

## **MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

### **REGULAR MEETING**

**March 16, 2005**

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, March 16, 2005 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Ben Sciortino; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Lucy Burtnett; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Randy Duncan, Director, Emergency Management; Ms. Jo Templin, Director, Division of Human Services; Mr. Mark Houser, Senior Engineering Technician, Bureau of Public Works; Ms. Nancy Mueller, Senior Administrative Officer, Sheriff's Office; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Tom Pollan, Director, Emergency Medical Service; Mr. Marty Hughes, Revenue Manager, Division of Finance; Dr. Cindy Burbach, Director, Health Surveillance and Disease Prevention, Health Department; Ms. Pamela Martin, Director, Clinical Services, Health Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Jim Weber, P.E., Deputy Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

### **GUESTS**

Mr. Loyd Oakley, 245 N. Arcadia, Wichita, Ks.

### **INVOCATION**

The Invocation was led by Pastor Scott Goltl of Ascension Lutheran Church, Wichita.

### **FLAG SALUTE**

### **ROLL CALL**

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

### **CONSIDERATION OF MINUTES:** Regular Meeting, February 23, 2005

The Clerk reported that all Commissioners were present at the Regular Meeting of February 23<sup>rd</sup>, 2005.

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**Chairman Unruh** said, “Commissioners, you’ve had the opportunity to review the Minutes. What is the will of the Board?”

**MOTION**

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of February 23<sup>rd</sup>, 2005.

Commissioner Burtnett seconded the motion.

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Next item please.”

**PROCLAMATION**

**A. PROCLAMATION DECLARING MARCH 14 – 18, 2005 AS “SEVERE WEATHER AWARENESS WEEK.”**

**Chairman Unruh** said, “Commissioners, I have a proclamation I’d like to read for your consideration.

**PROCLAMATION**

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

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

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

**WHEREAS**, the National Weather Service and the Kansas Division of Emergency Management held a statewide tornado safety drill Tuesday, March 15, 2005, designed to test the emergency warnings systems throughout Kansas; and

**WHEREAS**, the Sedgwick County Department of Emergency Management will participate in this drill to enhance the public's awareness in this vital area of personal safety;

**NOW THEREFORE BE IT RESOLVED**, that I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim March 14-18, 2005 as

**'SEVERE WEATHER AWARENESS WEEK'**

in Sedgwick County, and urge all residents to participate in the scheduled activities.

Commissioners, what's the will of the Board?"

**MOTION**

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

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you and Randy Duncan is here to accept this proclamation."

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**Mr. Randy Duncan**, Director, Emergency Management Department, greeted the Commissioners and said, "Thank you for officially calling our attention to the issue of Severe Weather Awareness Week, through the mechanism of this proclamation. We know that we do live in Kansas. We know that springtime is a season that we need to be especially aware and we appreciate the fact that you're helping the public to focus on the need to do that. If you have any additional questions regarding the situation, I'd be happy to try to answer them."

**Chairman Unruh** said, "Well Randy, I don't see any questions, but as has been said by others, it's not a matter of if, it's a matter of when we might have severe weather. So appreciate you and your department's vigilance in trying to keep our citizens safe."

**Mr. Duncan** said, "Thank you, Commissioners."

**Chairman Unruh** said, "Thank you. Next item."

### **RETIREMENTS**

#### **B. RETIREMENT PRESENTATIONS.**

##### **1. PRESENTATION OF RETIREMENT CLOCK TO MARK HOUSER, SENIOR ENGINEERING TECHNICIAN, PUBLIC WORKS.**

**Ms. Jo Templin**, Director, Division of Human Resources, greeted the Commissioners and said, "We are very happy today for some folks who have spent a lot of time here at Sedgwick County and want to wish them well. They are also joined by many coworkers, family and friends and we do thank you for coming to support these employees."

The first retirement that we have is Mark Houser. He's the Senior Engineering Technician from Public Works. He will retire April 1 after 34 years of service. Mark, would you come forward?"

**Chairman Unruh** said, "On behalf of the Board of County Commissioners, we just want to congratulate you on the occasion of your retirement and also thank you for 34 years of faithful service to Sedgwick County government and the citizens of Sedgwick County. I would suppose, in 34 years in the field of engineering, you've seen lots and lots of changes and some good I suppose, some bad. But we mainly just want to tell you that we thank you for 34 years, is a long time to remain faithful to one organization and we appreciate it and just wish you the best of luck in your retirement."

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We'd like to present you with this certificate of your retirement and also a clock, whereby you can keep track of the passing time while you're in retirement. That's heavy so don't drop it, but anyway congratulations to you and would you like to say a few words?"

**Mr. Mark Houser**, Senior Engineering Technician, Bureau of Public Works, said, "I'd just like to thank all the commissioners for working here and the memories I have. So thanks again."

**Commissioner Sciortino** said, "Hey Jo, before you get far, I want to know what he's going to do now with all his free time. You got any plans on what you're going to do on retirement."

**Mr. Houser** said, "I'll be semi-retired. I'll be seeking employment in the private sector."

**Ms. Houser** said, "And fishing a lot."

**Commissioner Sciortino** said, "And fishing, okay."

**Ms. Templin** said, "We also have two employees from the Sheriff's Office. One couldn't make it today, a Sheriff's Sergeant who will retire after 24 years. Many of us know him and appreciate Lee Martinez, will be leaving April 1<sup>st</sup>.

### 2. PRESENTATION OF RETIREMENT CLOCK TO NANCY MUELLER, SENIOR ADMINISTRATIVE OFFICER, SHERIFF'S OFFICE.

We also have Nancy Mueller. Nancy, will you come forward. Nancy Mueller is the Senior Administrative Officer with the Sheriff's Office and will retire April 1, after 24 years of service."

**Chairman Unruh** said, "Nancy, we also have a certificate for you on the occasion of your retirement, want to present that to you. And 24 years in the position you've been in, are you planning on writing a book or anything?"

**Ms. Nancy Mueller**, Senior Administrative Officer, Sheriff's Office, said, "You know, I probably could, but they might put me in their facility over there if I do."

**Chairman Unruh** said, "Well, we just want to keep you straight about what you put in that book and what you leave out. But anyway, we want to thank you for your service too. Twenty-four years of faithful service, 24 here is remarkable and we appreciate it and wish you the very best in your retirement. We also have this clock for you and hope that you enjoy that. It's heavy so don't drop it. Would you like to say something?"

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**Ms. Mueller** said, “Well sure, I’m never at a loss for words. Thank you Chairman Unruh and Commissioners. I’ve had a great, long and satisfying career with the Sedgwick County Sheriff’s Department. A lot of your coworkers are here today. I’m very fortunate to be part of the Kansas Police and Fire retirement system, so I can do this now.

My hope for the future for Sedgwick County is that Sedgwick County realizes that their most true and valuable asset are their employees, the ones right on the front lines doing the work, so good luck to all of you in the future.

As for me, grandkids, gardening and I’m out of here. Thank you very much.”

**Chair Pro Tem Sciortino** said, “Madam Clerk, could you call the next item please.”

### **CITIZEN INQUIRY**

#### **C. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING FREE ADMISSION TO COUNTY FUNDED OR AIDED VENUES FOR CAREGIVERS PUSHING WHEELCHAIRS.**

**Mr. Loyd Oakley**, Wichita, Ks. greeted the Commissioners and said, “I would like to tell you a story. In February of 2004, my wife Mary was diagnosed with an extremely rare and incurable disease called Amyloidosis. This past September, my wife Mary and I were able to take a vacation in San Diego, California. She had a round of Chemo the previous June and facing another round in October, but she felt well enough to enjoy a vacation around September, so off we went to southern California.

Although she was feeling pretty well at that time, she was still confined to a wheelchair and I pushed her wherever we went. We took in a simple flea market in San Diego and I gladly pushed her up to the admission window. As I tried to pay my admission, the gatekeeper said to me, ‘No charge for people pushing wheelchairs’. I thought that this was nice and went in and enjoyed the market.

A few days later we visited the Aquarium at Scripps Oceanographic Institute. The admission was not a simple dollar, as it had been at the flea market, but a respectable ten dollars. Once again, the gatekeeper looked at our situation and said, ‘No charge for people pushing wheelchairs, welcome’. I was amazed at this act of kindness and his gesture of charity. I told Mary that I wanted our city to show the same generosity and consideration that San Diego had shown us.

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Mary was a lifelong resident in Wichita. She was active in many civic-minded activities such as Girl Scouts and was active within her church, giving joy to everyone she met. More recently, she was active with Visioneering Wichita, proven by her picture here in the Wichita Eagle, while attending a meeting. Can I pass this around to you? She was very proud of that picture. She felt that it gave her a strong sense of pride, because she felt she was doing a civic responsibility by participating in that action.

Mary lost her job with Federated Insurance In Wichita two years ago, due to an expansion of WaterWalk, but she was undaunted by this and was planning on opening her own business in Wichita, when she was diagnosed with what she called and as she called it, 'this stupid disease'. Mary's body succumbed to this awful illness in late January and she went home to be with our Lord. Her spirit lives on within everyone she met. My eyes were opened to the struggle that handicapped people go through every day. The Lord knows and I know how hard Mary tried to overcome her inability to walk and breathe during her struggle.

In honor and memory of Mary Oakley, I would ask the Sedgwick County Commission to resolve to enact a policy of free admission to any county-funded or aided venue for care giving persons pushing handicapped people in wheelchairs. I am aware that we cannot proclaim the private sector to do this, but I feel that we are a caring and friendly enough community that everyone will join in this act of compassion. And this presentation has been previously presented to the city council and they are taking a look at it also. Thank you very much for giving me the opportunity to speak today."

**Chairman Unruh** said, "Well hold on just a moment, Mr. Oakley, we have a couple of commissioners with questions. First, Commissioner Winters."

**Commissioner Winters** said, "Thank you very much, and Loyd, we do appreciate your coming to our commission meeting. Commissioners, I had an advantage. Loyd sent me an e-mail several weeks ago inquiring about how to get on our agenda, and I sent him a couple of phone numbers, manager's office, and told him the procedures we go through.

But in that message, he sent me the message he's given us today, so I have been in a sense reflecting on this a little bit, since I got this first e-mail. And I am confident that we're probably not ready to take a definitive action today, but I would certainly, just having thought about this for a couple of weeks, would like for the staff to give some serious consideration to this. I mean, this is something that I think could be important to a lot of people. But I don't really know what kind of an impact it would have, but just in thinking about Loyd's request over the past three or four weeks, I'm pretty intrigued by wanting to think about it some more. So I see there are a couple of other lights on, so I'd listen to what others have to say."

**Chairman Unruh** said, "Okay, thank you. Commissioner Burtnett."

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**Commissioner Burtnett** said, “Well, that’s exactly what I was going to say, was I think this warrants . . . this has merit and warrants looking into. I think we should do that.”

**Chairman Unruh** said, “Okay. Commissioner Sciortino.”

**Commissioner Sciortino** said, “Let me ask you a question. You refer, when you were in San Diego, that if you were assisting a person in a wheelchair that, because of your assistance, you didn’t have to pay admission. What about the person in the wheelchair? Did they have to pay admission?”

**Mr. Oakley** said, “Many people have asked me this, and they did. They did charge Mary admission, because she was still able to enjoy the activity that we did.”

**Commissioner Sciortino** said, “So you just had to promise not to enjoy it and you got in free?”

**Mr. Oakley** said, “No, I enjoyed it also. But I’ll tell you, the first thing we did when we came back to Wichita was we had tickets to go to the fair, to a concert and I pushed her into the fair and I thought, ‘You know, I’m going to ask them this’ and I backed up and asked, ‘Do you guys provide or do you give people free admission if they’re pushing someone in a wheelchair?’ and they looked at me like ‘What are you, silly?’

But you know, if you imagine pushing someone around in a wheelchair through the State Fair activity, I think it would be a good idea to give those folks a break.”

**Commissioner Sciortino** said, “Well, I also . . . thank you very much for that. I also concur with the other comments, that this merits looking into and maybe have Mr. Buchanan and staff look into it and see what, if anything, can be done.”

**Chairman Unruh** said, “Okay. Commissioner Winters.”

**Commissioner Winters** said, “Well, just two other comments. One is, you know I’m sure that when Loyd was doing these at these places with his wife, he probably certainly enjoyed being there, but you know there could be certainly times when the person in the wheelchair is wanting assistance and the person pushing may be just a friend who is trying to be helpful and may not be necessarily interested in the event and may be there just as someone to help through the process. So I think that’s another reason.



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I was going to just ask the Manager, I know we're probably not thought about this, but do you think that you could have some of our staff, and I'm thinking specifically about the Zoo staff, I don't know that it would work at every Coliseum event, because I know a lot of times we're dealing with promoters there and we have less control. But do you think there's a way that staff could put together a team to look at this?"

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "Absolutely and we'll be happy to and we've already started thinking about this. We can get some information back to you within 30 days."

**Chairman Unruh** said, "Okay, very good. Commissioner Norton."

**Commissioner Norton** said, "Well, I think it's a wonderful idea and truthfully, I'm familiar with San Diego and I think they originally did it as a comprehensive thing that came out of like a visioneering kind of thing that they did. It really was used to encourage people with disabilities and in wheelchairs to participate in more events, and they do that by having many times caregivers that aren't family members that do those kind of things, but they're there just to help that individual and it helps, you know, reduce the price of the ticket, so that two people can enjoy it, particularly the person that maybe is wheelchair bound and is not going to enjoy those venues without some kind of assistance and certainly a caregiver, not always a family member. In your case it was, but many times not, so I would be very supportive."

I think it would promote some of the things that we talked about in Visioneering, which is making our community more inclusive for people with disabilities and other kinds of handicaps, and certainly we know that in many cases, caregivers . . . there is a great burden on caregivers, whether it's caregivers who do it for a living or caregivers that do it out of circumstances that have happened to a loved one or family member. And as a loving community, a caring community, I think it would be a great step, through Visioneering, to pioneer some of that, so I'd be very supportive."

**Chairman Unruh** said, "Okay, thank you. Well, Mr. Oakley, I think you have found some willing listeners here and the staff is committed to look into it, so we've started a good process here. But Commissioners, could we have a Motion?"

## MOTION

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Commissioner Winters moved to Receive and file Mr. Oakley's report and request that staff study this issue and return with some recommendations to the commissioners.

Commissioner Sciortino seconded the motion.

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

### **VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Mr. Oakley, thank you very much for being here."

**Mr. Oakley** said, "Thank you all very much for the time you've given me to speak to you."

**Chairman Unruh** said, "Okay Madam Clerk, would you call the next item please."

### **PUBLIC HEARING**

#### **D. PUBLIC HEARING AND RESOLUTION REGARDING PROPOSED SPECIAL ASSESSMENTS FOR AN INTERNAL IMPROVEMENT PROJECT IN SEDGWICK COUNTY.**

### **POWERPOINT PRESENTATION**

**Mr. Joe L. Norton**, Gilmore & Bell, P.C., Bond Counsel, greeted the Commissioners and said, "For your consideration this morning is a public hearing on proposed assessments for six special assessment projects that you have previously authorized in your Capital Improvement Program. The projects have been completed and costs are determined and now we're ready to spread the assessments to those projects. Those are: Savanna at Castle Rock Ranch 5<sup>th</sup> and 7<sup>th</sup> Additions, Heartland Church, Crestview Country Club Estates, Overbrook, 2<sup>nd</sup> Addition/ 9<sup>th</sup> Street, Suncrest 2<sup>nd</sup> Addition, Redmond Estates and Bentley Meadows.

A brief review, after these projects were authorized, on February 23<sup>rd</sup> this body approved the

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statement of final costs, the assessment and notice of public hearing and established today's date and time for a public hearing, at which time the persons who are affected by the assessments may come and address the Board of County Commissioners if they desire. Notice was published and mailed to each affected property owner of the date and time of this hearing.

At the conclusion of this hearing, you will consider a resolution which will levy the assessments. Further notice will be given to each property owner by mail and then publish notice and they will have until April 6<sup>th</sup>, in which time they can pay in all or a portion of the costs of the assessments. If no payment is received, then the county will sell its General Obligation Bonds later this year and these assessments will be spread on a level debt service basis over 15 years, with the first tax statement being sent out in November of this year.

The statement of costs that you've previously approved is on the screen before you. I know it's kind of hard to read. The total assessment column in the dark . . . right here, are the numbers that we're looking at. As you can tell, the base authorization, which is what the petition/ resolution amounts, in every case except one, is less . . . total costs are less than this and the base authorization was authorized to be increased on the one project for Suncrest 2<sup>nd</sup>. So, the costs have come in less than were estimated at the time of the projects' initiation.

I can go through these individually here, and we can have an opportunity now or at the conclusion of the presentation to receive public comment, if the Chairman desires."

**Chairman Unruh** said, "Well, why don't you go through your . . . finish your presentation."

**Mr. Norton** said, "All right, very good. Savanna 5<sup>th</sup> and 7<sup>th</sup> Additions, again an area, 143<sup>rd</sup> Street East and approximately 13<sup>th</sup> Street North. The benefit district map before you, there are two lots that have been previously assessed for a portion of Sport of Kings, lots five and six, they get one share. The large tract gets three, and every other tract in the benefit district gets two shares. The breakdown of the cost statement shows that those individual shares are about \$12,235 per unit, for the ones getting two units of assessment.

Heartland Church Addition is a one-tract benefit district, near Maple and 157<sup>th</sup> Street West, one large tract. The cost involved in this particular project is \$37,669.

The 9<sup>th</sup> Street paving project, again near 143<sup>rd</sup> and 9<sup>th</sup> Street North has two components. The first is the paving of 9<sup>th</sup> Street. That cost is spread among 22 benefited properties. And the improvements to the two cul-de-sacs on Sandpiper Court, those costs are spread only to the properties that abut those particular cul-de-sacs and not spread to the other properties on 9<sup>th</sup> Street. In breaking down the cost of this particular project, the assessment for 9<sup>th</sup> Street, the 22 lots, that shares is about \$7,300 and the share for the Sandpiper Court is about \$4,000, so if you live on

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Sandpiper Court, it's the total of those two, or about \$11,400.

Suncrest 2<sup>nd</sup> Addition, 71<sup>st</sup> Street South and Hydraulic adjacent to the Wichita/ Valley Center Floodway, the pie-shaped area here, equally assessed per tract within the benefit district, the cost associated with that particular project result in an assessment of about \$10,700 per lot.

Redmond Estates, 31<sup>st</sup> Street South and 119<sup>th</sup> Street West, approximately, again we're assessing Phase I, which are the properties on the right-hand side of the red line. The costs associated with this project results in assessments equally per lot of about \$12,950 and this number has been refined slightly lower than what it was at the last time we met, due to some detail that the Public Works Department was able to reduce the costs on in finalizing that project out.

Bentley Meadows, again a project near Bentley, at 135<sup>th</sup> Street West and 119<sup>th</sup> Street North. The benefit district map proposed a method of assessment as equally per lot. The cost component of this project shows about \$9,925 per lot for the assessment for these street improvements.

Again, a brief review of the time schedule, we're here today on 3-16. If action is taken, published and mailed notice will go out on Friday. You will have until the 6<sup>th</sup> of April to make payments. Those amounts not paid, will be subject to the county's general obligation bond issue, which will close about the first of June.

So we'd be . . . Mr. Weber of Public Works is here and knowledgeable about the project. Again, I'd be happy to answer any questions you may have now or after receiving comments from the public."

**Chairman Unruh** said, "Okay. Are there any comments now, Commissioners, or questions or Mr. Norton? Seeing none, let me open the public hearing at this time and ask if there's anyone in the board room wishing to speak to these issues? Anyone want to speak? Seeing none, I will close the public hearing and restrict the comments to the bench, and Commissioners, are there any questions?"

I just have one question, Joe. You've just done a great job, everyone's thoroughly up to speed."

**Mr. Norton** said, "Public Works has built the project, so I think that's a better understanding of . . ."

**Chairman Unruh** said, "Okay. The bonds are 15 years, is that right?"

**Mr. Norton** said, "Yes, sir."

**Chairman Unruh** said, "And the ability for the citizens to pay in advance, all that does is allow

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them to escape the interest associated with the bonds.”

**Mr. Norton** said, “That is correct, and the assessments that we have figured at the time these projects were authorized, we always assume a 6% interest, because we don’t know what’s going to happen. I think today, if we were able to sell the bonds in the market, they’d be in the 4% range. So basically, a taxpayer deciding whether or not to pay in, can either pay in cash and have no annual tax for street assessments, or they can not pay in and have that amount spread at the county’s borrowing rate, which again if they could be sold today, would be in the 4% range, which is a very attractive rate, probably less than they could borrow on their own.”

**Chairman Unruh** said, “But having . . . if they miss the deadline, or missed that window of opportunity, then they can go ahead and pay it up, but they still have to pay the associated interest. Is that correct?”

**Mr. Norton** said, “That’s correct.”

**Chairman Unruh** said, “Okay, thank you. Well, Commissioners are there any other questions or comments? If not, what’s the will of the Board?”

**MOTION**

Commissioner Norton moved to adopt the Resolution.

Commissioner Winters seconded the motion.

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Thank you, Joe. Next item please.”

**PLANNING DEPARTMENT**

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- E. CASE NUMBER ZON2004-00069 – ZONE CHANGE FROM “SF-20” SINGLE-FAMILY RESIDENTIAL TO “LI” LIMITED INDUSTRIAL, GENERALLY LOCATED NORTH OF K-96 AND EAST OF GREENWICH ROAD. DISTRICT #1.**

**POWERPOINT PRESENTATION**

**Mr. John Schlegel**, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “The case before you today involves this .6 acre site, located just at the northeast corner of the intersection of Greenwich with K-96. Subject property is currently developed with a single-family home. The applicant owns the additional 26 acres immediately adjacent to it on the south and to the southeast.

Character of this whole area is one that is developing for commercial and industrial uses, around this freeway interchange. Properties to the north and to the east, and also on the other side of Greenwich, have all been approved for ‘LI’ zoning already. And that parcel to the southeast also has approval for ‘LI’ zoning. So in effect, what we have here is just a small, remnant piece that has not yet been zoned for Limited Industrial and the applicant is just asking for consistency in zoning. There are no specific plans that we know about yet for that property, but no doubt it will be put to some commercial or industrial use in the future.

The MAPC heard it on February 10<sup>th</sup> and voted unanimously to approve the request, subject to platting within one year, and Protective Overlay District #153, conditions for which are listed within your agenda backup. I’ll be glad to take any questions.”

**Chairman Unruh** said, “Now this is . . . we’ve dealt with this particular piece of property a couple of times previously and this is just kind of finishing it up. Is that . . .?”

**Mr. Schlegel** said, “No, I don’t know that you’ve dealt with this particular piece of property, but you have dealt with surrounding properties and have approved them all for Limited Industrial.”

**Chairman Unruh** said, “And this finishes this up, so to speak?”

**Mr. Schlegel** said, “Right.”

**Chairman Unruh** said, “Okay, thank you. Commissioner Norton.”

**Commissioner Norton** said, “John, give us just a quick primer on what falls under Limited Industrial, what are the uses that can fall in there, just so that it’s public knowledge. When you start

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talking 'LI' it's not always clear to the public."

**Mr. Schlegel** said, "It would be industrial parks, types of industrial uses that would not be heavy processing, would not have a lot of noise associated with them, not a lot of outdoor storage, although outdoor storage would be allowed under certain, limited circumstances. But not . . . more the types of uses that you would find in a modern, industrial park."

**Commissioner Norton** said, "Mostly manufacturing and distribution kinds of things."

**Mr. Schlegel** said, "Correct, yes."

**Commissioner Norton** said, "Okay. Talk about the protective overlay and some of the things that fall under that, just so people know in that area what that's going to look like, because that is a pretty prominent corner."

**Mr. Schlegel** said, "Yes. Well, going over this, it does . . . the protective overlay does provide some restrictions on uses, allowing all the 'LI' zoning district uses. Where there would be a need for more than 100,000 square feet of floor area for any non-industrial park use, a traffic study would be required. Maximum square footage of non-industrial park uses can be increased to 300,000 square feet by an administrative adjustment, under this protective overlay. Some additional traffic improvements may be needed in order to guarantee support of traffic volumes that would be projected by a traffic study.

Minimum setbacks, in this case, would be for . . . front setbacks would be 25 feet, rear 25, interior 15, and street side yard setbacks of 35 feet. Outdoor storage and work areas would be located . . . will not be allowed in front yard setback areas and would have to be screened from view of all internal and external streets and other owner's properties. Maximum height would be 55 feet.

Signs along Greenwich and K-96 would be limited to the standards of the Industrial Park district in the City of Wichita sign code, no rotating or flashing signs. Access would be controlled by a previous agreement with KDOT and Sedgwick County Public Works, and all development would have to have municipal water and sewer service, and cross-lot circulation would be required for all development."

**Commissioner Norton** said, "Does it allow for commercial use, did I understand, with some kind of addendum? Is that what it's saying?"

**Mr. Schlegel** said, "Yes, some commercial uses would be permitted, within the Limited Industrial."

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**Commissioner Norton** said, "Okay. That's all I had, Mr. Chair."

**Chairman Unruh** said, "Thank you. Commissioner Winters."

**Commissioner Winters** said, "Thank you. John, I think I'm familiar with this corner, but do you have some other slides that show the area? I'd kind of like to see them."

**Mr. Schlegel** said, "Sure. Well, you can see on this slide, the industrial development which is already occurring on the west side of Greenwich. You had, if you look on the aerial photo here where I'm pointing, you had done a previous zoning request on that and then on all of the adjacent property in through here.

And just to the south here, on the southwest corner of that intersection is where the Regency Lakes shopping center is being built. There's a Super Target that's being built there. And then there's a series of photos in the presentation. This is looking at the site in a southeast direction. You can see the house that sits on that lot, or a view directly from the east . . . to the east. This is looking to the northeast, across Greenwich to the northwest, at some of the industrial development that has already occurred."

**Commissioner Sciortino** said, "So that northeast picture is actually the area that we're talking about, right? That's the land that we're discussing this morning, correct?"

**Mr. Schlegel** said, "Correct. And then this is looking back to the southwest, at K-96 and you can see the power line corridor that runs adjacent to K-96 and that's the underpass, Greenwich going under K-96."

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

**Chairman Unruh** said, "I guess the other things is, presently the road north of K-96, is that county or city?"

**Mr. Schlegel** said, "I suspect it's still county."

**Mr. Jim Weber**, Deputy Director, Bureau of Public Works, said, "That's right. Annexation was on that first map."

**Mr. Schlegel** said, "Let's go back to that."

**Commissioner Norton** said, "The city recently announced that they were going to widen and



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improve Greenwich Road and I think that's in front on Regency Lakes, but I wondering if it continues further north."

**Mr. Schlegel** said, "Well, it does for a bit. They provide some transition past the K-96 overpass and the improvements may extend up as far as 26<sup>th</sup> Street. But after that, then they just taper the project back down to two lanes."

**Commissioner Norton** said, "And really I just asked that question to get on the record, as we have to start figuring out what we're going to . . . if we get caught up in all the sudden it needs to be four-lane to another area and we have to join in on that and I want to be sure that we understand what's happening up there. Because that's going to be a very quickly filled in growth area real soon, with what's happened with Regency Lakes and it seems like many times we get caught behind the curve on fast growing areas, as opposed to ahead of it. So, that's all."

**Chairman Unruh** said, "Okay, thank you. Well, you're right, Greenwich is going to be a very highly traveled road, with the commercial and industrial development that's going on along there, so we need to be aware of it."

### MOTION

Chairman Unruh moved to approve the zone change, subject to platting within one year and the provisions of Protective Overlay District #153; adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been approved, and authorize the Chairman to sign the resolution.

Commissioner Sciortino seconded the motion.

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

### VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, John. Madam Clerk, call the next item."

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### NEW BUSINESS

#### **F. AGREEMENT WITH MOUNT HOPE VOLUNTEER COMMUNITY AMBULANCE SERVICE FOR PROVISION OF EMERGENCY MEDICAL SERVICE.**

**Mr. Tom Pollan**, Director, Emergency Medical Service, greeted the Commissioners and said, "This agreement is of benefit to the whole organization that we provide emergency medical service, even though it's an ambulance for the Mount Hope volunteer services. We do in fact respond in correlation with them, and also they respond into Sedgwick County, in areas outside of Greeley Township.

So this particular vehicle that we're looking at is just one part of the agreement. But it does upgrade their 1989 vehicle to a 2000-2001 vehicle and hopes to increase their viability in being able to respond, because of the vehicle being . . . the updated vehicle better maintained and all of that.

The other piece of this agreement is that it allows for the incorporation for them to use our maintenance facility. So if they have . . . in fact, this morning they went down for about two hours because they were serving the vehicle, so they simply took it out of service. That means that we're covering the area until they come back, we're the single source, and we're 14 to 15 minutes away from them.

What will happen is that if they chose to, and this is certainly their option, to use our maintenance facility, they will be able to get a spare unit, we'll check it out to them, they will be able to use that during that interim period and then come back, and there is a service charge for that to cover some costs, and they will cover the fuel used as well. So it sets that up as well in this agreement as well.

The third thing that it does is that currently, if we respond with them, because the patient requires paramedic level care, we will go in, so as not to avoid the changing from their unit to ours out in the middle of the country, in the rainstorm or the snowstorm or the blowing wind. We get right on their ambulance and go with them. Now what that does is, because of the rules for billing for ambulance services, you've got to be the transporting service in order to bill for that service. So what this allows us to do in this agreement is that now what they will be able to do is, if we get on board, they will be able to charge an ALS rate. The BLS means basic life support. They will be able to charge that higher rate. If they are able to gain some funds from that, they will pay us the difference between the BLS and the AL, because we're supplying the person. We need that part of the agreement, in order to be able to do that.

So what this does is replace an old vehicle with one of our old vehicles, and aging. It also helps them with our maintenance, keeps them available in their community. That's extremely important.

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We're a long ways away, and if we had to service that, and if they were to go away, we're talking in excess of \$400,000 if we added crews to put somebody in that. So we're talking about an increased burden, tax-wise, or user-fee-wise or whatever to pay for that. This seems a pretty nominal way to keep them up and running and I'd ask for your support."

**Chairman Unruh** said, "Okay, thank you Tom. Sounds like this is a win/win and good planning. But we have a question. Commissioner Winters."

**Commissioner Winters** said, "Thank you very much. I was not going to say very much, unless others have questions, but I'm going to be very supportive of this and I appreciate the work that Tom Pollan and Bob Lamkey have done on this project."

Mount Hope folks contacted me a few months ago with some real concerns and I for one do not believe that we should let this volunteer organization go away. I think they play a valuable role. And as Tom pointed out, not only to citizens in Greeley Township, but in a sense they're a link in a chain of much of Sedgwick County. So, I think this is a way to use one of our ambulances that we were going to trade off in a very productive way, so I won't say much more than that, unless others have questions, but I'm going to be very supportive of this."

**Chairman Unruh** said, "Okay, thank you. Is there any other comment or question?"

### MOTION

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

Commissioner Norton seconded the motion.

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

### VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Well Tom, before you get away, I just wanted to make a comment about a letter I received from a policy and program analyst from the Kansas Board of Emergency Medical

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Services. His sister had to use our emergency medical services and this letter, in the most glowing terms possible, was thanking you for the great service that our system provides and was appreciative of the way your technicians took care of his sister's needs. And so anyway, I just want to say publicly, thanks for doing a great job and it's a needed service, but sometimes that doesn't always come out in the best way, but here's a case where someone really appreciated what we did, so thanks for your work."

**Mr. Pollan** said, "Thank you and if I could say one thing, unlike other years, starting a new program this year with the customer service award program with our county employees, those two folks received a \$75 customer service award. This is what it was all designed for and this has been very good. I appreciate the fact that we were able to recognize them, not only in the file with a piece of paper, but actually some cash reward. Thank you."

**Chairman Unruh** said, "Just love it when the system works. Tom, just a moment please, one more comment. Commissioner Sciortino."

**Commissioner Sciortino** said, "Tom, let me ask you this because this was a new project that I know the manager got started, got involved. In your opinion, are the employees appreciative of this concept that we have and are working towards seeing if they can't earn some of these little cash incentives for doing work above and beyond the call?"

**Mr. Pollan** said, "Well, the ones that have received it have been real grateful. But I would say this, what we have developed is other people are watching for other people doing things for other people, because I'm getting . . . we've thought that this would be a very slow thing. It started out with a couple and I think I've had Rea do . . . Rea Evans is having to input for us right now, has done about 12 of them. We'll do 12 by the end of this week, so it's beginning to generate the interest and the energies of folks to say, 'I saw this person do something outstanding' and now they're reporting, where maybe we didn't hear it unless the patient said something about it, or in this case a family member said something, so that's what it's for and we've asked our citizens to watch and we're seeing it come from other people."

**Commissioner Sciortino** said, "That's great, and if you ever see any of us do something good, let the Manager know, will you."

**Mr. Pollan** said, "I don't think that will be real hard."

**Chairman Unruh** said, "Thank you very much, Tom, and congratulations. Madam Clerk, call the next item please."

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**G. GRANT APPLICATION TO BUREAU OF JUSTICE ASSISTANCE FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDS.**

**Mr. Marty Hughes**, Revenue Manager, Division of Finance, greeted the Commissioners and said, "States and units of general government that have authority over correction facilities or are to obtain undocumented criminal aliens for a minimum of four days are eligible to apply for the State Criminal Assistance program funds. The on-line application system will be open from February 7<sup>th</sup> 2005 through March 30<sup>th</sup>, 2005. Sheriff and Finance staff have been working with Maximus Incorporated to collect and analyze the data needed to be submitted to the Bureau of Justice Assistance through the on-line application process.

This will be the tenth year that Sedgwick County has applied for these funds and the other nine years, we've always been successful and received funding. The last couple of years, it's been around \$100,000 each year, so we're hoping to get possibly that much again this year, but we won't know until we've submitted the data and the Justice Department reviews the data and determines the allocation of that. So, we'd request that you approve the grant application and authorize the application."

**Chairman Unruh** said, "Okay. Marty, we have some questions. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you. Marty, this seems like a great thing for us to do, because I know we have a lot of these people in our custody. Does Maximus work on a percentage of what we get, and if so, what is that percentage?"

**Mr. Hughes** said, "Yes they do. This is the first year that we've worked with Maximus, or that we've contracted with Maximus to do this service, and they received 15% of the grant award now."

**Commissioner Sciortino** said, "15?"

**Mr. Hughes** said, "15%, un-huh, so depending how much we receive, if we receive around \$100,000 . . ."

**Commissioner Sciortino** said, "I can do the math on that one, but if we don't get the grant award, they've done the work gratis and thank you very much?"

**Mr. Hughes** said, "Yeah, their whole compensation is based on award."

**Commissioner Sciortino** said, "I like it. Okay, thank you."

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**Chairman Unruh** said, "Okay. Commissioners, any other questions?"

### MOTION

Commissioner Sciortino moved to approve the Grant Application and authorize the Chairman or his designee to submit the on-line application; accept a grant award containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Burtnett seconded the motion.

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

### VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Marty. Next item please."

## **H. DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPT.**

### **1. AGREEMENT WITH UNIVERSITY OF KANSAS SCHOOL OF MEDICINE-WICHITA MEDICAL PRACTICE ASSOCIATION TO PROVIDE COLLABORATIVE SERVICES RELATED TO TUBERCULOSIS AND OTHER INFECTIOUS DISEASE CONTROL.**

**Dr. Cindy Burbach**, Director, Health Surveillance and Disease Prevention, greeted the Commissioners and said, "This is a contract that we've had with K.U. Med School for quite a while, but we have recently, in the last few years, actually doubled it every year for three years. It was \$12,000 and something a few years ago, it's 25 now and we've uped it to 50,000, simply because we're getting a lot more service from them than we ever paid for."

We are using Dr. Garold Minns in his expertise in consultation in TB control and also using him, on an as-needed basis on any other infectious diseases. He is an infectious disease specialist, so we

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call him in when there's questions about policy and protocols on West Nile Virus, Rabies, SARS, everything else that might come along that we need a true specialist in infectious disease.

Also included in this amount, are x-rays that K.U. does for us for our TB patients who cannot pay. Either K.U. bills a third party reimbursements for the x-rays that they do for us or, if the person is uninsured, has no third-party reimbursement and cannot pay, then we pay out of a grant into this pot of money for K.U. We would recommend if you would approve the agreement and authorize the Chairman to sign. Do you have questions?"

**Chairman Unruh** said, "Okay, Commissioners? Yes, Commissioner Sciortino."

**Commissioner Sciortino** said, "So, are the costs of x-rays to Sedgwick County in addition to the \$50,000 or that's included in the 50,000."

**Dr. Burbach** said, "They're included but they're paid on an as x-ray basis to a max of nothing over 50,000. So in other words, we're giving K.U. \$40,000 for the consultation services and then x-rays up to the point of \$35 a piece, up to \$50,000."

**Commissioner Sciortino** said, "Okay. So that might be a variable. If we don't use it all, we might get it back."

**Dr. Burbach** said, "Exactly, exactly, and that's what took us quite a while to negotiate with K.U. That very issue, because we had to estimate how many x-rays it might be."

**Chairman Unruh** said, "Okay. Commissioners, are there other questions of Dr. Burbach?"

#### **MOTION**

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

Commissioner Norton seconded the motion.

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

#### **VOTE**

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Next item."

**2. GRANT AWARD AGREEMENT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR FUNDING OF PERSONNEL TO PROVIDE TUBERCULOSIS CASE MANAGEMENT.**

**Dr. Burbach** said, "This is a grant award that we get from KDHE. It's actually passed through from the federal government for our TB control program. It's not all that we get or use, but it's one grant that we get on a yearly basis. It is \$77,000 this year. It was \$76,000 in 2004 and two years ago it was \$96,000, so this varies somewhat. It has come down some and it certainly does not pay for all of our staff at TB control by any means, but every bit helps in this particular case."

**Chairman Unruh** said, "Okay, thank you. Commissioners, are there any questions?"

**MOTION**

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

Commissioner Burtnett seconded the motion.

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Cindy. Next item please."



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**3. GRANT APPLICATION TO UNITED METHODIST HEALTH MINISTRIES FOR FUNDING TO EXPAND SERVICES IN THE HEALTH DEPARTMENT DENTAL CLINIC.**

**Ms. Pamela Martin**, Director, Clinical Services, Health Department, greeted the Commissioners and said, “The Sedgwick County Health Department has provided dental services to children since 1975. The Children’s Dental Clinic provides services to children ages 5 to 15 who are referred by their school nurse and who do not have any form of dental insurance. The number of children needing services increases each year. The United Methodist Health Ministries fund provides funding for oral health projects each year.

The funding requested would be utilized for minor modifications in the dental clinic to increase access to preventative services. Our proposed recommended action is to approve this grant application and authorize the Chairman to sign the application and any other related documents.”

**Chairman Unruh** said, “Okay. Pam, this is for dental care or just prevention activities, or is it both?”

**Ms. Martin** said, “Preventative services.”

**Chairman Unruh** said, “Okay. Any other questions, commissioners?”

**MOTION**

Commissioner Norton moved to approve the on-line Grant Application and authorize the Chairman or his designee to submit; accept a grant award containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Sciortino seconded the motion.

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

**VOTE**

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you. Madam Clerk, call the next item."

**I. KANSAS COLISEUM MONTHLY REPORT.**

**POWERPOINT PRESENTATION**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "We had a good month in February. February, as you know, is our most popular month of the year, least amount of days, most amount of events. Everyone seems to want to get the same date all the time. Anyway, we had almost 92,000 people through the doors in the month, we had 17 events, 33 individual performances and between the Coliseum operations and Select-a-Seat, there was nearly \$300,000 in net revenue.

Highlights, Model A Swap Meet, they have a great meet. The Wichita As had nearly 23,000 people through the doors over the two days and the weather was perfect. We didn't have any snow or any rain this year, which usually makes it a challenge, with all the folks out there during the day.

Sports, Boat and Travel Show, their 51<sup>st</sup> year, they had nearly 14,000 people through the doors. We have just signed a new five-year agreement with them, so they are locked in for the next five years.

Something different, the Park City Texas Hold-Em tournament, two weekends, we had two weekends so far. I had nearly \$12,500 folks attending the poker tournament. We have number three coming up this weekend. As you know, they play two sessions a day, over two days. We're utilizing our Pavilion II and it's been quite interesting.

The EquiFest was back again this year. We have a new five-year agreement with them, nearly 10,000 people in attendance. They're very pleased with the way it turned out. Again, they had some very nice weather too.

State High School Wrestling Tournament, what can I say about that. That's a great event for us. It brings nearly 12,000 people into our community over a couple of days and the kids just have a great time.

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We also had six Thunder Hockey games, nearly 19,000 people in total attendance over those six games. The Thunder qualified for the playoffs again and we have our first playoff game on the 26<sup>th</sup> and we wish them certainly a lot of luck.

Coming up, we've got the third weekend this weekend of the Park City Poker Tournament, Mid-America Flea Market is on the 20<sup>th</sup>. Our annual Spring Madness Go-Kart Races in our arena building, 25 and 26. Again, the Thunder are back in action on playoff action on the 26<sup>th</sup> and we have a concert with the rock and roll band Slipknot on the 29<sup>th</sup> and John Mellencamp rounds out the month of March with a concert on the 30<sup>th</sup>.

That's the conclusion of my report, commissioners. If there's any questions, I'd be happy to answer them at this time."

**Chairman Unruh** said, "John, the John Mellencamp, that's the one with the reduced ticket price, trying to see how that stimulates attendance and so forth?"

**Mr. Nath** said, "That's correct. We are the only market in the country that's doing that. It has sold fairly well so far. We still have plenty of good seats still available."

**Chairman Unruh** said, "Okay. Then another question about the state wrestling tournament. Now, do we have that next year?"

**Mr. Nath** said, "We have two of the three classes next year. The one class, the 4-A I believe, is going to the Salina and the reason that happened is because, originally we were going to be closed after May 1<sup>st</sup> and they needed to make arrangements. But the other two classes are coming back to the Kansas Coliseum."

**Chairman Unruh** said, "Okay. Well, it will be interesting to see how that works with just two classes."

**Mr. Nath** said, "Well, we do expect some reduced attendance. It's going to be a little different configuration on the floor. I don't believe we're going to use as many mats, but it will still be a good event."

**Chairman Unruh** said, "Well, I think it will be a great event and I wouldn't be surprised if you maintain your attendance, because . . ."

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**Mr. Nath** said, "I would hope so."

**Chairman Unruh** said, "Well, there's only two classes, but there's more room for the people to come and cheer for their teams. I'm looking forward to the change. So, anyway, Commissioner Sciortino."

**Commissioner Sciortino** said, "John, you had mentioned a couple of times that you had just renegotiated a five-year contract, multi-year contracts. Included in those agreements, still assuming optimistically that things go well and we get a downtown arena, has it been mentioned in those contracts is they would . . . if it's applicable, would transfer down to the downtown arena or . . .?"

**Mr. Nath** said, "We have not negotiated any terms, because we don't know what our costs are going to be, in relation to our new facility. Most of the agreements that I'm talking about today have been pavilion-style events and they planning on staying exactly. Of course, the Sport, Boat and Travel Show will utilize all three of the other buildings and we've already made some preliminary changes in how we're going to do that over there."

**Commissioner Sciortino** said, "Okay, well conversely, if for something unforeseen for us right at this time, the legislature doesn't adhere to the will of the people and we don't have a downtown arena, we do go forward with our renovation, has there been any discussion that these would have to take a one or two year hiatus?"

**Mr. Nath** said, "Again, they're going to the pavilions, so it's really no effect. One of the constants in our business is that everything is etched in stone, but subject to change. So, that's just the way . . ."

**Commissioner Sciortino** said, "So you've anticipated everything and we're all set."

**Mr. Nath** said, "Well, I can't say we've anticipated everything, but we try to be as flexible as we can."

**Commissioner Sciortino** said, "Etched in stone, but subject to change, got it. It must be sandstone, because it wears well. Okay."

**Chairman Unruh** said, "Thank you. Commissioners, is there any other comment, question? What's the will of the Board?"

### MOTION

Commissioner Norton moved to Receive and file.

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Commissioner Sciortino seconded the motion.

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, John. Madam Clerk, we're ready for Item J."

**J. AGREEMENT WITH RURAL WATER DISTRICT NO. 3 FOR RELOCATION OF LINES ON SEDGWICK COUNTY PROJECT 634-E1/2 30, 31, 63<sup>RD</sup> STREET SOUTH FROM BUCKNER TO ROCK ROAD. CIP# R-237. DISTRICT #5.**

**Mr. Jim Weber**, P.E., Deputy Director, Public Works, greeted the Commissioners and said, "Item J is an agreement with Rural Water District #3 for relocation of water lines in connection with the road project on 63<sup>rd</sup> Street South from Buckner to Rock Road, which is designated as R-237 in the Capital Improvement Program. The cost is estimated to be \$42,455. I recommend that you approve the agreement and authorize the Chairman to sign."

**Chairman Unruh** said, "Thank you. Commissioners, is there any discussion?"

**MOTION**

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

Commissioner Burtnett seconded the motion.

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

**VOTE**

Commissioner Norton	Aye
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Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Jim. Next item please."

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF MARCH 10, 2005.**

**Ms. Iris Baker**, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of March 10<sup>th</sup> results in six items for consideration today.

**1) BRIDGE IMPROVEMENTS- PUBLIC WORKS  
FUNDING: PUBLIC WORKS**

The first item, bridge improvements for Public Works. Recommend the low bid from Utility Contractors for \$135,762.40.

**2) SCREENING SCANNER- SECURITY  
FUNDING: LLEBG (GRANT FUNDED)**

The second item is a screening scanner for Security. The recommendation is to accept the low bid from Securmar, including one-year extended warranty and disposal of a 1993 Linescan, for a total value \$28,292.

**3) MAINTENANCE RENEWAL- DISTRICT COURT  
FUNDING: COURT TECHNOLOGY**

Item three, software maintenance renewal for the District Court. Recommend the quote from FileNet in the amount of \$29,120.

**4) AIRPLANE INSPECTION- FLEET MANAGEMENT  
FUNDING: FLEET AIRPLANE**

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Item four, airplane inspection for Fleet Management. Recommend the acknowledgement of expenditure with Servicecenter in the amount of \$31,423.11.

**5) RAPE KIT EXAMINATIONS- DISTRICT ATTORNEY  
FUNDING: RAPE KITS SUPPLIES**

Item five, rape kit examinations for the District Attorney's Office. Recommend the expenditure with Via Christi Regional Medical Center for an estimated annual cost of \$75,000.

**6) CAD HARDWARE MAINTENANCE- EMERGENCY COMMUNICATIONS  
FUNDING: COMMUNICATIONS EQUIPMENT**

And item six, CAD hardware maintenance renewal for Emergency Communications. Recommend the quote from Northrop Grumman for \$26,659.25.

Would be happy to answer any questions and recommend approval of these items today."

**Chairman Unruh** said, "Okay, we have a question. Commissioner Sciortino."

**Commissioner Sciortino** said, "On item five, rape kit examinations, we're estimating that we're going to use \$75,000 worth of these kits. How much is each kit?"

**Ms. Baker** said, "Do you know the value of each kit? Four hundred dollars, total, per kit, exam."

**Chairman Unruh** said, "Any other questions, Commissioners. If not, what's the will of the Board?"

**MOTION**

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

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Norton                      Aye

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Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, "Thank you, Iris. Next item please."

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

- 1. Two Temporary Construction Easements for Sedgwick County Project 616-3 through 36, widening of 13<sup>th</sup> Street North between K-96 and 159<sup>th</sup> Street East. CIP# R-253. District #1.**
- 2. Amendment to the 2005 Capital Improvement Program to increase the project to renovate service elevators.**
- 3. Resolution adopting revisions to the Sedgwick County Policies and Procedures Manual to incorporate the recently revised Disposition of Surplus Property Policy into the Fleet Management Policy, and to replace "Central Motor Pool" wording with "Fleet Management."**
- 4. Notice of Public Hearing on May 18, 2005 for annexation number 99-19, generally located at 143<sup>rd</sup> Street East and Kellogg.**
- 5. Payroll Check Register of March 11, 2005.**
- 6. General Bills Check Register(s) for the week of March 9 – 15, 2005.**

**Mr. Buchanan** said, "Commissioners, you have the consent agenda before you and I would recommend you approve it."

**MOTION**

Commissioner Norton moved to approve the consent agenda as presented.



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Commissioner Sciortino seconded the motion.

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

### VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Okay, thank you. We do have an Executive Session today, but before we recess into that, now would be a time for items of community interest. Commissioner Norton.”

### **M. OTHER**

**Commissioner Norton** said, “I’ll kick it off. I wanted to say that it was a glorious day in Haysville on Monday. Many commissioners attended and around 600 Haysville citizens attended the reopening of Grand Avenue at the railroad, and it was a great project from the very beginning, although I’m sure there are some Haysville residents who would disagree, because he has been, you know, an arduous 18 months, pretty tough project with a lot of dirt being moved. And you know, when you run I think a 200 million pound vehicle over a pile of dirt, you want it to be done properly and inspected properly and I think that’s been done.

But it was a combination of federal money, state money, county money, Haysville money and railroad UPSP money. You talk about a partnership, that’s a pretty good partnership to get something pretty important done for not only Haysville, but the south part of the county. Donlinger was the general contractor, Cornejo did the paving, PEC was the managing engineer. I know they took a little bit of heat along the way also, but I think they did a fine job trying to get through bad weather and other problems they found along the way to get the project done.

And I think my great thanks to Mayor Armstrong, who continued to try to lead the Haysville community and keep them optimistic about what was going to happen, even though it was a very tough project.

But as I say quite often, to have a great omelet, you’ve got to break some eggs occasionally, and obviously they broke some eggs in Haysville, but they got a great omelet at the end of it. And it’s real encouraging that most all the properties around Main Street now have contracts on them, two

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strip centers, a new Dollars General Store, a new 100 seat Pizza Hut, senior housing, a credit union, are all going to locate along Main Street, pretty exciting times for Haysville to go along with the residential and industrial growth and I would like to personally thank the county commission.

I was mayor of Haysville at the time that all this started and came and pleaded with Bill Hancock and Tom and I think maybe Ben was around, that this was an extremely important project. It was a window of opportunity for a small community to parlay a lot of federal money, state money, county money to get a project done that was very important to that south side and county commission stepped up to I think a tune of about 3.5 million to help get this project done.

And like many other great projects throughout Sedgwick County that even fall in city limits, the county has always stepped up and tried to do what was right for the community, and this is another great example of that. So I would like to thank the county commissioners, even though I made the transition from mayor on one end of it to county commissioner, it was a great day in Haysville, a lot of good things will happen for that community and I think the county was a good part of that. And pretty exciting, a lot of people kept driving back and forth, under the underpass, honking their horns, as the train came through, so it was a pretty exciting day.

I would like to talk about also our staff meeting yesterday. You know, the public doesn't get to really come to those most of the time, but we had a great dialogue about quality of life issues and how we weigh in on them, everything from Fair Fares to Exploration Place to Cowtown to many other things that we worry about, as county commissioners.

And I thought it was great dialogue, trying to figure out the budget ramifications for us to help out on some of those critical issues in our community, but also be fiscally responsible. And what I thought was encouraging for the citizens, that we're not waiting until budget time in August to make that decision, we're trying to worry with it right now, to be sure that we maximize the use of county funds, but also promote those things that came out of Visioneering that are really identified as quality of life issues that are needed for Wichita and Sedgwick County and even the surrounding counties, but that do cost some money and that we have to make those tough decisions. So, I was very encouraged that we were having those kind of dialogues.

It was very open, and constructive, not all the commissioners agreed how we should proceed, what was important, what needed to have money attached to it, but I thought it was a good, encouraging dialogue, so I thought the public would maybe like to hear that, that they don't always see that in our staff meetings, because even though it's a public meeting, not too many people attend.

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The final thing I had was congratulations to Bob Dool, for being Windwagon Smith for the upcoming River Festival. He's been a friend of McConnell and a great businessman in our community, and I offer him my greatest congratulations for this nine-ten days in May that we celebrate what is so good about our community. Thank you, Mr. Chairman."

**Chairman Unruh** said, "Okay, very good. Thank you Commissioner. Commissioner Sciortino."

**Commissioner Sciortino** said, "Thank you, pardner. And the reason I'm opening it up that way is that yesterday I had a sneak preview of something that's going to be very, very exciting out at Cowtown, thanks to the generosity of Dawson, Grimsley and Terry Newman of Papa John's Pizza and Terry Cole of I think KAKE TV, we are going to be unveiling a brand new, authentic replication stagecoach of the exact kind that rode in Wichita in 1870s. We're going to start our 5<sup>th</sup> season the weekend of April 2<sup>nd</sup> and 3<sup>rd</sup> and on April 2<sup>nd</sup> is we're going to start off with a 'Riding, Roping and Rolling Weekend' down at Cowtown.

The stagecoach is going to start out at Lawrence Dumont Stadium and meander through Delano. Rumor has it, there may be some pickups and deliveries and there may be some unsavory hombres that might want to do bad things to people on stagecoaches, but I got a sneak preview of it yesterday and got to actually have a ride.

I got two new Pecheron Cross mares pulling it, Josephine and Belle and I have no idea what a Pecherone Cross mare is, but it's written here, so I mentioned the words, but it's kind of exciting, I learned some things too. It was pretty expensive to ride the stagecoach back in 1870. You had to pay 25 cents a mile to ride the stagecoach. Now back then, when a dollar and a half a day was probably the wages, to ride to Fort Sill, which was a major stagecoach line, Wichita to Fort Sill, you're talking over \$200 to ride it, inside. Now what I didn't know is that it had steps on the outside of the coach that you could hang onto and that was only 10 cents a mile, and then if you wanted to ride up on top where the luggage is, that was 15 cents a mile.

Then if you and I were going to ride, we could just collude that I got to ride up on top half the way and then you got . . . it was kind of interesting the little dialogue that one of the re-enactors was sharing with us.

It wasn't too uncomfortable in there and they got it up to actual stagecoach speed, but man, I'm going to tell you, having to sit there and ride 10 hours and then stop . . . about every 12 miles there was a way station. So, anyway it was exciting, so please come on out to Cowtown April 2<sup>nd</sup> and 3<sup>rd</sup> and we'll have a lot of fun and you get to see the new stagecoach."

**Chairman Unruh** said, "You said that was 'Riding, Roping and Rolling'?"

## Regular Meeting, March 16, 2005

**Commissioner Sciortino** said, "Riding, ropin' and rollin', there's going to be all kinds of activity out there, but the rollin' is the stagecoach rolling into town."

**Chairman Unruh** said, "I wonder if you could say that three times real fast."

**Commissioner Sciortino** said, "No."

**Chairman Unruh** said, "I didn't think so."

**Commissioner Sciortino** said, "I still got to figure out what a Pecheron Cross mare is."

**Chairman Unruh** said, "Commissioner Sciortino, is that all?"

**Commissioner Sciortino** said, "That's it. That's enough, isn't it? Go ahead and tell them about the Zoo."

**Chairman Unruh** said, "Well, I might mention the Zoo, but I also wanted to say that the Central Plains Area Agency on Aging is having a Visioneering and planning session this afternoon, which is important activity for the benefit of our senior citizens, looking forward to the results of that meeting."

And for those of you who have been following our efforts in workforce development, really the first meeting of the Sedgwick County Technical Education and Training Authority will occur tomorrow in a four-hour meeting which has some orientation and then some planning session attached to that, but we're getting started doing our part with that technical education and training authority.

And then I would say that our four youngest, smallest gorillas are outside now I think."

**Commissioner Sciortino** said, "Give them a ride on the stagecoach, put cowboy hats on them."

**Chairman Unruh** said, "Well, I think that those gorillas are tough hombres, and I don't think we want to do that, but it's a suggestion. All right, I think we're ready for a Motion to go into executive session."

### MOTION

**Regular Meeting, March 16, 2005**

Commissioner Sciortino moved that the Board of County Commissioners recess into Executive Session for 10 minutes to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending claims and litigation and legal advise and that the board of County Commissioners return to this room from Executive Session no sooner than 10:30 am.

Commissioner Norton seconded the motion.

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “We are recessed into Executive Session.”

**The Board of County Commissioners recessed into Executive Session at 10:20 a.m. and returned at 10:32 a.m.**

**Chairman Unruh** said, “I will call back to order the Regular Meeting of March 16<sup>th</sup> and like to state that while we were in Executive Session, no binding action was taken. At this point, I’d call on Mr. Euson.”

**Mr. Richard Euson**, County Counselor, greeted the Commissioners and said, “Commissioners, while in Executive Session we discussed a pending case in federal district court entitled Donnie Wishon versus Mike Hill and in that case, we would like to recommend a settlement of \$7,500 and we would ask that you approve that at this time.”

**MOTION**

Commissioner Norton moved to approve the recommendations of the County Counselor.

Commissioner Sciortino seconded the motion.

**Regular Meeting, March 16, 2005**

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

**VOTE**

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

**Chairman Unruh** said, “Anything else, Mr. Euson? Mr. Manager?”

**Mr. Buchanan** said, “Yes. We just discovered that the house committee approved our senate bill and that with one dissenting vote from a legislator from Johnson County, so now it will be moving to the full floor of the House, sometime in the near future.”

**Commissioner Sciortino** said, “Did they pass it, out of committee, without any amendments on the bill?”

**Mr. Buchanan** said, “Yes.”

**Commissioner Sciortino** said, “Okay.”

**Chairman Unruh** said, “Clean bill, very good, things are going as we hoped. All right, well Commissioners, is there anything else from you all? We are adjourned.”

**N. ADJOURNMENT**

There being no other business to come before the Board, the Meeting was adjourned at 10:32 a.m.

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

**Regular Meeting, March 16, 2005**

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**DAVID M. UNRUH**, Chairman,  
First District

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**BEN SCIORTINO**, Chair Pro Tem  
Fifth District

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**TIM R. NORTON**, Commissioner  
Second District

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**THOMAS G. WINTERS**, Commissioner  
Third District

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**LUCY BURTNETT**, Commissioner  
Fourth District

ATTEST:

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**Don Brace**, County Clerk

APPROVED:

\_\_\_\_\_, 2005