

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

MARCH 26, 1997

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, March 26, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. Clarence Holeman, Assistant County Counselor; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Paul Rosell, Chief Deputy County Clerk; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Douglas King, Records Manager, County Manager's Office; Ms. Susan Erlenwein, Director, Department of Environmental Resources; Mr. Marty Hughes, Grants Manager, Accounting Department; Mr. Doug Russell, Director, Department on Aging; Ms. Diane Gage, Director, Emergency Communications; Ms. Deborah Donaldson, Director, Bureau of Health Services; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Karen Casto, County Clerk's Office.

GUESTS

Mr. Bobby Stout, Sheriff's Civil Service Board
Mr. Floyd Holloway, Field Service Attendant, Central Motor Pool
Mr. Gary Wiley, P.E., Professional Engineering Consultants

INVOCATION

The Invocation was given by Mr. Joe Stout of the Christian Businessmen's Committee.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES:

The Clerk reported that all Commissioners were present at the meeting on March 5, 1997.

Chairman Winters said, "Commissioners, you've had an opportunity to review the Minutes, what's the will of the Board?"

MOTION

Hancock moved to approve the Minutes of March 5, 1997, as presented.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

CERTIFICATION AS TO THE AVAILABILITY OF FUNDS

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

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

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A. PROC DECLARING MARCH 30 - APRIL 5, 1997 AS INFORMATION MANAGEMENT WEEK."

Chairman said, "Thank you very much. Commissioners, I have a Proclamation important to County government that we highlight and talk about this issue.

PROCLAMATION

WHEREAS, the management of the records industry, business and government agency, and the systematic creation, distribution, storage

WHEREAS, the loss of records due to mismanagement, natural disaster, theft or inadvertent destruction; and

WHEREAS all Sedgwick County citizens should recognize the significant and important contribution of records in maintaining appropriate business, civic and government records; and

that ARMA International has the purpose of promoting professionalism and education in Records and Information Management, and providing a forum for the exchange

NOW THEREFORE, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby declare March 30-April 5, 1997, as

Information Management Week in Sedgwick County, and encourage all citizens to recognize the importance of this event.

Chairman Winters said, "Commissioners, that is the Proclamation, what's the will of the

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MOTION

Com Schroeder moved to adopt the Proclamation and authorize the

Commissioner Hancock seconded the Motion.

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

Commissioner Betsy Gwin	Aye
	Aye
Commissioner Melody C. Miller	
Commissioner Mark F. Schroeder	Aye
	Aye

Chairman Winters Proclamation is Doug King, who spends a lot of time in Sedgwick County involved in records management. Doug.”

Douglas King e
Comm and said, “If I may, I’d like to go ahead and introduce Peggy Cochran, rground Vaults and Storage, who is the Chapter President of the Association o Records .
Really appreciate this. Thank you.”

said, “I think a lot of people sometimes think about records storage as significant volumes and significant value and in our case, historical age and significance, we all understand that this becomes

are professional organizations which people in have you here this morning. Next item.”

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APPOINTMENT

B. RESOLUTION APPOINTING BOBBY STOUT (COMMISSIONER HANCOCK'S APPOINTMENT) TO THE SHERIFF'S CIVIL SERVICE BOARD.

Mr. Richard A. Euson, County Counselor, greeted the Commissioners and said, "We have prepared a Resolution which will appoint Bobby Stout to the Sheriff's Civil Service Board. This is a for a term of appointment to end January 17 in the year 2000. We recommend this for your approval."

Chairman Winters said, "Commissioners, you've heard Rich's report, what's the will of the Board?"

MOTION

Commissioner Gwin moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "I see that Mr. Stout is in the room, so if you would come forward please a person from the Clerk's Office will swear you into office."

Mr. Paul Rosell, Chief Deputy County Clerk, said, "Raise your right hand."

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“Do you solemnly swear to support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the Office of Sheriff’s Civil Service Board so help you God?”

Mr. Bobby Stout responded, “I do. Unaccustomed to public speaking as I am, I don’t ever miss the opportunity if there is a microphone. Commissioner Hancock, thank you for inviting me to participate. As you know, I’ve been around a lot time, but if the Lord let’s me, in August, I will have been a part both directly and indirectly with the criminal justice system of this community for forty years. I hope I bring some experience to the Civil Service Board that will be of some value. I promise you that I will do my very best to do the best for those people. Again, thank you for your confidence and thank you very much for your unanimous vote. Not very often do I get a unanimous vote for anything.”

Chairman Winters said, “Thank you very much Bobby. We appreciate your willingness to serve and it is good when we have experienced people helping in these very critical positions. Madam Clerk, if you’d call the next item.”

RETIREMENTS

C. RETIREMENTS.

Ms. Mary Anne Nichols, Personnel Director, greeted the Commissioners and said, “It is my privilege this morning on behalf of the Board to present retirement certificates to three employees.

1. PRESENTATION OF RETIREMENT CLOCK TO JACK SPRINGER, SENIOR ENGINEERING TECHNICIAN, BUREAU OF PUBLIC SERVICES.

“The first one is Jack Springer, Senior Engineering Technician with the Bureau of Public Services who will retire April 1, 1997, after 38 ½ years of service. Jack was hired August August 25, 1958, as a Crewman, promoted to Equipment Operator in July of 1967, Engineering Aid in November of 1971, and Senior Engineering Tech January of 1978. I don’t believe Jack is here this morning, but we certainly will be glad to see that he gets his certificate and his clock.

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2. PRESENTATION OF RETIREMENT CLOCK TO FLOYD HOLLOWAY, FIELD SERVICE ATTENDANT, CENTRAL MOTOR POOL.

“Our second retiree is Floyd Holloway. He is a Field Service Attendant with the Central Motor Pool, and will retire on April 1, 1997, after 31 years of service. Floyd was hired on October 11, 1965, as an Automotive Service Man and became a Field Service Attendant in January of 1983. Floyd is a man of few words, but he did tell me that he does really enjoy his employment with Sedgwick County and we want to congratulate him in his retirement. We also have a picture of him when he came.”

Chairman Winters said, “Floyd, congratulations and on behalf of the Board of County Commissioners we would like to give you this clock as a token of the appreciation from the Board of County Commissioners and from the citizens of Sedgwick County for the work that you’ve performed. You’ve had a lot of experience and people with your experience and longevity are certainly valuable to this County. We wish you the best in your retirement. Would you like to say anything? Step right up there to the microphone.”

Mr. Floyd Holloway said, “Well, I’ve enjoyed my time here and made quite a few friends. Thanks.”

3. PRESENTATION OF RETIREMENT CLOCK TO ODILE SANBORN, OFFICE SPECIALIST, BUREAU OF COMPREHENSIVE COMMUNITY CARE.

Ms. Nichols said, “Our next retiree is Odile Sanborn. She is an Office Specialist with COMCARE and will retire April 1, 1997 after 26 ½ years of service. Odile was hired June 16, 1970, as a Clinic Clerk II, became a Senior Office Aid in January of ‘78, and was promoted to Office Assistant in February of 1990. Odile says that she plans to spend time with friends. None of her family lives in Kansas. Odile plans to spend her time traveling, gardening, shopping, and doing volunteer work. Odile has always worked at COMCARE and says that the first twenty years with Sedgwick County were the best and that she will miss some facets of her job. We want to congratulate Odile.”

Chairman Winters said, “Odile, on behalf of the Board of County Commissioners we’d like to give you this clock as a token of our appreciation, the Board’s appreciation and of the citizens and your co-workers for the work that you’ve done in these many years.

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“Thank you and best wishes in your retirement. Thank you Mary Ann. Madam Clerk, if you would call the next item.”

PLANNING DEPARTMENT

D. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).

- 1. CASE NUMBER SCZ-0732 - REQUEST FOR ZONE CHANGE FROM "SF-20" SINGLE FAMILY RESIDENTIAL DISTRICT TO "LC" LIMITED COMMERCIAL DISTRICT; CASE NUMBERDP-226 - BELLE TERRE SOUTH COMMERCIAL COMMUNITY UNIT PLAN, LOCATED AT THE NORTHWEST CORNER OF U.S. HIGHWAY 54 AND 159TH STREET EAST.**

Mr. Marvin Krout, Director, Planning Department, greeted the Commissioners and said, “Notice we put the case with the longest title on first so we could give the Chairman enough time to get back to his seat and catch his breath. Five items on your agenda, four of them are zoning cases.

SLIDE PRESENTATION

“This is a 43 acre tract. It is on the north side of Kellogg on the right hand side is 159th Street, that’s the County line, and it extends over to the half mile line between 143rd and 159th Street. You may remember that just to the north of that, where you see SF-10 and SF-6 zoned, this was about a month ago the County Commission approved zoning from the suburban residential to the urban residential zones, allowing 6,000 and 10,000 square foot lots for an expansion of the Belle Terre single family development.

“The applicant in this case is the same owner planning the overall parcel with the Belle Terre residential and I’ll show you a preliminary plat of that area in just a minute. The request is for light commercial zoning for this 43 acres but overlaid by a CUP, a commercial unity plan, that does put a lot of limitation son the uses and some other restrictions. In terms of the surrounding uses in this area, to the west is an 80 acre tract that has one home, one estate on it, otherwise it is undeveloped. To the north is the area that is undeveloped but will develop into the Belle Terre area.

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“Across the County line to the east, across 159th Street, is the Green Valley planned unit development in the City of Andover, which is developing in the northern portion and will develop for commercial and residential uses closer to Kellogg. Across the street on Kellogg is undeveloped and then over on the Andover side are commercial uses on the south side of Kellogg. This is a rapidly growing area. The Comprehensive Plan basically indicates commercial uses are appropriate along Kellogg, a variety of commercial uses. The key issue is dealing with the access and preserving and managing that right-of-way so that we can obtain options for the future in terms of improvements along Kellogg.

“The development plan has three parcels. Well here is an aerial photograph. The three parcels are divided by two major creeks, Four Mile Creek and Brookhaven Creek. The three development parcels are defined by those floodway areas. The smallest parcel and the parcel closest to 159th Street is proposed for traditional retail commercial uses, strip center and restaurant type uses that would serve the local community. The middle site and the sites to the west are much more restrictive. Typical retail commercial uses are not allowed. What is envisioned are office uses, possibly assisted living, hotel uses and other sorts of medium density uses and not the heavier and more traffic generated commercial uses away from the intersection. The CUP also has special architectural controls, signage and landscaping requirements, which are typical of larger commercial community developments. One of the key issues was access on Kellogg. The Planning Commission deferred after the first hearing, decision until they could look at it a little more carefully. We brought KDOT (Kansas Department of Transportation) staff officials into the picture. KDOT has a larger concern with trying to do better access management and work with local communities on trying to preserve and manage key corridors along the state highways. So we did have meetings with the developers, with the neighbor to the west, who had some concerns and also with KDOT officials and came back to the Planning Commission. In terms of access, we worked out a plan that does a number of things. First of all, it provides a dedication, which I’ll show you in a minute, that provides the potential for a future parallel road that would be parallel to Kellogg, it wouldn’t necessarily be a frontage road and that’s not always necessarily the best solution, but the idea is that there would be a relief road, a parallel road, that would be more or less parallel to Kellogg extending some day from 143rd Street to 159th. This may take twenty years, it may take longer. But the idea is to preserve the future of long range for Kellogg to become improved to freeway standards so you wouldn’t have to rely on any access in between any access at all, but at least access between mile line roads.

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“In the interim though, we have agreed and KDOT officials felt that it would be alright to permit one point of access, where there is one point of access already permitted at the half mile point. There were some questions about whether or not it should be a right turn access only with a closed median or should it allow full access, because if you have a lot of traffic generating uses and you allow for access, you’re probably talking about someday the potential for having a traffic signal there. KDOT felt that as an expressway, not as a freeway, which would be entirely grade separated, but as an expressway, they felt that in general this corridor could be developed with full access points at the half mile. They are not recommending any interim access points at quarter mile spacing, but if you had a system of half mile access points, they would be able to time the signals and have good traffic procession and be able to handle quite heavy traffic volumes, much higher than Kellogg is experiencing today.

“So based on that, we agreed to provide the full access at that half mile line. The developer agreed that if and when there was a continuous parallel road from 143rd to 159th Street, then the access would be dedicated and that half mile line could be closed to access when there was access from both 143rd and 159th Street. Again, that may be many years away. This property owner right now hasn’t any intention of developing, but someday he may. In fact, we think that someday he will, or a future owner will. So we are trying to preserve the options for the future while still trying to maximize the development potential for areas. This is at the edge of the County and if development doesn’t go here, it may be going further east where the County wouldn’t necessarily benefit from that development. The agent for the estate owner also had some concerns about the very edge of this and in response to that, there are a couple of conditions in the CUP that require a masonry wall to be constructed and that in the 300 foot buffer along that edge limit the uses to one story, 35 feet in height, also to no hotel, which would otherwise be a use that is allowed in that parcel. It would be basically limited to lower intensity office type uses that very edge along the western site.

“The staff has recommended in favor of this request. We believe this is consistent with the Comprehensive Plan. This is a good model, we think, for the future, in terms of how to handle commercial development along Kellogg. The developer was very helpful in trying to work out all the little technical details that will make this work for both now and in the future. The Planning Commission had their hearing. The agent representing this property owner did speak in opposition. He said he recognized and appreciated the buffer concerns here. He would still have like for the staff and the Planning Commission to have recommended that immediately there be a closure of that median so that the uses would be restricted to right turn only.

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“That would put some real limitations on how this development might be able to develop and we felt, based on KDOT’s advice, that they could handle, with half mile spacing, an expressway system. We felt that it wasn’t necessary and so the Planning Commission did not make that a part of the recommendations nor did staff. The Planning Commission, by the way, recommended approval by a ten to one vote. There was one descender. He expressed the concern about the access control and also expressed concern about the fact that we had two major creeks which put a lot of this land in the flood plain area and so some of that fringe will be reclaimed by filling, which is normal developmental practice in Sedgwick County.

“We’re standing at Kellogg at the half mile line and looking at a road and an abandoned house I think that is located just to the north of Kellogg in that area. There you can see the house again looking north across the site from Kellogg frontage. Now we’re looking north down the Kellogg frontage to the east. Again, to the north and the east from Kellogg. To the north again and again to the east. This is looking from 159th Street from the County road to the south in the background is Kellogg and you can see in the left hand side the mobile home sales that is on the south side of Kellogg in Butler County and the unimproved will be future commercial and residential development. That is part of the Green Valley plan development. Now we’re looking at it from the opposite direction. Looking north up 159th and towards Butler County to the east of that Green Valley development.

“Here is the preliminary plan and you can see that the residential development will have this collector road providing access to 159th Street. These are the three parcels that are in the Community Unit Plan. This is the buffer area along the west side. The reserve areas that divide these parcels and what you’ll see in the Community Unit Plan which you have, which is an abstraction for the parcels is first of all the potential for the continuous service road that would continue to 143rd Street. It does not have to be a frontage road. In fact, it would be more expensive probably to come down here and here and build additional bridges at those locations for frontage roads. This developer will be building this bridge as part of the overall development that goes up to the residential. He will not be building this bridge and that is why this full access is important to this parcel. He is dedicating the full right-of-way and will build everything except for that bridge so that as part of a public improvement project someday it may be a public agency that decides that the bridge and that continuity is important to the overall improvement of the Kellogg corridor and would do it at that time. Also, there will be contingent dedication here, in case we need to do any widening at a future interchange.

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“There is a little triangle contingent dedication at this road instead of T-ing into this road has an option of flowing continuously with this collector T-ing into that and the applicant also agreed to very deep setbacks along Kellogg in case there needs to be future improvements for freeway down the road. Very cooperative. I think it is a good scheme and a good model. I am sure that you will see other developments along Kellogg and we hope they will end up looking like this. I’ll try to answer any questions that you have. There were no protest petitions that were filed so it takes a majority vote of the Commissioners.”

Chairman Winters said, “Thank you Marvin. I would like to pause just for a second here. We have been privileged to have some other participants in our meeting arrive. We have five Boy Scouts and their leader from Troop 709, Westlink Christian Church. They are working on their merit badges and we appreciate having you here. Please stay as long as you would like. As you can tell, we are in the Planning Department process of our agenda where people have come to request a change so that they can do something else on their property that they are not, at the current time, allowed to do. That’s what we are discussing. Commissioners, are there any questions of Marvin? Seeing none, is there anyone here who would like to speak either for or in opposition to this case? Please come forward. Please give your name and address for the records.”

Mr. Gary Wiley, P.E., Professional Engineering Consultants greeted the Commissioners and said, “Here on behalf of the applicant. I would just like to echo Marvin’s comments. This CUP that you see before you today represents the results of meetings with County Engineering, City Engineering, KDOT, MAPD, and the representative of the owner to the west. Be happy to answer any questions that you might have regarding this.”

Chairman Winters said, “I see no questions Mr. Wiley, but we appreciate your being here. It is always good to have the applicant or representative here, so thanks for being here. Commissioners, you’ve heard the presentation, is there other questions or discussion? If not, what’s the will of the Board?”

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MOTION

Commissioner Gwin moved to adopt the findings of fact of the Metropolitan Area Planning Commission (MAPC) and approve the zone change and CUP subject to the condition of platting; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

- 2. CASE NUMBER SCZ-0734 - ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "LI" LIMITED INDUSTRIAL, LOCATED AT THE SOUTHWEST CORNER OF 29TH STREET NORTH AND GREENWICH ROAD.**

SLIDE PRESENTATION

Mr. Krout said, "This is just about a quarter section of land. It is in an area where there has been a lot of zoning activity and the County has seen it. This is on K-96 and Greenwich Road and this used to be 29th Street and since then the portion vacated from Greenwich because this is all Jabara Airport property. The northern portion is zoned Industrial, but it is all owned by Jabara and part of the airport property. This quarter section is currently zoned SF-20, which is a Suburban Residential zoning area. The owner is now requesting to rezone this property to the Limited Industrial category."

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“This is the same property owner who was recently approved by the County Commission for 80 acres of zoning for Limited Industrial and Light Commercial uses subject to a number of restrictions on that property, probably about six months ago maybe. The applicant feels that there is a strong market in the future along K-96 corridor for office warehouse, office showroom, similar kinds of light industrial uses and so the plan is for an industrial park basically in this area. They do feel along the K-96 frontage that there is some opportunity for more commercial type uses for hotels. They see the possibility of medical service or other uses. There is another medical complex nearby, in fact it is right on the other side of K-96 that is developing right now. So that when we originally suggested a new industrial park district, because they said they were developing an industrial park, they brought to our attention that it would not permit some of the flexibility in terms of uses that they saw along that K-96 frontage and maybe along a portion of Greenwich frontage. So we agreed mutually to leave it zoned Limited Industrial but put some restrictions on in terms of site standards in terms of setbacks, signage and those sorts of things and those were acceptable to the applicant. Those are part of not a community unit plan in this case, but a protective overlay district and all the restrictions of the protective overlay district is recommended by the Planning Commission in your staff report.

“In terms of surrounding uses, I’ve talked about Jabara Airport. To the north is undeveloped. The east is undeveloped. You have K-96 on the south just below that. I mentioned the industrial that was approved for zoning and that across K-96, we have in the planning process, a single family development on another eighty acres. Then right at this location is the corner of Tallgrass East, an established single family development. We did have two homeowners from the Tallgrass East area who were part of the notification area who did come in and speak with concerns about the development of this tract. Their general concern I think is that they always imagined the area would stay residential and they see themselves now with large areas of non-residential uses and non-residential zoning that they feel is surrounding them. They expressed some concerns about drainage but we think this will be taken care of as part of the platting process. They were looking for more specificity in terms of the plan that was provided by the developer than they did provide.

“They did give you, and you may have it in your staff report, a preliminary plat that shows the layout of the streets and the proposed lots in the area. Not all this is proposed industrial park but the northern 30 or 40 acres in the west corner, you may have heard, is being proposed for dedication as a soccer complex to the City of Wichita’s Park Board. I don’t think that dedication has been completed but that is the intent and design plans are under way to develop that soccer complex already.

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“The staff did recommend approval subject to the restrictions that are in the protective overlay. The list that you have in front of you, all of which were acceptable to the applicant. They also do deal with landscaping, use limitations, and signage and other concerns. The Planning Commission voted by a seven to four vote to recommend approval subject to those restrictions and also subject to platting. This tract is in the middle of the platting process right now. When we asked the Planning Commissioners who voted no to describe their reasons, one of them felt that there was already enough industrial land that was zoned in this area. Another was looking for more detail in the plan. Another was concerned that this site had limited access because Jabara prevented access from 29th Street being carried across. So the access was limited from the east. There were concerns expressed about the park and flood plain issues. The Planning Commission has recommended by seven to four to recommend approval. There were no protest petitions filed after the Planning Commission hearing. I’ll go through the slides quickly although I don’t think there is a whole lot for you to see.”

Chairman Winters said, “Marvin, could you point out Jabara Airport? Is that the end of the runway?”

Mr. Krout said, “This is the end of the runway here. There are possible plans to create a second parallel runway that may or may not happen, but this is definitely in an area that is noise affected and so we felt that was one of the other reasons for recommending approval was that it was adjacent to the airport and subject to the noise that the runway and the airplanes cause.”

Commissioner Gwin said, “Limited density, did that have anything to do with it?”

Mr. Krout said, “Limited density?”

Commissioner Gwin said, “Being close to the airport or was there any discussion of this is better used for something other than housing?”

Mr. Krout said, “Well, yes. I think that the noise and the adjacency to the airport were a concern. Also, the airport provides a good buffer and recreational uses provide a good buffer for industrial uses as opposed to abutting the industrial uses right up to the residential development. So it does seem like a good location for an industrial park.”

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“The Comprehensive Plan says, and most comprehensive plans say that the first thing you do is reserve enough land in the community for industrial uses because those are the generators of all the other activity that goes on in the community. So we never have too much concern about having too much industrial land that is zoned and available for users. You can see here that the area surrounding is undeveloped. This is the area that is approved for Commercial and Limited Industrial zoning. This is the area that will develop for single family. This is the Tallgrass East area. This is the developing medical service complex. On the other side of Greenwich, we have 20 acres which has been proposed for a multi-screen theater and then surrounding it is a funeral home proposed and cemetery. So that is the pattern of uses that are in the area today and proposed.

“We’re looking from K-96 up where the ramp is and by the way, this area right in here is being reserved for the second half of a ramp. There will be new access at K-96 and Greenwich and this is land that we’re talking about now. Obviously, it has been farmed in the past. We’re looking now to the north and east from the K-96 frontage at that land. This is looking south down Greenwich Road and in the background is the bridge at K-96 and K-96 in the background there. Beyond that are the homes of Tallgrass East. This is a similar slide looking across the site and then beyond K-96 is Tallgrass East. You can see maybe the hangers at Jabara Airport and some of the industrial uses behind them of the industrial park that is on the other side of Webb Road a mile away. We’re looking now up Greenwich Road and to the west, the site. This is looking south on Greenwich and this is the former right-of-way of 29th Street, which will be preserved as a road to provide access to the soccer complex as it is proposed. So this is the intersection of 29th and Greenwich. Now we’re looking south and east at the tract across Greenwich, which is undeveloped. Back to the aerial photograph and zoning map. I’ll try to answer any questions you have.”

Chairman Winters said, “Thank you. Commissioners, are there any questions of Marvin? Seeing none, is there anyone here in the audience today who would like to address the Board of County Commissioners on this item? Is there anyone here today who would like to address the Board of County Commissioners on our Planning Department Item D-2? Seeing no one, we’ll restrict comment to Commission and staff. Commissioners, any other questions or discussion? If not, what’s the will of the Board?”

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MOTION

Commissioner Gwin moved to adopt the findings of fact of the MAPC and approve the zone change subject to the additional provisions of a Protective Overlay (P-O) district and subject to platting within one year; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until all conditions have met compliance.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

- 3. CASE NUMBER SCZ-0735 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED NORTH OF 61ST STREET NORTH AND EAST OF 247TH STREET WEST.**

SLIDE PRESENTATION

Mr. Krout said, "The area that the arrow is pointed to is six tenths of an acre. It is just north of the intersection of 61st Street North and 247th Street West. It is abutting the current limits of Andale. Andale extends on the south side of 61st Street and includes a part of that right-of-way and then extends up along the east side of 247th Street frontage and in fact, we understand that Andale is expected to annex this property shortly. They did file to obtain their zoning through the County. The tract is now zoned Rural Residential. It has a non-conforming duplex building on the site now."

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“The applicant is requesting Light Commercial Zoning. You can see there is already Light Commercial zoning at the corner and they are asking to expand Light Commercial zoning. The intent of the applicant is to construct a new bank building for Andale residents at this location. There are residential properties across 247th Street. Probably the aerial photograph will show you a little bit better. Here is downtown Andale. Here is residential use. There are commercial uses, I think a car wash and another commercial use at this corner. There is a trucking business and a residence to the south.. There is a residence to the north of this tract. There is a lodge building and the City of Andale’s water tower over further east along the road. So there is a mix of uses in this area. It does seem like an excellent location for a bank at the edge of Andale’s city. Currently, you can see now, the existing duplex. This is the site on the east side of the street from this point to this point. You can see the tower in the background. There is a home, the trucking business to the south and there again, you are looking across the south part of the lot and the lodge house there and the tower to the east.

“Now we’re looking from the corner of the tract across 61st Street to the south and west and these are the commercial uses on that northwest corner of the intersection. Then straight across 61st Street you see the commercial uses and the beginning of residential development in Andale. This is the house looking east, just to the north, this is the fence line that is just to the north of where the proposed bank building here, and this home here. Now we’re looking at the other side of 61st Street at the residential development on the west side in Andale. Looking again up the road to the north, north of Andale. These were the homes that we were looking at earlier. Again, there is the site. The residential development, the commercial corners, aerial photograph, and the zoning map. The case is obviously in Andale’s zoning area of influence. Their Planning Commission had a hearing. No opposition. They voted unanimously to recommend approval as did the Planning Commission with no opposition. No protest petitions have been filed on this case. If you have any questions, I’ll try to answer them.”

Chairman Winters said, “Thank you. I see no questions at this time Marvin. Is there anyone here in the audience who would like to address the Commission on this planning case, D-3? Anyone like to speak to the Commission about this case? Seeing no one, we’ll reserve comment to Commission and staff. Commissioners, are there other questions? If not, what’s the will of the Board?”

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MOTION

Chairman Winters moved to adopt the findings of fact of the MAPC and approve the zone change subject to the condition of platting; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

- 4. CASE NUMBER SCZ-0736 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "LC" LIMITED COMMERCIAL ON PROPERTY LOCATED NORTH OF 79TH STREET SOUTH AND WEST OF HYDRAULIC.**

SLIDE PRESENTATION

Mr. Krout said, "This case is a request by the owner of a tract of land which is a little bit over 2½ acres in size. It is at the northwest corner of 79th Street and Hydraulic. The land includes the majority of this red area except the end of this panhandle and the request, in other words there is a square that is this size, it is 2½ acres, which is the ownership, of which about 80% is zoned and so this half acre is being requested for zoning to square up the ownership.

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“Basically what happened, in 1982, this L shaped area was zoned. There is a shed building on the back here and that is apparently why it was part of the zoning but then that panhandle and that portion of the site was sold to another owner and there is a house and a separate owner on this tract. That leaves this property, which has about two acres of commercial wrapping around a half acre of residential and this tract, under the current Rural Residential standards of zoning ordinances is not large enough and probably not suitable for a residential dwelling. So it seemed to make sense to square up this property and to contain the Light Commercial within the square area and the ownership. That is the request, to add the .42 acres at this southwest portion of the ownership to the two acres that is already zoned Light Commercial at the corner. It makes sense to the staff and we recommend approval subject to platting. In terms of the surrounding uses, I told you about the house here to the west and then beyond that there is a non-conforming use, an auction sales use that has existed for some time. The area to the north is developing a new subdivision with one acre lots. The area to the east basically, and to the south is primarily undeveloped. There are suburban residences that are scattered in this area.

“This is in Haysville’s zoning area of influence and so the Haysville Planning Commission reviewed this case first. They had a public hearing. There were a couple of speakers who were there at the meeting and you have their minutes. The concerns that they expressed, probably they had no idea that there were two acres zoned at the corner for commercial use, which can develop regardless of whether this additional half acre is going to develop or not. They expressed concerns about traffic and about possibility for ground water to be contaminated from some commercial uses that might occur at this site. Basically, that land has already been platted and is approved for Light Commercial as it exists today. The Haysville Planning Commission voted by six to one to recommend approval of this request. The Planning Commission had their public hearing following. There was no opposition at the Planning Commission hearing and the Planning Commission vote was eight to zero to recommend approval subject to platting.

“This is the ownership in that L that is already zoned Light Commercial and then this is the portion to be squared off. This is the area including the end of the panhandle that was sold off to another owner. This is the auction sales use that I spoke about earlier. You see scattered suburban residential development and newer development up to the north. We’re now looking at the intersection looking north and west. This is the site that we’re talking about, most of which is already zoned Light Commercial so we are talking about a piece that is right along this edge. The plat that shows this better.

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“Again, this is the intersection. Agricultural to the east. The newer subdivision to the north. Looking at the northeast corner of the intersection. This is looking at the southeast corner, undeveloped. Looking at the southwest corner. The corner is undeveloped and there are homes to the south and west. This is the ownership then that we’re talking about. This is the area that is being requested for Light Commercial. This right-of-way here would be dedicated and set back, extended as part of the replat of this area. Back to the aerial photograph and the zoning map. There were no protest petitions and so a majority of the County Commissioners is required to approve this case.”

Chairman Winters said, “Thank you very much. Are there questions of Marvin? I see none. Is there anyone here in the audience today who would like to address the Board of County Commissioners on our item D-4? Is there anyone in attendance today who would like to address the Board of County Commissioners on this item? Seeing no one, we’ll limit discussion to staff and Commission. Commissioners, you’ve heard the report, do you have other questions or comments? If not, what’s the will of the Board?”

MOTION

Commissioner Gwin moved to adopt the findings of fact of the MAPC and approve the zone change subject to the condition of platting; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until the plat has been recorded with the Register of Deeds.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

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

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5. UNIFIED WORK PROGRAM (UWP) FOR FISCAL YEAR 1998.

Mr. Krout said, "The next item is the Unified Work Program. As you know, the Transportation Planning Division of the Planning Department receives annual grant funds from the Transportation Department, Highway Department, and the Transit Administration, that are specified for transportation planning work. We've prepared a grant proposal for the fiscal year 1998, which is the year that begins in July of this year according to the federal government. It totals \$371,000, which is 80% of the total program costs for transportation planning. In order to receive these funds, we need to prepare an annual work program and submit that to the federal government for approval. That goes through a number of local boards. This one has gone through the Planning Commission and has been approved through the Transportation Coordinating Committee, which is the executive committee of the Planning Commission that includes representatives of the city, council, MTA, and KDOT. Yesterday, the City Council approved the Unified Work Program. In addition to all the usual mandates for transportation planning that are required to maintain the City and County's eligibility for federal construction funds through transportation planning, there are some special focus areas that we expect to be working on next year. One of them obviously is the issue of railroads in the community and we'll be continuing to try to play a coordinating role between the City and County and the engineers, the railroad, the surface transportation board, the attorney in D.C. and all of the other players that are a part of that party and trying to deal with both the technical and the policy issues.

"There are a couple of important freeway type studies that we will be involved in. One is a study that is contracted to consultants by KDOT, the northwest bypass study, this is a proposed looking at the possibility and alignment for a new portion of a circumferential that would basically extend from K-96 in the Maize area to Kellogg in the Goddard area, looking at if and when and where that sort of ought to happen. The northwest edge of the City of Wichita is where two thirds of the City's building permits are coming from, growing at a faster rate than we expected six or eight years ago and so I think the feeling is that we need to get ahead of the curve here and try to think long range about that area. In addition to that, the Water Department is looking at sewer needs in that area, because we know that we are running out of capacity rapidly to serve urban scale development in that northwest sector. So those studies will happen concurrently and hopefully that means that they will be coordinated.

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“The city has contracted to do design studies for both east and west Kellogg and the Planning Department will be involved in those design studies. There is also a study that City and County Engineering will both be involved in as well as the Planning Department. Another KDOT consultant contract will look at what is called an intelligent transportation system, which is looking at the leading edge of technology and where and how we can use telecommunications and other types of new technology to be able to help solve transportation problems in a more cost effective way.

“We’re also beginning to prepare for the year 2000 census. We need to do some preparation for the Bureau of Census in order to get that worked on. We’re also at the beginning stage of what we would call a major update to the Comprehensive Plan. That means that we are contracting with Wichita State to do some population and employment projections. We’re going to look past the year 2020, which was the time horizon of the last Comprehensive Plan and look further out into the future than that. In fact, we have to jump ahead of that plan by trying to do some population, employment, and land use projections for this northwest growth area in order to help the consultants figure out what demand is going to be out there in the long range future. So we do have a lot on our plate but that will be part of the transportation planning program. Try to answer any questions you have about the program.”

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

Commissioner Schroeder said, “Marvin, a couple of years ago you and I discussed the possibility of building a route around southeast Wichita and the discussion, I think if I recall correctly was, there is a possibility of either building a new route that would tie into the interstate and into Kellogg or to assume responsibility of KTA’s route in that area and let them go around the City of Wichita and build a new turnpike. Now where are we at with that process?”

Mr. Krout said, “Well, it was discussed in the transportation plan. It was difficult to come up with numbers that would justify the construction of a new . . . it was difficult for KDOT to justify building a new road system around the suburban southeast edge of the community. It was difficult for the City Public Works Department to think about accepting the maintenance responsibility of all the roadway and bridges of the KTA as it exists today, so that didn’t become a high priority. Instead, what we focused on was a shorter term look was to get KTA hopefully interested in making the KTA more accessible for local traffic by building an interchange at the Cessna Pawnee and Woodlawn area.

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“A study was undertaken and the results of that were that KDOT agreed that it would provide a lot of good local access but it didn’t generate enough new revenues from through traffic for them to be able to justify a pay back that would pay back for a typical manual station. They said that they might be able to justify building an automatic station where it would just be for K-tag cars or have exact change, or maybe it could provide change. They couldn’t provide enough justification at this point to look at this as a project that would payback the fully manned typical station at that area. I think we will continue to look at that and explore that issue with them in the future though.”

Commissioner Schroeder said, “I would sure hope so because the southeast quadrant is the only one that doesn’t have a toll free freeway running through it like the other three quadrants do and I’d sure like to see us start something before it becomes a problem and then try to work around the residential areas and work around the noise factors and those kinds of issues. If it is going to grow, I think it is going to need the potential to help it grow and those kinds of things obviously help a community grow by having good traffic flow. I know there are a lot of bottle necks down there where you described at Pawnee and Woodlawn. Those roads are becoming extremely busy. Webb Road is very busy. There is limited access onto Kellogg now because of the closing of 127th and 143rd is virtually impossible to get out on until we get the lights up. It is becoming a problem and I’m just hoping that you folks will take the time to look at that again to see what the future may hold for that. I have had a lot of questions over the years that I’ve been here. People have asked why the Turnpike can’t allow those local residents and do something to allow them easier access to that portion of roadway. If that can be worked, it would obviously be a help. I don’t know, they are revenue generators. They live and die by the kind of revenues they generate on their toll roads. I would like us to keep looking at that.”

Mr. Krout said, “We will certainly revisit that issue.”

Commissioner Schroeder said, “Thank you Marvin.”

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

Commissioner Hancock said, “Thank you Mr. Chairman. Marvin, crossing the Wichita/Valley Center Floodway, starting at MacArthur and then going north to Kellogg, Maple, Central and Zoo, as far as I know those are facing the west side of Wichita, those are the only crossings across the floodway. Of those five, three of them are in my district.

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“I have heard some concerns in the past, but not nearly as much of course as further north near Zoo and Central, the traffic crossing the floodway. I think it is reprehensible that we don't have more bridges across there and it is ridiculous that we can't get from west to east. Talk about train problems, we have a big ditch problem. Is there anything in your planning? Are you going to do any studies to change not only the configuration of some of this, Zoo and Central, but add some more crossings across there?”

Mr. Krout said, “Well, as the Commissioners know, there was a study that was completed a little over a year ago that looked at alternatives for adding crossings across the big ditch in the northern area. We looked at 13th Street, we looked at improving Zoo Boulevard, we looked at a 21st Street crossing and we looked at a crossing that would take off at the 25th Street interchange of I-235, go across the floodway and connect to 29th Street. The staff and the consultant recommended 13th Street crossing as being the most cost effective and would provide the most benefit in terms of drawing the most traffic. The most cost effective of the alternatives. The Sedgwick County and the City Council did not reach a consensus as that as an alternative or any of the other alternatives. What is happening now is that the City of Wichita has contracted with an engineering consultant to look at the 25th Street West to 29th Street connection. I think that is being taken more and more seriously because we are seeing the boundaries, as I described the northwest growth and how it has expanded much faster than we thought and we're about out of sewer capacity in that northern area. The City of Wichita has now annexed property and doing subdivisions as far north and west as 29th and Tyler. So the idea of 29th Street becoming a real arterial and having a connection to 235, I think is something that looks like it would be real worthwhile to do. So the City is seriously looking at that. In our modeling, we saw that it would have some limited benefit on Zoo Boulevard, but really didn't help the traffic on Zoo Boulevard and Central as much as a 13th Street crossing would do. It would provide some benefit if it was built on 13th Street.

“The city is also working with the OmniTrax, the local railroad that has the railroad along Zoo Boulevard. They have control of that right-of-way and are trying to see if they can make some improvements to get an additional lane in each direction underneath the 235 overpass, to be able to get some more capacity at the 235 and Zoo Boulevard interchange, which is one of the bottlenecks. The city is also designing improvements on Central, both east and west of the bridge that is over the big ditch, to look at expanding to five and six lanes. Someone needs to look at the bridge itself somewhere in the future if that's going to be a real solution. But that's where we are. The city is exploring some alternatives but not the 13th Street alternative at this point.”

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Commissioner Hancock said, "In your estimate, how far away are we from providing some relief? I mean anybody who has ever taken the time to drive at five o'clock on Zoo Boulevard to try to get home. This isn't hard to figure out. This is pretty easy. Or even trying to get to work at eight o'clock in the morning. It is pretty simple. I've made the trip after work a number of times to the 4-H facility. I go south to Kellogg and go west that way because I'll never make my meeting at 5:30 if I stall here, it's impossible."

Mr. Krout said, "Right. That's why Kellogg, if you look at the recent traffic counts on Kellogg, they are very high. I think that is because a lot of people are diverting to Kellogg to try to avoid the traffic at some point too. The problem with Zoo is that even though it looks like a simple improvement, it involves working with the railroads and that sometimes takes a long time. I think there will be some limited benefit when that does happen. The 25th Street and 29th Street connection is a long term solution. There is no money in the City's Capital Improvement Program that has been designated for that improvement. I think that might be the sort of project that might be a part of some future state wide highway program because it is an interstate related project."

Commissioner Hancock said, "So are we talking about ten years?"

Mr. Krout said, "Well, the discussion about the next state highway program, if there is funding to do some major improvements like that, is probably not for at least four to five years."

Commissioner Hancock said, "Remind me, if we had decided on 13th Street, of course from our end of it, we were ready to go, but how long would it have taken to finish that project?"

Mr. Krout said, "I think we could have designed it and built it in three to four years."

Commissioner Hancock said, "Okay, thank you Marvin. Appreciate it."

Commissioner Schroeder said, "Commissioner Hancock, can I follow up on that? I drive that quite a bit, my parents live in that area and I grew up in that area and have a lot of friends that live in that area. Would it make sense to go north and built a roadway or something that really isn't developed yet or would it make sense to go south and reconstruct a bridge."

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“When you have a traffic problem to begin with, it would add to the nightmare that those people experience, or would it make more sense to go ahead and force the paving of 13th and open that up over the big ditch and then do those others, so that you bring some relief to the area? I guess what I’m leading up to, is there any way that the County or the citizens of that area can petition or force the opening of 13th Street across the big ditch? Maybe that is a legal question Mr. Counselor. I think Commissioner Hancock used the term reprehensible that that still exists over there. It is not my district, but I drive it a lot. I hear the complaints from the people who use it. It makes absolutely no sense to start looking at north and south when it is directly west where the problem is. Those people will experience that for the rest of their lives. They’re not going to drive clear up to 29th Street North or down to Central if their easiest way to get from point A to point B is down Zoo Boulevard or to come across 13th. That area is growing so rapidly. My family and I had a chance to go out there last weekend and looked at the development down 21st and in those areas, it is just unbelievable. Traffic is all routed around Zoo Boulevard. Our County Engineer drives that route everyday and he says it just takes forever to get from that stretch of about Ridge Road to 13th Street, down 13th or on down Zoo Boulevard so you can take Central on into the downtown area. I think somebody across the street at the City doesn’t understand how bad it is and probably doesn’t drive those drive time hours at eight o’clock or five o’clock and if they would do that, I think they would see the severity of the problem. If you want to stagnate growth or cause people to move to other areas, that’s one thing that can do it. Back to my original question, can the public and/or a body such as ours force that kind of a project to be done? Does anybody have . . .”

Mr. Krout said, “Well, I think there are some, and then Rich could respond too. I think there are some legal problems because where the overpass would land on the east side of the ditch would be in the City of Wichita, on city controlled right-of-way, so this does require the City of Wichita’s cooperation to build that overpass. From a political standpoint, those of you who may have attended public hearings, know that even though there seems to be a lot of interest from people who live west of the big ditch in accomplishing something like a 13th Street overpass, at the public hearing process, almost exclusively people who came out were the people who lived in the neighborhood of 13th Street. When we were looking at 21st Street, the people who lived in the neighborhood of 21st Street, who felt like their property and their property values were going to be impacted by an overpass. So if there was at the time or if there will be in the future this groundswell of petitions and call for an improvement like that, then I think maybe the City Council may look at that issue again. Until that happens, from a practical standpoint, I don’t see anything happening.”

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Commissioner Schroeder said, "Well maybe in a couple of years that could change with changes on the Council. I hate to see us get to that point to where it becomes a serious problem and then it becomes a calamity to try to get it down and on a fast track so it costs more to do it that way. I don't know what else you do. I think you've got thirty residents that live down that street. I think in the long run for the community as a whole on the west side, you had better buy them out and help them relocate somewhere else, as opposed to making 25,000 to 50,000 people suffer because thirty residents don't want their street widened. I just don't get it. I think it is time that somebody takes this by the tail and deals with it. That's why I was asking, that maybe the groundswell of support or maybe somehow we could force that to be done."

Mr. Krout said, "Rich, did you have anything you wanted to add?"

Mr. Euson said, "Well, you could create a benefit district under our new Charter 52, and with the City's consent, go into the City and draw that benefit district as large as you need to do it in order to encompass the number of people necessary to pay for the improvement."

Commissioner Schroeder said, "Well, I just think there might be some options out there to think about. It's a problem and I apologize, this isn't my district but I know it is a problem and there are a lot of people affected by it. I just wanted to put in my two cents worth on it because I think it needs to be addressed. I don't see any reason to go up 25th Street North at this point when the problem is much further south. I don't see people driving all that way around to get to work. I guess though if you don't drive at eight o'clock or five o'clock you don't understand the severity of it. Thank you."

Chairman Winters said, "Thank you. Anyone else have any questions or comments concerning the Unified Work Program for Fiscal Year 1998? Seeing none, do we hear a Motion to approve the plan?"

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MOTION

Commissioner Schroeder moved to approve the Fiscal Year 1998 (July 1, 1997 to June 30, 1998) UWP and adopt the Resolution authorizing the Director of the MAPD to submit applications, negotiate agreements and execute contracts in support of the UWP.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you Marvin for being here. Commissioners, Manager Buchanan has asked that we take an off agenda item concerning drop off recycling box funding."

MOTION

Chairman Winters moved to take an off agenda item.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Thank you. Mr. Buchanan."

Mr. William Buchanan, County Manager, greeted the Commissioners and said, "As I reported to you yesterday, we are prepared to work out an agreement to continue the recycling drop off boxes that are mostly located at Dillons. There are eighteen sites throughout the County, but they are mostly at Dillons. I think we need for you, so I can send a letter to BFI, to tell them to continue, authorization to do so, so we can proceed with this process. I have been in contact with a number of folks, a couple of folks from industry, who appear to be willing to help us with this situation and I will be announcing that list probably within a week or ten days, but certainly within a month."

Chairman Winters said, "All right, thank you. Commissioner Gwin has a question."

Commissioner Schroeder said, "What's the proposal?"

Mr. Buchanan said, "The proposal is to enter into an agreement for one month with BFI."

Commissioner Schroeder said, "Thank you. Sorry."

Chairman Winters said, "All right. Commissioner Gwin."

Commissioner Gwin said, "Does this have to do with just the boxes located in Sedgwick County?"

Mr. Buchanan said, "Yes."

Commissioner Gwin said, "Okay, thank you."

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MOTION

Commissioner Schroeder moved to approve the proposal.

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Thank you very much. We appreciate your work on this issue. Commissioner Schroeder."

Commissioner Schroeder said, "One other comment Mr. Manager is that I understand that you are working with private industry, the private sector to come up with some people that will contribute to this process. I just want to make it known that County government, City government, cannot become a stop gap measurement for everything that doesn't get done in this community and I hope that these people will step forward and assist because it is too easy to ask government to do it all and as you well know, I know you know, that we're being so much pressured in our budget this year with the cost of the jail, et cetera, every little bit makes a difference. I think it is up to this community and the private sector and government leaders to get together and come up with a good solution to the recycling program. I hope that is what you can obtain in the next couple of weeks."

Chairman Winters said, "Just to follow up. I think this is an area where we can get some public/private support together. I would anticipate by the time we have our solid waste plan for the long term finalized by September 3, there is going to be a provision in there as to how this system is going to work. We're going from a system that is volume based to one that is going to try to handle as minimum amount of solid waste as possible and drop off boxes and other forms of recycling are going to be an important part of it."

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“Somehow we are going to have to figure out how this is going to be financed and I think it can be financed in ways of either fees, on tipping fees, fees on trash bills, some way. Then too, we can keep exploring ways of how to enhance recycling to make it pay for itself. Right now we are in a period of time where that is not happening. But that will again be one of the things that the solid waste committee continues to work on. So I personally see these drop off boxes and other forms of recycling are going to be important for us for a long time to come. All right, any other questions or comments about this? We understand what we’ve done today? Thank you Mr. Manager, I appreciate your work on that. Madam Clerk, we’ll go back to the regular agenda item. Please call the next item.”

NEW BUSINESS

E. BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE).

- 1. CONTRACT WITH BREAKTHROUGH CLUB OF SEDGWICK COUNTY TO PROVIDE A TRANSITIONAL EMPLOYMENT POSITION OFFERING EXPERIENCE IN AREAS BREAKTHROUGH CLUB MEMBERS CAN USE TO OBTAIN PERMANENT, COMPETITIVE EMPLOYMENT.**

Ms. Deborah Donaldson, Director, COMCARE, greeted the Commissioners and said, “This particular contract with an ongoing affiliate of ours, and you will be looking at the affiliation in the next item. They really focus on the vocational area and then provide other supports and services. The vocational area is one that we are very interested in at this point and really trying to stress in terms of improving our numbers with individuals who are very seriously mentally ill. We found that 80% really do want to have some type of employment situation. I would be glad to answer any questions.”

Chairman Winters said, “Thank you. Commissioners, are there any questions or comments? If not, what’s the will of the Board?”

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MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

2. AFFILIATION AGREEMENT WITH BREAKTHROUGH CLUB OF SEDGWICK COUNTY TO PROVIDE COMMUNITY SUPPORT SERVICES TO PERSONS WITH SEVERE AND PERSISTENT MENTAL ILLNESS.

Ms. Donaldson said, "Commissioners, this is just a renewal of our ongoing affiliation with the Breakthrough Club. I believe they have done a very excellent job over the last several years in terms of providing many services for the population that we serve, which is our targeted population and those that probably are most at risk for state hospitalization. I'll be glad to answer any questions."

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MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

- 3. APPLICATION FOR 1998 FUNDING TO BE SUBMITTED TO THE WICHITA/SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD (ADAAB) TO FUND THE COMCARE ADDICTION TREATMENT SERVICES PROGRAM IN THE AMOUNT OF \$95,462.93.**

Ms. Donaldson said, "Commissioners, this is just our yearly proposal that goes to the ADAAB Board requesting funding for our programs. I'd be glad to answer any questions."

MOTION

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

Commissioner Schroeder seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Next item."

- 4. APPLICATION FOR 1998 FUNDING TO BE SUBMITTED TO THE WICHITA/SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD TO FUND THE WOMEN'S ALCOHOL TREATMENT PROGRAM IN THE AMOUNT OF \$58,296.90.**

Ms. Donaldson said, "Commissioners, this is basically the same type of proposal that we had on the previous item only this one focuses on our Women's Alcohol Treatment Program, which is a program that focuses primarily on the needs of women who have some type of addiction problem. I'd be glad to answer any questions."

MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

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Chairman Winters said, "Next item."

5. COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION POLICIES AND PROCEDURES.

Ms. Donaldson said, "Commissioners, we are asking your approval of the Community Developmental Disability Organization Policies and Procedures. These have gone through the community board that has been established, which is made up of 51% consumers and families and also the advisory board. We recommend your approval."

Chairman Winters said, "Was there discussion at the community level board or advisory board that we should be made aware of? Everything seemed to be in order to them?"

Ms. Donaldson said, "I believe everything was in order and any discussion or changes or modifications were made through that process. I don't know of any concerns or issues. They are coming here as a recommendation for your approval."

Chairman Winters said, "Okay, very good. Thank you. Commissioners, what's the will of the Board on this issue?"

MOTION

Commissioner Schroeder moved to approve the Policies and Procedures.

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

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F. URBAN LAKE DEVELOPMENT GRANT AGREEMENT WITH KANSAS DEPARTMENT OF WILDLIFE AND PARKS TO PROVIDE FUNDING FOR STREAM FISH HABITAT IMPROVEMENT STRUCTURES AT SEDGWICK COUNTY PARK.

Mr. Marty Hughes, Grants Manager, Bureau of Finance, greeted the Commissioners and said, "Last October, the Kansas Department of Wildlife and Parks began stocking the Big Slough with trout for fly fishing. Most recently, Ken McClusky, the Wildlife and Parks fish biologist suggested that we install some check dams in the Big Slough. This would improve the fish habitat at the park. While these check dam structures would improve the conditions for the trout, by providing deeper areas for the fish, it will not impede the flow of the Big Slough through the park. This grant agreement is for a total of \$12,000, for which the Kansas Department of Wildlife and Parks will provide \$9,000 to cover the costs of materials and the County will provide \$3,000 worth of labor to install the materials and make the check dams in the Big Slough. I recommend you approve the Agreement. Be glad to answer any questions you might have."

Chairman Winters said, "Thank you. Are there questions of Marty on this issue?"

MOTION

Commissioner Hancock moved to approve the Grant Agreement and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Mr. Hughes said, "Thank you."

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

G. MODIFICATION TO THE AGREEMENT WITH ALLIED ENVIRONMENTAL CONSULTANTS (AEC) IN THE AMOUNT OF \$20,650 FOR COSTS ASSOCIATED WITH THE SOLID WASTE MANAGEMENT PLAN.

Ms. Susan Erlenwein, Director, Environmental Resources, greeted the Commissioners and said, "Approximately six months ago, when Sedgwick County became the planning authority for solid waste, we applied for a grant through the Kansas Department of Health and Environment to help fund any aspects of solid waste planning. Then, we did hire a consultant, AEC, to help with different aspects of the plan. At this point, we worked with AEC and with the Solid Waste Committee and some of their tasks were adjusted during this time period which accounts for us having to modify the agreement with them in this dollar amount. Recommend that we approve this amount. I'd be happy to answer any questions."

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

Commissioner Schroeder said, "The funding source for this amount Susan is?"

Ms. Erlenwein said, "The total amount we are paying AEC is still under the grant."

Commissioner Schroeder said, "It's still under the grant. Okay, thank you."

Chairman Winters said, "Any other questions? If not, what's the will of the Board?"

MOTION

Commissioner Hancock moved to approve the Modification to Agreement and authorize the Chairman to sign.

Commissioner Hancock seconded the Motion.

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

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VOTE

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

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

H. DEPARTMENT ON AGING.

1. AMENDMENT TO LEVEL 1 CARE ASSESSMENT CONTRACT FOR FISCAL YEAR 1997 BETWEEN CENTRAL PLAINS AREA AGENCY ON AGING AND KANSAS DEPARTMENT ON AGING.

Mr. Doug Russell, Director, Department on Aging, greeted the Commissioners and said, "The item before you on the Amendment to Level I Care Assessment is essentially a \$3.56 addition to a contract that we have with the Kansas Department on Aging to do nursing home pre-assessment screenings. We do those screenings and in the process of that, we gather the information to fill out paper work to determine if someone is Medicaid eligible or SRS, so rather than doing it the wrong way, we're doing it the short way. We pull that information off, give it to the SRS, good for them, good for us, and they give us \$3.56. I recommend that you approve it and would be happy to answer any questions."

Commissioner Schroeder said, "Can we handle that as bureaucrats, doing it the short way?"

Mr. Russell said, "We're getting pretty good at it."

Chairman Winters said, "Well at least it sounds good. Hope it works out that well."

Mr. Russell said, "It does, we're already doing it."

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MOTION

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

Commissioner Gwin seconded the Motion.

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

VOTE

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

Chairman Winters said, "Next item."

2. ADDITION OF ONE LAN ADMINISTRATOR POSITION, RANGE 20, TO THE DEPARTMENT ON AGING STAFFING TABLE.

Mr. Russell said, "This item Commissioners is in the budget. We put it in our technology plan for last year and for next year. The bottom line is that we are in the information management business and five years ago we had three personal computers. We now have probably two dozen in seven sites, hooked up to at least two state systems and information management is becoming important to how we do our jobs so that we do it well and we do it smart, and we don't do it twice, three times, or more. The LAN Administrator essentially is a technical position that we need to put into our department to do this job well. We've got our chief planner who set the whole system up and has got it going, but it is time for him to do planning and in our restructuring, we have essentially done less labor intensive things and moved some of this money into doing the job smarter. I am hoping you will approve it and allow us to put it on the staffing table."

Chairman Winters said, "Commissioner Gwin."

Commissioner Gwin said, "The questions are, you obviously have the money available to you in this year's budget?"

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Mr. Russell said, "That's correct."

Commissioner Gwin said, "And you have received the '98 target so you know how challenged your department is going to be, are you prepared then to meet that challenge and retain this position?"

Mr. Russell said, "The answer is yes. We have already set down with our staff and have meetings with our providers next Monday to trim our budget down within our targets, but this is a critical piece to keeping it going and it is in the budget."

Commissioner Gwin said, "I just remind you . . . what?"

Mr. Buchanan said, "Commissioners, it should be noted that Doug Russell and I have looked over the numbers, had a meeting, had a conversation about this on two different occasions, one by phone. Doug is doing this with his eyes wide open."

Commissioner Gwin said, "I assumed you were, just wanted to double check."

Mr. Russell said, "Thank you, it never hurts."

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

Chairman Winters said, "Thank you Commissioners. Doug, is your computer system hooked in the SRS system? I know as they have down loaded a number of responsibilities to local government concerning seniors, are you connected with SRS electronically?"

Mr. Russell said, "The short answer is yes. We're connected with Blue Cross Blue Shield, who is their payment agent and our entire Medicaid program depends on our linkage with them to get paid and get clients planned care so we can serve clients."

Chairman Winters said, "So with that transfer from the state organization to us, if we weren't computerized in this system, we could probably just hire four or five more clerical staff."

Mr. Russell said, "The computer works a lot smarter. The truth is, it wouldn't be four or five staff, it might be one or two, but yes, we've got to have the computer working and there is another link through KDOA through the State and that is a key piece to collecting data and knowing who we are serving."

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Chairman Winters said, "Okay. Commissioners, you've heard Doug's report, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the addition to the Department on Aging Staffing Table.

Commissioner Hancock seconded the Motion.

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

VOTE

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

Mr. Russell said, "Thank you Commissioners."

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

I. REORGANIZATION OF THE EMERGENCY COMMUNICATIONS DEPARTMENT.

Ms. Diane Gage, Director, Emergency Communications Department, greeted the Commissioners and said, "We've had the opportunity recently with some changes in the department to reorganize some of the job positions to be able to do our jobs much better than we do right now. It rolls into about four changes. The first one is the Assistant Director's job description would change, where that position would be strictly a management position taking care of the operational and educational needs of the department. The second change is the Training and Quality Assurance position that we have right now. It will be reverted to a Quality Assurance and Technical Support position. This will enable this person to do the quality assurance reports that we can generate down there as well as offer the technical support we need to keep our computer system running and the support equipment running that are so critical to our operations.

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“The fourth change would be to add an additional two Supervisors. To facilitate this without having any impact on the budget to the negative, actually it will have a positive impact to the budget and a positive impact on our operations, is to change the six Senior Dispatch positions we have right now, two of those will be reverted to being a Supervisor and the remaining four positions would go back to a Dispatcher II. The people in those positions right now, if they choose to, can put in for the supervisory position. If they are successful, that’s wonderful. If they are not, they will still be left at the same pay range that they are right now. Be happy to answer any questions.”

Chairman Winters said, “Thank you. Commissioners, are there questions about this reorganization in the Emergency Communications Department? Commissioner Gwin.”

Commissioner Gwin said, “Just to ask you the same thing that I asked Doug. In your case, however, you are showing a salary savings for both this year and next with this change?”

Ms. Gage said, “Yes, this year there will be, depending upon when we are able to make the promotions and this type of thing, around \$7,500 out of this year’s budget. Next year the impact will be around \$3,500 to the good.”

Commissioner Gwin said, “Salary savings. Okay, just wanted to make sure that was clear. Thank you.”

MOTION

Commissioner Schroeder moved to approve the reorganization plan.

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

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**J. REPORT OF THE BOARD OF BIDS AND CONTRACTS' MARCH 20, 1997
REGULAR MEETING AND MARCH 24 SPECIAL MEETING.**

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have before you first the minutes from the March 20 meeting of the Board of Bids and Contracts. There are twelve items for consideration.

**(1) HOT MIX OVERLAYS - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**

"Item one, hot mix overlays for the Bureau of Public Services. It was recommended to accept the low bid of Ritchie Paving, Incorporated for \$214,563.

**(2) TELEVISIONING OF SEWER LINES BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**

"Item two is television of sewer lines also for the Bureau of Public Services. It was recommended to split the bids evenly between Sewer Masters Corporation and Utility Maintenance Contractors for the 1997 fiscal year and that is in a total amount of \$36,000. I might note that last year we solicited bids for these services and these two bidders tied and they elected to split the services. The Bureau of Public Services worked very well to see that the services were split evenly. We are in the process of redefining our specifications for these services and we would like to continue with these two vendors for the 1997 fiscal year and re-bid in 1998.

**(3) CARGO MINI-VAN - MOTOR POOL
FUNDING: MOTOR POOL**

"Item three is a cargo mini-van for the Central Motor Pool and the Bureau of Public Services. It was recommended to accept the low bid of Quality Chevrolet in the amount of \$11,447.21 which does include trade-in.

**(4) PICKUP TRUCKS - MOTOR POOL
FUNDING: MOTOR POOL**

"Item four, pickup trucks for the Central Motor Pool and the Bureau of Public Services. It was recommended to accept the low bid of Scholfield Brothers in the amount of \$21,300 with trade-in.

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(5) FOUR DOOR SEDAN - MOTOR POOL
FUNDING: MOTOR POOL

“Item five, a four door sedan for the Court Trustee. It was recommended to accept the low bid of Quality Chevrolet, in the amount of \$11,088.59 which also includes a trade-in.

(6) MINI-VANS - MOTOR POOL
FUNDING: MOTOR POOL

“Item six, mini-vans for the Juvenile Detention Facility. It was recommended to accept the low bid of Rusty Eck Ford, in the amount of \$25,500, which also includes a trade-in.

(7) FOUR DOOR SEDANS - MOTOR POOL
FUNDING: MOTOR POOL

“Item seven, four door sedans for the Central Motor Pool and the Sheriff and Emergency Medical Services. It was recommended to accept the low bid of Don Schmid Dodge, in the amount of \$30,728 for 2 sedans, 2 trade-ins and the optional manuals.

(8) PICKUP TRUCKS - MOTOR POOL
FUNDING: MOTOR POOL

“Item eight, pickup trucks for the Central Motor Pool and the Kansas Coliseum, Bureau of Public Services, and Bureau of Central Services. It was recommended to accept the low bid of Don Hattan Chevrolet for the three ½ ton, 6 cylinder pickups with trade-ins for the amount of \$29,451. From Rusty Eck Ford for the ½ ton, 8 cylinder pickup with trade-in, in the amount of \$15,695.

(9) LIGHT EXTENDED CAB TRUCK - MOTOR POOL
FUNDING: MOTOR POOL

“Item nine is a light extended cab truck for the Central Motor Pool and Lake Afton Park. It was recommended to accept the low bid of Don Hattan Chevrolet, in the amount of \$11,781. That includes trade-in.

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(10) WEED CHEMICALS - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES

“Item ten, weed chemicals for the Bureau of Public Services. It was recommended to accept the low total bid of Cornbelt Chemical, the alternate bid, in the amount of \$66,438.80.

(11) EMULSIFIED OILS - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES

“Item eleven, emulsified oils, also for the Bureau of Public Services. It was recommended to accept the low bid of Coastal Refining and Marketing Incorporated for an amount of \$472,000.

(12) SIMPLEX SERVICE CONTRACT - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES

“Item twelve is the Simplex security service contract for the Bureau of Public Services for the Adult Detention Facility. This is a 1997 Contract with the provider at \$67,396.

ITEMS NOT REQUIRING BOCC ACTION

(13) SKID STEER LOADER - MOTOR POOL
FUNDING: MOTOR POOL

(14) SHELVING - SHERIFF
FUNDING: SHERIFF

(15) WOODEN WIRE PARTITIONS - CAPITAL PROJECTS
FUNDING: CAPITAL PROJECTS

(16) INSTALLATION OF BRICK - CAPITAL PROJECTS
FUNDING: CAPITAL PROJECTS

“There were four items at that particular meeting that did not require action. One was a skid steer loader for Central Motor Pool and the Kansas Coliseum, which was tabled. Shelving units and storage units, and we’ll discuss that in a moment, for the Sheriff. Woven wire partitions for Capital Projects and the Sheriff. No bids were received for this item.

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“Finally, installation of brick for Capital Projects in the Department of Corrections. Again, no bids were received for that particular item. If you would like, I would be happy to address questions for this. I would recommend you approve the recommendations presented by the Board of Bids and Contracts.”

MOTION

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

Commissioner Schroeder seconded the Motion.

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

VOTE

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

Mr. Muci said, “On the March 24 special meeting of the Board of Bids and Contracts.

(1) SHELVING - SHERIFF
FUNDING: SHERIFF

“This was mobile shelving storage for the Sheriff. It was recommended to accept the proposal of Systematic Solutions for \$82,155.81. Again, I will be happy to take questions and recommend you approve the recommendations as presented by the Board of Bids and Contracts.”

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MOTION

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

Commissioner Hancock seconded the Motion.

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

VOTE

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

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

CONSENT AGENDA

K. CONSENT AGENDA.

1. Right-of-Way Agreements.

- a. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 610-36-375; Bridge on 37th Street North between 143rd and 159th Streets East. CIP #B-271. District #1.
- b. Two Temporary Construction Easements and two Easements for Right-of-Way for Sedgwick County Project No. 733-M-2164; Bridge on 375th Street West between 21st and 29th Streets North. CIP #B-280. District #3.

2. Section 8 Housing Assistance Payment Contract.

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<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V97018	\$207.00	5	John Van Winkle

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
C95132	\$275.00	\$265.00
V95116	\$000.00	\$85.00
V95140	\$471.00	\$327.00
V861001	\$218.00	\$218.00
V96098	\$259.00	\$325.00
V93063	\$264.00	\$88.00
V95088	\$234.00	\$507.00
V95080	\$255.00	\$199.00
C95032	\$287.00	\$320.00

- 4. Plats.**

Approved by the Bureau of Public Services. The County Treasurer has certified that taxes for the year 1996 and prior years are paid for the following plats:

Northridge Estates
Kensington Gardens

- 5. Order dated March 19, 1997 to correct tax roll for change of assessment.**
- 6. Consideration of the Check Register of March 21, 1997.**
- 7. Budget Adjustment Requests.**

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<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970175	District Court Judges	Transfer
970176	Personnel	Transfer
970177	Special Parks	Transfer
970178	Sheriff	Supplemental Appropriation
970179	COMCARE-CDDO Grant	Supplemental Appropriation
970180	Sheriff	Transfer
970181	Road and Bridge Sales Tax	Transfer
970182	1997 Bridge Projects	Supplemental Appropriation
970183	Finance General	Transfer

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

MOTION

Commissioner Hancock moved to approve the consent agenda as presented.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Manager, item number 970175, District Court Judges, page 187. This is transferring funds to cover negative purchases. What is going on up there in the court? What's a negative purchase? We're talking \$41,000, does anybody know what is going on with the courts?"

Mr. Buchanan said, "I'm sure there are lots of people who know what's going on with the courts, unfortunately, I'm not one of those and I can't answer that question."

Commissioner Schroeder said, "Okay, I would like somebody to find out because that's a lot of money and the only response I get I guess comes from the Administrative Judge is we've got to cover negative purchases in the Courts of \$41,000. I have no idea what that means and it kind of bothers me that we get this kind of information that is so vague from the courts. So if somebody would check that out and let us all know later on in the day or the week, that would be helpful. I would like to withdraw or pull this one for one week. Is there a Motion on the floor?"

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Chairman Winters said, “Yes, but we can have a substitute.”

SUBSTITUTE MOTION

Commissioner Schroeder moved to approve the Consent Agenda except for 970175.

Commissioner Gwin seconded the Motion.

Chairman Winters said, “We have a Motion and a second on a Substitute Motion to approve the Consent Agenda minus that one item. Is there any other discussion? Seeing none, call the vote.”

VOTE

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

Chairman Winters said, “Is there other business to come before this Board? Am I correct in seeing there is no Sewer or Fire District meeting?”

L. OTHER

MOTION

Commissioner Hancock moved that the Board of Sedgwick County Commissioners recess into Executive Session to consider consultation with Legal Counsel in matters privileged in the attorney/client relationship relating to pending claims and litigation and legal advice and that the Board of County Commissioners return from Executive Session no sooner than 11:00 a.m.

Commissioner Schroeder seconded the Motion.

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

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VOTE

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

Chairman Winters said, "Thank you. We are in recess for twenty minutes."

The Board of Sedgwick County Commissioners recessed into Executive Session at 10:39 a.m. and returned at 11:33 a.m.

Chairman Winters said, "I'll call back to order the Regular Meeting of the Board of County Commissioners. Let the record show that there was no binding action taken in Executive Session. Do we have other business to come before this Board? Mr. Holeman?"

Mr. Clarence Holeman, Assistance County Counselor, said, "Thank you Mr. Chairman. I would like the Board's authority to accept a bankruptcy settlement proposal by a tax payer currently in a Chapter 11, Wilkin Enterprises, DBA Popeye's Famous Fried Chicken & Biscuits. I ask the Board to authorize me to accept the settlement proposal by the taxpayer to reduce the appraised value of two locations, one at 1211 N. Broadway for tax years 1991 through and including 1993, a reduction to a figure of \$227,990. The second location, 1350 N. Hillside, reduction of the appraised value to \$85,500 for tax years 1991 through and including tax year 1994. You have authority to do this under a statute as long as the taxpayer is in a bankruptcy proceeding."

MOTION

Commissioner Schroeder moved to accept the settlement proposal by Wilkin Enterprises, DBA Popeye's Famous Fried Chicken & Biscuits reducing the appraised value of 1211 N. Broadway for tax years 1991 through and including 1993, to a figure of \$227,990, and reducing the appraised value of the location at 1350 N. Hillside to \$85,500 for tax years 1991 through and including tax year 1994.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "Mr. Holeman, in your consultation with the Appraiser's Office, you believe this is an equitable and good recommendation with your support, right?"

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Mr. Holeman said, "Yes I do Mr. Chairman."

Chairman Winters said, "Thank you. Commissioners, is there other discussion on this Motion? Seeing none, call the vote."

VOTE

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

Chairman Winters said, "Is there other business to come before this Board? Seeing none, this meeting is adjourned."

M. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 11:35 a.m.

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

THOMAS G. WINTERS, Chairman
Third District

PAUL W. HANCOCK, Chair Pro Tem
Second District

BETSY GWIN, Commissioner
First District

MELODY C. MILLER, Commissioner
Fourth District

MARK F. SCHROEDER, Commissioner
Fifth District

ATTEST:

James Alford, County Clerk

APPROVED:

_____, 1997