXIBLE FUNDS FOR VIA CHRISTI'S CASE MANAGEMENT PROGRAM FOR SEVERELY AND PERSISTENTLY MENTALLY ILL SEDGWICK COUNTY RESIDENTS**
- ! HOME AND COMMUNITY BASED SERVICES (HCBS) MEDICAID WAIVER FOR SEVERELY EMOTIONALLY DISTURBED YOUTH**
- ! PARTIAL HOSPITALIZATION SERVICES FOR YOUTH COVERED UNDER THE HEALTHWAVE INSURANCE PROGRAM**
- ! SHORT-TERM CRISIS STABILIZATION BEDS FOR ADOLESCENTS**

Ms. Donaldson said, "Commissioners, I'm going to break these out, because I'm going to ask for two different actions. The first contract is for flex funds for Via Christi's case management program. I would like to defer that, at this point, maybe indefinitely. I will be bringing it back. I just don't know when because we need to include some outcome measures that were left out of that and so, I would recommend

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that you defer this.”

Chairman Winters said, “Okay. Do I have a motion to defer indefinitely F-2, bullet number one?”

MOTION

Commissioner Sciortino moved to defer indefinitely Item F-2, bullet number one.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Ms. Donaldson said, “And I would request approval of the next three contracts. The first one is the home and community based services, Medicaid waiver program for children with a severe emotional disturbance and that is for partial hospital services and that is paid through Medicaid. The second is a contract with them for partial hospitalization services for youth who are on Healthwave and that would be paid for through the Healthwave funds. And the last is short term crisis stabilization beds for adolescents and that is paid for through State funds. I would recommend your approval of these three contracts.”

MOTION

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

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Commissioner McGinn seconded the Motion.

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

VOTE

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

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

G. DELETION OF THREE PART-TIME POSITIONS, RANGE 14; AND ADDITION OF ONE FULL-TIME FISCAL ASSISTANT, RANGE 14; TO THE AUTO LICENSE STAFFING TABLE.

Ms. Jan Kennedy, County Treasurer, greeted the Commissioners and said, "I'm here to request the change in our staffing to remove some of our part-time positions and convert them into an additional full-time position. The projected budget impact is a \$2,200 saving for the year. One of the reasons for doing this is that next year, 2001, is a regular tag issuance year and combined with the new insurance, proof of insurance verification rule, we're going to have a lot more time per transaction. So, we're wanting to beef up the number of on-line, on-time people that we have actually serving the customers. One more full-time person will allow us some additional off-peak hour help for personalized tag mailings, mail room, phone

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bank, those kinds of things. So, are there any questions?"

Chairman Winters said, "Okay, Jan, I see no questions. When you mention next year is a new tag year, that means that all of us will be receiving new license plates, the new tag itself. So, instead of just a little decal, it's all new tags."

Ms. Kennedy said, "Yes, sir. This year was the issuance of the new personalized plates."

Chairman Winters said, "Very good. Commissioners, you've heard Jan's report. What's the will of the Board?"

MOTION

Commissioner McGinn moved to Approve the deletions from, and addition to, the Auto License Staffing Table.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you, Jan. Congratulations, Jan. Next item please."

PUBLIC WORKS

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H. PUBLIC WORKS.

1. MODIFICATION OF PLANS AND CONSTRUCTION, REQUEST NUMBER ONE AND FINAL, WITH RITCHIE PAVING, INC. ON SEDGWICK COUNTY PROJECT - SUNNYDALE FARMS ADDITION; DISTRICT #4.

Mr. Paul E. Taylor, P.E., Director of Sewer Operations and Maintenance, greeted the Commissioners and said, "Item H-1 is a modification of plans and construction, request number one and final, with Ritchie Paving, Incorporated on the Sunnydale Farms Addition paving project. This project has been constructed and is ready to be finalized. There will be a net decrease of \$936.25, due to variations in plan quantities from actual field measurements. All costs will be assessed to the benefit district through special assessments. We recommend that you approve the modification and authorize the Chairman to sign."

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

MOTION

Commissioner McGinn moved to Approve the Modification of Plans and Construction 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 Bill Hancock	Aye
Commissioner Carolyn McGinn	Aye
Commissioner Ben Sciortino	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

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2. RESOLUTION ESTABLISHING PARKING RESTRICTION ALONG ROCK ROAD FROM OAK KNOLL TO A POINT 1/2 MILE SOUTH OF MACARTHUR, AND PROVIDING FOR ENFORCEMENT THEREOF.

Mr. David C. Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item H-2 is a resolution establishing that 'no parking' signs be installed along Rock Road, from Oak Knoll to a point 1/2 mile south of Mac Arthur Road. This resolution comes at the request of Master Sergeant Howard Burns, Superintendent of Maintenance Engineering at McConnell Air Force Base, for security reasons. I recommend that you adopt the resolution."

MOTION

Commissioner Hancock moved to Adopt the Resolution.

Commissioner Gwin seconded the Motion.

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

VOTE

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

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

I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' NOVEMBER 2, 2000 REGULAR MEETING.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The Board of Bids and Contracts held a regular meeting on November 2nd. As a result of the meeting, there are two items being presented as consideration for approval today."

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1) PRINTERS & ENVELOPES- DISTRICT COURT
FUNDING: DISTRICT COURT

“The first item is printer and envelope feeders for the District Court. Accepted the low bid, meeting specifications, of A V Networks for a value of \$15,984.

2) REPLACE MUNGER BUILDING BOILER- CAPITAL PROJECTS
FUNDING: CAPITAL PROJECTS

“The second item is the Munger Building boiler project. Request an adjusted cost of \$8,978 for a total contract amount of \$70,478.

ITEMS NOT REQUIRING BOCC APPROVAL

3) RECYCLED PAPER & ENVELOPES- DIV OF INFORMATION & OPERATIONS
FUNDING: DIVISION OF INFORMATION AND OPERATIONS

“There was a third item that was tabled at this meeting for further review. It is recycled paper and envelopes for the Division of Information and Operations.

“I recommend approval of these items as presented by the Board of Bids and Contracts.”

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

Commissioner Sciortino said, “Just one real quick one. On item one, am I right, and I’m counting three, six, nine, twelve, fifteen, eighteen, I don’t know how many. All of these are individual . . .”

Ms. Baker said, “Correct.”

Commissioner Sciortino said, “How did we get so many proposals, when we only sent them to four vendors?”

Ms. Baker said, “We publish on the Sedgwick County Purchasing Website and the balance of the responses were the result of the Website publishing.”

Commissioner Sciortino said, “That’s great. So, they’re using that Website. That’s neat. That’s all I

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have.”

Chairman Winters said, “All right. Other questions or comments?”

MOTION

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

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

CONSENT AGENDA

J. CONSENT AGENDA.

1. Right-of-Way Easement.

One Temporary Construction Easement for Sedgwick County Project No. 829-V; BSF Addition Drainage Project. District #5.

2. Donation of \$58.12 by Wichita Employee's Friendship Fund, to be used for COMCARE'S Suicide Prevention Program.

3. Authorization per K.S.A. 79-2012 to withhold delinquent personal property taxes under the County Treasurer's certification dated November 1, 2000.

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- 4. Order dated November 1, 2000 to correct tax roll for change of assessment.**
- 5. Payroll Check Registers of October 27 and October 31, 2000.**
- 6. General Bills Check Register of November 3, 2000.**
- 7. Budget Adjustment Requests.**

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

MOTION

Commissioner Gwin moved to Approve the consent agenda as presented.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "All right. Is there other business to come before this Board? We do need to have a short Fire District meeting and a short Executive Session, but at this time I will recess the Regular Meeting of November the 8th, 2000."

The Board of Sedgwick County Commissioners recessed into the Fire District Meeting at 10:54 and returned at 10:56 a.m.

K. OTHER

Chairman Winters said, "I'll call back to order the Regular Meeting of the Board of County Commissioners, November 8th, 2000. Is there other business to come before this Board?"

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MOTION

Commissioner McGinn moved that the Board of County Commissioners recess into Executive Session for 30 minutes to consider consultation with Legal Counsel on matters privileged in the Attorney Client relationship relating to pending claims and litigation, legal advice, and personnel matters of non-elected personnel and that the Board of County Commissioners return from Executive Session no sooner than 11:23 a.m.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "We're in Executive Session for thirty minutes."

The Board of Sedgwick County Commissioners recessed in Executive Session at 10:57 a.m. and returned at 11:26 a.m.

Chairman Winters said, "I'll call the Meeting back to order. Madam Clerk, let the record show that there was no binding action taken in Executive Session. Is there other business to come before this Board? Mr. Euson?"

Mr. Euson said, "No, sir."

Chairman Winters said, "Mr. Manager?"

Mr. Buchanan said, "No, sir."

Chairman Winters said, "This meeting is adjourned."

L. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 11:27 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

CAROLYN McGINN, Chair Pro Tem
Fourth District

BETSY GWIN, Commissioner
First District

BILL HANCOCK, Commissioner
Second District

BEN SCIORTINO, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 2000

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