

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 29, 2007

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, August 29, 2007 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Thomas G. Winters; Commissioner Tim R. Norton; Commissioner Kelly Parks; Commissioner Gwen Welshimer; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Mr. Robert Parnacott, Assistant County Counselor; Mr. John Schlegel, Director, MAPD; Mr. Ron Holt, Assistant County Manager; Mr. Chris Chronis, Financial Officer; Ms. Claudia Blackburn, Director, Health Department; Mr. Mark Masterson, Director, Department of Corrections; Ms. Marilyn Cook, Director, COMCARE; Mr. Larry Ternes, Youth Services Administrator, Department of Corrections; Mr. Tom Fletcher, Clinical Director, COMCARE; Ms. Kristi Zukovich, Director, Communications; and, Ms. Evelyn Good, Deputy County Clerk.

GUESTS

Mr. G. Nelson Van Fleet, Appointee

Ms. Shelley Armstrong, Wichita

Mr. Joe L. Norton, Gilmore & Bell, P.C. Bond Counsel

Ms. Caroline Hosford, Chair, Waste Minimization Team

Mr. Kurt A. Harper, Attorney, 833 N. Waco, Wichita, KS 67203

Mr. Larry K. Williams, 303 E. 5th, Halstead, KS 67056

Mr. Harlan Foraker, Engineer, Design, P.A., 810 W. Douglas, #C, Wichita, KS

Mr. John Gollihar, 5259 N. Ridge Road, Wichita, KS 67205

Mr. John McCollister, 5059 N. Ridge Road, Wichita, KS 67205

Ms. Cheryl Parker, Wichita

Mr. Jim Weber, Public Works

INVOCATION

The Invocation was led by Pastor Rick Cline of Central Church of Christ, Wichita.

FLAG SALUTE

ROLL CALL

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

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CONSIDERATION OF MINUTES:

Regular Meeting, August 1, 2007

Regular Meeting, August 8, 2007

The Clerk reported that all Commissioners were present at the Regular Meetings of August 1, 2007 and August 8, 2007.

Chairman Unruh said, “Commissioners, you had the opportunity to review the minutes of August 1st and August 8th meetings, are there any additions or corrections?”

MOTION

Commissioner Welshimer moved to approve the minutes of the Regular Meetings of August 1, 2007 and August 8, 2007.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item.”

PROLAMATION

A. PROCLAMATION DECLARING SEPTEMBER 2007 AS “NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH.”

Chairman Unruh said, “Commissioners, I have a Proclamation to read for your consideration.

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PROCLAMATION

WHEREAS, this year's theme, "Join The Voices For Recovery, Saving Lives, Saving Dollars", asks us to take notice of the financial and human costs of substance use disorders and to understand the benefits of investing in treatment has on those who enter recovery, their families, and the larger community; and

WHEREAS, all of us can help ensure that treatment and recovery from substance use disorders is attainable, affordable and affective; and

WHEREAS, in Sedgwick County alone more than 29,948 residents have a substance use disorder and, although treatment and other support services can guide them through recovery from this disease, only an estimated 18% or 5,390 have accessed our areas treatment centers. Cost and insurance barriers present obstacles to those who need access to treatment facilities and want to reestablish their place in the community; and

WHEREAS, by raising awareness that substance use disorders can be treated just as any chronic disease is treatable, community members will provide a more supportive and productive environment, breaking down the barriers to treatment can facilitate the recovery process for those who need treatment and also can benefit our community.

NOW THEREFORE, I, Dave Unruh, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim the month of September, 2007 as

'National Alcohol and Drug Addiction Recovery Month'

in Sedgwick County, and call upon all citizens to join me in working to improve public awareness and create a greater understanding of addiction and the benefits derived from treatment.

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

MOTION

Commissioner Parks moved to adopt the Proclamation.

Commissioner Norton seconded the motion.

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

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VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And Tom Fletcher is here to receive the Proclamation.”

Mr. Tom Fletcher, Clinical Director, COMCARE, greeted the Commissioners and said, ““I want to take this opportunity to thank you for this Proclamation, but even more importantly, the continued support you’ve shown for those individuals in our community that are in recovery from the affects of substance use and substance dependence disorders.

While treatment is cost affective, we do know that if it is untreated, there are many ways that these illnesses impact the person and the community. It is estimated that for every dollar that we spend on treatment, we get back \$7 in social costs that don’t have to be spent on these individuals, so it is something that is cost affective.

But rather than me talking more about this, what I’d like to do is introduce you to Cheryl, who will tell you just a little bit about her story.”

Ms. Cheryl Parker, Wichita, greeted the Commissioners and said, “Thank you for allowing me to come and tell you some of my story to kick off ‘National Recovery Month’. My name is Cheryl Parker and I am 48-years old and I am a recovering addict.

I’ve come from a good home with parents who have been married for 52-years this month. My dad was in law-enforcement, my mother in the medical profession. My sister is a Corporal with the Sedgwick County Sheriff’s Department.

I grew up in a small town and at age 13, I got drunk for the first time. By the time I was 15, I was drinking daily, blacking out every time. By age 18, I was using speed, pot, cocaine, alcohol. At age 22 I was convicted of my first drug/alcohol charge. I moved to Wichita after that. I quit drinking at age 25 but continued using other chemicals. At 30, I started snorting speed and within six months, I was smoking it, and at age 44, I was using it, IV drug use. By the end of the time that I quit, I was using 14 times the amount that I was using at age 30.

In the time of my addiction, I lost several jobs, 3-housefuls of material items. I moved at least 40

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times and was homeless the last 3-years of my addiction. I was arrested several times for various things, domestic violence, assault, possession of drug paraphernalia, possession of drugs, forgery, identity theft, attempted forgeries, obstruction of the legal justice.

I chose drugs over everything. Then one day, I had court to go to. Three felony charges under my belt here in Sedgwick County. I went to court high, got probation. When I went home, I was sitting there thinking, I'm ready, I've got to change my life. I don't know how to do it. I remembered my little sister told me, 'when you're ready, bring me the paperwork and let me see it in black and white, and I'll help you'. So I walked to my sister's house and I rang her doorbell and she answered her door. I said, I need your help. She let me in, made a call, we got me an appointment for a SAC evaluation, through Sedgwick County.

Then Mr. Joe Miller called Sedgwick County Behavioral Health. He got me an intake with Ashley Hine and I started intensive outpatient treatment with them for a month. I got a bed at Mirrors in Newton and was an inpatient for two months. I came out of there and went into primary treatment at COMCARE ATS with Ashley Hine, I went twice a week for five months.

Then I graduated to Continuing Care, woman's group with Melissa Gomez. And once a month we had family night. Addiction is a family disease and my family support is a big part of my recovery. And we all have to heal together.

Today, I have been clean 451 days. Completed City probation and in December, I will be off County probation. I pay my bills, I have a home with my sister. I went from working three hours a week, to part-time and now, I am an independent contractor for the Wichita Eagle and have my own route. I have a vehicle, legal tags, full coverage insurance and I am a registered voter.

Without God, the people of Sedgwick County, COMCARE, the doctors there, the nurses there, the counselors, my women's group, my family, my probation officer, all the people who walked with me everyday in my recovery, I wouldn't be standing here today alive and living. I want to thank you for saving my life."

Chairman Unruh said, "Cheryl, thank you for coming here and thank you for being willing to be so open and share your story. And we are proud of the success you have and hopeful continued success and your story is testimony to the fact that lives can be changed and that this alcohol and substance abuse can be treated and people can recover from that. We are looking forward for you to enjoy day number 452 in your recovery."

Ms. Parker said, "We will just work on today."

Chairman Unruh said, "Okay."

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Ms. Parker said, "Thank you."

Chairman Unruh said, "Thank you. We have another comment for you Cheryl."

Commissioner Welshimer said, "I want to make one comment to, I want to thank you also, but I want to compliment you on the marvelous way that you made your presentation here today. So, obviously, you have some good talent to contribute and we will look forward to that. Thank you."

Chairman Unruh said, "We have another comment from Commissioner Norton."

Commissioner Norton said, "Well, you know, we sometimes wonder why we do what we do with taxpayer money, and you make it so personal today for all of us. You know, we get criticized sometimes because we have programs like that and it costs money to do them. And does it make a difference? You are living testimony that all of these things that we try to put together as 'Government' does make a difference. It affects human lives, that it changes people and keep doing what you're doing because you're living testimony that those people that may be real against government trying to help people, are doing the right thing. I really appreciate you being here today."

Ms. Parker said, "Thank you."

Chairman Unruh said, "Thank you very much. Tom, thank you." Madam Clerk, next item please."

APPOINTMENT

B. RESOLUTION REAPPOINTING G. NELSON VAN FLEET TO THE WICHITA/SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION.

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, "We've prepared a Resolution to appoint Mr. Van Fleet to a 4-year term on the MAPC and I recommend that you adopt the Resolution."

Chairman Unruh said, "Thank you. Commissioners, what's the will of the Board?"

MOTION

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Commissioner Welshimer moved to adopt the Resolution.

Commissioner Norton seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And Sedgwick County Clerk, Don Brace, is here to administer the Oath of this office.”

Mr. Don Brace, County Clerk, greeted the Commissioners and said, “Good morning. How are you? Please raise your right hand.”

“I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Wichita/Sedgwick County Metropolitan Area Planning Commission, so help me God.”

Mr. Van Fleet, Appointee, said, “I do.”

Mr. Brace said, “Congratulations.”

Chairman Unruh said, “Mr. Van Fleet?”

Mr. Van Fleet said, “A special thanks to Commissioner Welshimer for her pre-nomination of me and thank you to each of the County Commissioners for their favorable vote. I have been on the Commission for the past 6-months and have greatly enjoyed the work, particularly enjoyed the collegiality of the 14-member group and the expertise that they bring to all citizens of Sedgwick County and their review of matters. I am also appreciative of the fine staff work that we have and I look forward to serving for the additional 4-year appointment. Thank you.”

Chairman Unruh said, “Well, thank you Mr. Van Fleet. We appreciate your willingness. Commissioner Welshimer has a comment.”

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Commissioner Welshimer said, "Well, thank you for doing this. I know you are busy and this is a busy job but I very much appreciate your taking this appointment."

Mr. Van Fleet said, "Thank you."

Chairman Unruh said, "Thanks again. Madam Clerk, next item please."

DONATION

- C. DONATION FROM MS. MARLENE CRUMLEY OF ONE SEVEN- YEAR OLD, MIXED-BREED, BLACK HORSE, SADDLE AND ASSOCIATED TACK, TO BE USED IN THE JUDGE RIDDEL BOYS RANCH.**

POWER POINT PRESENTATION

Mr. Larry Ternes, Youth Services Administrator, Department of Corrections, greeted the Commissioners and said, "At the Judge Riddel Boys Ranch, we consider the equestrian program we operate there an important part of the programming we have available.

The program offers our male residents an opportunity for a human-to-animal relationship that helps them learn life-skills, such as trust, honesty, communication, boundary setting and self-discipline. Sometimes these relationships with animals can help a youth learn to develop more favorable relationships with people.

The addition of this horse that you see on the screen this morning, will increase the total of herd at the Boys Ranch to 12. This horse is of the appropriate height and demeanor to mix well with our herd and add significantly to our options when performing riding activities with the boys.

The estimated value of the horse, saddle and tack is approximately \$2,5000. This morning, I'm recommending that you accept the donation of this mixed breed, black horse named Colby, from Ms. Marlene Crumley and authorize the Chair to sign a Letter of Appreciation. And I would be happy to answer any questions that you may have."

MOTION

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Commissioner Norton moved to accept the donation and authorize the Chairman to sign a Letter of Appreciation.

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “We will be sure to express our appreciation and, I don’t know a lot about horses, but he looks like a fine animal, so we’re glad to receive that.”

Mr. Ternes said, “Thank you.”

Chairman Unruh said, “Madam Clerk, call the next item.”

CITIZEN INQUIRY

D. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING A REQUEST FOR A FIRE STATION TO BE LOCATED NEAR BENTLEY KANSAS.

Ms. Shelley Armstrong, Wichita, greeted the Commissioners and said, “I spoke in the August meeting in reference to the temporary fire station located near Bentley. The Board requested that I present more statistics in regards to this matter.

I made an inquiry as to how many volunteer fire firefighters and EMS responders are available. During the day, there is only two, maybe three at the most, that are available during the day. The rest is fully staffed with 12-13 the rest of the time, like in the evenings, weekends.

To my knowledge, if there is to be a major incident, whether it’s mass casualties or such, would that really give our community a fair response time, with having only 2-3 volunteer fire firefighters, at

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the most, available during the day?

While in service, the temporary station did response to 21 alarms, which most were EMS calls. And it is my opinion that having the station in place did make a difference. Please keep in mind that Bentley Primary School also has an impact. The City of Bentley's population alone is approximately 470, but nearly doubles in size due to the children that are bused from Halstead and the surrounding Townships to go to school at Bentley Primary School. And this does occur nine months out of the year.

There is a strong interest and support for a permanent fire station and we have been speaking to the people in the area and have also begun a petition process. I am prepared to turn over what signatures that we have, but still would like to talk to quite a few people that have expressed concerns also. I am quite pleased to report that there has been a overwhelming support for a fire station to be permanently put in place. Thank you for the opportunity to speak out this morning."

Chairman Unruh said, "Well, thank you for being here, Shelley, and we do have comment from Commissioner Winters."

Commissioner Winters said, "I would just continue to say to Shelley, I believe back in August, Lorraine Martin and Ann Phillips were also with you and talked about this issue. One of the things that I am certainly glad that our Fire Department realizes is that when there is bridge closures involved in the northern part of the county, it could have a huge affect on a lot of people. And so I appreciate their putting that temporary station there. And of course, one of the things that that temporary station did was then, certainly, call to the attention of all of those folks that live north of the river, particularly in the Bentley area, that there is continued need.

I've had a couple of conversations with our Public Safety Director, Bob Lamkey, and have had several contacts with other Fire Department staff. We are in the process of really doing some major changes in configuration of our fire stations now, so when we think about adding a new permanent station, it is not a decision that we can just make today and have happen tomorrow. Because when you develop a station, and if it is a permanent station, you begin to deal with a whole lot of minimum requirements. When you just think about the minimum staffing levels of staffing that station, or any station, for 24-hours a day, 7-days a week, 365-days a year, you're looking at, probably, over half a million dollars a year and then all of the other things on top of that.

So I want you to know that you have sparked the conversation and we are having it and have had it, and will continue to have it. But, I would certainly not want you to think that we could make this shift just as an overnight process. This is one that we are going to have to plan for financially

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because it will have and would have a financial impact on the entire fire district. And what we are really attempting to do now, in some of our relocations, is making sure that we are getting the most bang for the buck in giving the best protection to the largest numbers of people.

You know, originally coming from Viola, KS, I know what numbers are and places like Viola and Bentley don't have a lot of folks but that doesn't mean that they are not important to us. So, Shelley, I would just certainly want to say to you that you've sparked the conversation internally, I've had it with our Fire Department and our Director of Public Safety and I'll continue to have it. But, please feel free to come back and share new and additional information if you or the citizens get it and we would be glad to accept that petition if you have it with you or if you wanted to send it to us, we would be glad to accept that."

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

Commissioner Winters said, "All right. Thank you very much Shelley."

Chairman Unruh said, "Thank you Tom. We have another comment from Commissioner Norton."

Commissioner Norton said, "I understand temporary stations, because we had one in Haysville when we split the town because of the railroad, and it does make an impact on different citizenry. I think it would be interesting to put into the mix, EMS and EMS stations and GPS tracking because if most of the calls are really Emergency Management or Emergency Services and not fire, maybe that needs to be in the mix too and that complicates the conversation, but it is part of it, that maybe it's not as much about fire but is about overall Emergency Medical Services, and that becomes a different conversation. That's all I have."

Chairman Unruh said, "Thank you. Well, Shelley thank you for being here, we appreciate your comments. Commissioners, do we have a motion to receive and file?"

MOTION

Commissioner Winters moved to receive and file.

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 Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item please."

PUBLIC HEARINGS

E. PUBLIC HEARINGS.

1. PUBLIC HEARING REGARDING THE PETITION FOR ANNEXATION OF CERTAIN LAND COMPRISING THE GREELEY DRAINAGE DISTRICT BY THE EAGLE DRAINAGE DISTRICT.

POWER POINT PRESENTATION

Mr. Robert Parnacott, Assistant County Counselor, greeted the Commissioners and said, "Before I really get into the details, I thought I would bring up this map first and we'll get it enlarged. This shows the entire county and provides you a description of the boundaries of the watershed districts and the drainage districts we have in this county, both active and inactive, and those are the two special type of districts that deal with drainage issues in addition to the other municipalities you might deal within the county and city, etc. So we can put that aside for just a second, I did want to give you an overview.

We are talking specifically today about two districts up in the northwest corner and I'll have a more detailed map in a minute. The Greeley District, which is up here, where I'm moving my arrow, and then the Eagle District. I also thought I'd show this broader coverage here, once again, shows more detailed area. This shows the flood zone in yellow hatching. It's a little hard to tell because the yellow hatching pretty much covers the Greeley Drainage District completely. There is a little bit that maybe lies outside of the flood zone. Eagle is just to the north of that and then, which is in this area here where I'm moving the hand and in between, are some parcels that we'll talk about in our second public hearing today.

We can come back to this map here in a minute if you would like to, but let me bring up the map that shows what we're doing today. These are the two drainage districts and the purpose of this public hearing is based on a petition that's been presented to us. These are two separate districts,

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one was formed in 1945, I believe, and the other was formed in 1951. And they have been in place and been active since then. They would like to combine, and there was statutory procedure for allowing them to combine their districts into one district. They do that by providing a petition to the Board of County Commissioners, then you are required to set a hearing date, which you did previously, and today is that hearing date.

We are required to provide notice by publication. We published in the Derby paper, which is our official newspaper, on the 20th, which is more than 7-days prior to the hearing, which is our statutory requirement. In addition we provided two courtesy notices, one in the Ark Valley News and one in Mount Hope Clarion. Those were both published on Thursday, August 23rd. So we have met the notice requirements for the public hearing and at this point we would have the public hearing, open it and receive any testimony, but before we do that, I thought I might share with your role is in this process, which is to make several findings after the conclusion of the public hearing.

The first conclusion is that the notices have been provided as required by law. Which, I can tell you, has been done. The second provision is to make sure that the petition submitted conforms to the requirements of the Statute. I have reviewed the petition, I have reviewed the Statute and it does conform to the requirements of the Statute. The final challenge for you is to, after you've had your public hearing, is to make a finding that the statements in the petition are true. And I might just read through those statements real quickly, they are very short and very simple. But that's the actual finding you have to make today and if those petition statements are true and you find that in the conformity, the Statute has been met and the notice has been met, then you are entitled to authorize an Order be issued combining the two districts.

The first finding is simply that they want to transfer all of the real estate that comprises the Greeley Drainage District into the Eagle District. We've compared the legal descriptions and they have given us the entire legal description for the Greeley Drainage District. So, that one, I think is true on the record. And again, the second follows up on that, it just says that they are going to transfer all that territory from the Greeley to the Eagle District. They indicate that the transfer has been recommended by each of the drainage districts affected by the Resolution, I'm sorry, affected by Resolution and adopted by the Board of Directors of each district. And we have representatives of the drainage districts and they can testify as to that this action was taken by their Board.

You need to find that this statement is true also, the proposed Transfer of Territory will result in more efficient and more adequate protection of the territory described in Exhibit A, which is the Greeley District, from overflow or damage and it's conducive to the public health, convenience and welfare. And that concludes the statements that you have to consider as you hear testimony. And

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again, we have representatives here to testify as to what their plans are on in the future and how they will meet that last finding, or that last statement.

Having said all that, unless you have any questions, I suggest you open the public hearing and we'll receive some testimony."

Chairman Unruh said, "All right, thank you, Bob. Before we open the public hearing, Commissioners, are there anything that you would to ask of Mr. Parnacott? I don't see any request to speak so at this time I will open the public hearing and ask if there are those who are interested in this that would like to speak. And if you want to step to the microphone and state your name and who you represent or what your office is....?"

Mr. Kurt Harper, Attorney, Wichita, greeted the Commissioners and said, "I have been working with the Eagle Drainage System Board for probably a couple of years now, looking at ways to try to address the problems that they face as the 60-year old district that you've heard about, in dealing with the amount of water that comes across the Reno County line and the Harvey County line, crossing the Greeley Drainage District and into the Eagle Drainage District. Obviously with the increase in population, changes in some drainage conditions and the like, the volume of water has been increasing over time and the facilities themselves have been decaying just with age.

They have looked at a number of ways to address the problem and ultimately concluded that the best way was to try to find a manner to address some of that in flue of water earlier in the flow process. And they have met with representatives of the Greeley Drainage District, some of whom are present today, and met with Larry Williams, who is a representative of Williams Land Company and owns the parcels that are shown in blue on the map, to try and find ways to broaden the areas available to them to work, to consolidate operations, to try and address each of the concerns more economically and to develop new improvements that would help route the water more efficiently away from the farm land that's affected and into, either the drainage ditches, the slews or ultimately into the river at points that will not cause problems downstream.

We are also aware that the County has been looking at some means of giving a broader solution to the drainage problems that are faced in parts of Sedgwick County, and we believe that this step is conducive to the County's further developing a plan like that. Because it brings a larger quantity of the land into a single drainage solution district while at the same time giving a lot variety of the ways that those particular problems can be addressed.

There are two petitions that you will receive today. One of them is the one that is currently announced for public hearing in which the Eagle Drainage District would essentially receive it through annexation or transfer, the land that is currently contained in the Greeley Drainage District.

The second one, that Mr. Parnacott, I believe, will address shortly, is to add blue parcels on the map and that's the individual parcels owned currently by Williams Land Company, that span the

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gap that you can see that exists between the two drainage districts.

Some of those parcels are directly impacted by the drainage problems we are talking about, others, if added to the drainage district would improve, again, the variety of ways to deal with water flow problems as the overall solutions are addressed.

The action before you, currently, takes the form of a petition signed by each of the two drainage districts. It was signed by Greg Young, who was the Chairperson, conveniently, for each, I think to his dismay perhaps, but conveniently for us, the Chairperson for each of the two drainage districts involved. We also have with us today, if the County Commission wishes to hear from them, other members of each of the Boards. We've got Richard Basore here, who is a Board member and Bob Seiler, who is a Board member of the Eagle Drainage District, in case the Court needs to have additional representations regarding the adoption of the Resolution by that Board. Present, on behalf of the Greeley Drainage District, is Odell MaCurry, who have authorized me to represent to you that the Board has also acted affirmatively in support of this Resolution and its request that the County approve the combination of these two districts, if you will, into a large drainage district.

I do want to have Harlan Foraker talk with you some. He is the Civil Engineer who has helped develop some of the concepts about how combining this land can more affectively handle the drainage problem. And that will help you understand, perhaps even more clearly, how this will result in more efficient and adequate protection of the territory and why it is conducive to the public health, which are the two key things then, in terms of the substance of this proposal that you will need to address.

What I would suggest, unless the Commission desires to take a different approach, is to let each of these speakers address this petition now, with the understanding that their comments will be identical when you get to the next petition and we'd simply refer you back to our testimony for this portion then in support of the petition, which you will hear next, which involves the blue parcels belonging to Williams Land Company.

So towards that end, in addition to hearing from Harlan Foraker and any of the Board members you wish to hear from, I'd like to have Larry Williams address the concern briefly, because he has property that is currently in the Greeley Drainage District and this bridge property, and can give you a good overview of a landowner's perspective of why this is an important step to take. So with that, let me turn it over to Mr. Williams first, and then Harlan Foraker can add additional technical information. If you wish to hear from any of the Board members, just let us know and we'll get

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them up to the microphone. Thank you very much.”

Chairman Unruh said, “Thank you.”

Mr. Larry K. Williams, owner Williams Land Inc., greeted the Commissioners and said, “Right off, I want you to know that Williams Land, Inc., it’s not that we have been some opportunists that’s gone out there and bought recently, my great grandparents homesteaded in this area and we most, all of our land has been owned by our family for over a hundred years.

So, with that background, what has happened, and members of the Eagle Drainage District have heard me say this many times, we have a hodgepodge, we’ve had a hodgepodge of drainage districts down across the north side of the Arkansas River and what is natural to take place there is to get the water off of your drainage system, or off of your jurisdiction as quickly as you can, and well, that creates a problem for the next one, which does the same thing to the next one and the next one.

It has long been my belief that a comprehensive plan needs to be in affect all the way from the Cowskin Creek in Reno County, which Hutchinson is addressed, clear down to the Arkansas, or to the Valley Center/Wichita Flood way. Well, I see this as a giant first step in addressing the problem and working toward a more comprehensive plan that will be, certainly, a benefit of all involved.

So I am here, as I say, representing Williams Land, Inc., and urging, the blue part is, to show you my conviction here, the blue part on the map has not been in either of the districts and we have already petitioned, or signed the necessary papers to move that into the Eagle Drainage District. And then some of the yellow land is currently owned by us in the Greeley District.

So with that all said, I highly recommend your favorable approach to this problem at hand. And believe you me, it is a definitely a problem. And again, this is a wonderful first step to getting some resolution. Thank you.”

Chairman Unruh said, “Thank you sir.”

Mr. Harlan Foraker, Certified Engineering Design, greeted the Commissioners and said, “As Kurt had mentioned, I have been working with Eagle Drainage for a couple of years now looking at some of these ideas. And I will say that some of these ideas weren’t my brainchild anyway, some of these folks, I think as you can understand, these farmers are pretty smart fellows and they can come up with some pretty good ideas as well. So, I have kind of just been helping them massage those a little bit and see if things can’t be worked out that might better serve drainage in the area.

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Without going into a lot of detail, just a couple of things that we've, I've been looking at for them. In the Greeley Drainage District area, which is the yellow area, is a drainage way, that I think has just been called the slew, doesn't really have a name, been called a slew for a number of years, and at the point where it comes in and meets the western boundary of Eagle Drainage, kind of in one of the eastern most blue area there, it meets up with a portion of Eagle Drainage District. And in order to try and make some improvements or help the drainage in the Eagle Drainage District area and their drainage ditch that they have going through the orange area, I recommended to them that we essentially try to get rid of some of that water from Greeley into the river so that potentially a lateral can be used from the Eagle Drainage system, which right now is blocked and not being used. And it involves Mr. Williams' property; so we are in the process right now of designing a project which would take some of this slew water, which is approximately 5,000 acres, and take that water directly into the river in a more efficient mean than what it is currently trying to get there right now.

And we think that that project will potentially alleviate some of the flooding on Mr. Williams' property, and then also open up this lateral from the main ditch for Eagle Drainage and allow that to perhaps be utilized here in a future project to take water into the river. So, that is one item that can be, is probably the first item that's proposed to be worked on by this joint drainage district, if it's brought together.

The second thing is another issue with regard to the main channel of Eagle Drainage District, and Mr. Winters and Mr. Parks were out at Bentley, and we had some maps out there where we explained to them that, unfortunately, drainage doesn't recognize county lines and township lines and that sort of thing. And this orange boundary, where Eagle Drainage is just a small portion of the overall drainage basin that contributes runoff, and the basin for this, if there was an extension of this map, would go on up into Harvey County and on up into Reno County.

Just for your information, where this drainage comes into Eagle Drainage, at the County line, there is approximately 21-square miles of drainage that comes in and gets contributed into Eagle Drainage District. So, their main drainage channel is currently experiencing some issues with regard having to deal with the land leveling processes that are being done to improve agriculture and that sort of thing. And there is a very well defined drainage district in Reno County, with well-constructed man-made channels, but unfortunately there is a gap between Reno and Sedgwick County, where there is no drainage district. And, that may be a future potential project for this

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combined drainage district so that that's either the consideration, or the discussion has been, with the advice to Mr. Harper to perhaps even expand this drainage district on up into Harvey County.

So those are just two issues that we're looking at right now. The first one, like I say, is dealing with the slow drainage and then also, secondly, dealing with these improvements that may be required for the actual main channel of the Eagle Drainage ditch. So, just wanted to share a few of those issues with you. There are some real projects out there for this drainage, joint Drainage Board to be able to pursue and we think this is the most affective way to pursue those. Thank you."

Chairman Unruh said, "Thank you. Is there anyone else who would like to speak with new or different information?"

Commissioner Winters said, "I have a question for Kurt Harper, if I could. And again, Kurt, I know that you've said this, but I just would like to hear it one more time for the record so we don't need to hear from all the others that are here, but to your knowledge and your understanding, the Board of Directors of each of these drainage districts have agreed and are petitioning to sign the Resolution, that they agree that this is the correct and proper and thing to do?"

Mr. Harper said, "Yes. I was present at the Eagle Board where the vote was taken. Odell MaCurry is present and is on the Board for Greeley and he assured me immediately before the hearing that the formal action was taken to authorize the petition and to recommend this action to the Board."

Commissioner Winters said, "All right. I think that's sufficient for me. I know there are several people here in the audience that are here in support of this. I guess I would like to make sure, Mr. Chairman, that we give the opportunity, if there is anyone that is in this audience who has seen one of the notices in either the Derby paper or the Mt. Hope Clarion or the Valley Center paper, that are here in opposition to this combining."

Chairman Unruh said, "This is a public hearing and anyone who wants to speak has that privilege and so those either pro or con on this issue are welcome to take the podium."

Commissioner Winters said, "All right. Thank you."

Chairman Unruh said, "Thank you Commissioner. Commissioner Parks?"

Commissioner Parks said, "I think that answered one of my questions. The other one is, I think this is a positive step, basically in the drainage issues out there and we have to take this one step at a time and I think maybe this Board could look towards working with Harvey and Reno County in the future at trying to coordinate some of those activities and better serve our clientele down here.

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Thanks.”

Chairman Unruh said, “Thank you. Is there anyone else who would like to ask a question before we close the public hearing? I don’t see anyone asking to speak, so I will close the public hearing and we will restrict the comments here to the bench and anyone that they ask to speak. So, Commissioner Winters?”

Commissioner Winters said, “Thank you Mr. Chairman. Well, Commissioners, I’m going to be very supportive of this Resolution and moving forward with both the combining of these and the inclusion of the new property. Over two years ago, the City Manager of the City of Wichita and our County Manager, formed a task force to begin to look at storm water issues on a more countywide basis. And on one hand, I ‘m really glad that we kind of had this presentation and I’m glad that John Schlegel was here to be a part of the discussion. John is Director of the Metropolitan Planning Commission, he, along with David Spears, Public Works, and Chris Carrier, Public Works, City of Wichita, have been involved in that task force. And I see Bob Seiler here. Bob has also participated on those committees, as have I.

What the point now, where we’ve put together some plans, but one of the next steps that, I think John Schlegel is going to be around to visit with us, is about forming an Advisory Board to continue to look at things on a holistic County wide basis. And in just looking at these maps and then seeing how these two drainage districts are taking some action to affect their portion of the county, I think it’s good for all of us to know. But just as several of them have mentioned, including Mr. Williams, that once you saw the issue here, often times you have another issue just down the road or just down the stream from where you are. So I think these landowners are taking a very responsible position in trying to address these issues.

So, when the time is right, Mr. Chairman, I would be pleased to offer a motion that we support this and move forward.”

Chairman Unruh said, “All right, thank you. Commissioner Norton?”

Commissioner Norton said, “I’m going to be supportive too. For many years, you know, the south side has its drainage issues too and I’ve worked pretty hard to figure a lot of them out. So I am very encouraged that we’ve got drainage districts that have worked independently, but have figured out that combining and trying to really work on the basin part of the problem is very important.

I would be interested in, not particularly for just Greeley and Eagle, but for the formation of other

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districts, how was the Board formed between the two? Are they fusing together? Being reelected? How is that going to happen?"

Mr. Harper said, "It's my reading of the Statutes that are involved, that the impact of this process is to essentially, to literally transfer the jurisdiction of the drainage issues in Greeley to the Eagle Board. Theoretically then, the Greeley Board would essentially end up using its remaining funds for the benefit of the Greeley District. Ultimately it would be governed by a Board that will be the Eagle Drainage District Board.

The Boards have been in communication and we are looking at whether the Board size needs to be increased or whether we simply substitute out some members, but the Administrative goal would be to continue to have representation for landowners in each of these currently independent districts so that the people who were in the western extreme would still have a representation in the Board and would not be seating all of the control to the current Board at the Eagle District. So they would combine forces."

Commissioner Norton said, "So Kurt, in your opinion, they have the ability to expand or contract their own Board through State Statute?"

Mr. Harper said, "Yea, there are statutory definitions for who is a Board member and I did not look at that before coming up here today. And either there is the flexibility to add positions or with the normal election cycle of when the directors are added, there can be some substitution in to make sure that that representation remains balanced for the areas that are affected."

Commissioner Norton said, "Okay, well my next question was, they are duly elected officials, they run just like any other elected official for the Drainage District Board, is that correct?"

Mr. Harper said, "There are prescribed terms and then a method for electing them within the district. I don't think these show up on the regular ballot, but there are bylaws that exist for each of the entities that in turn define how their Board members are selected."

Commissioner Norton said, "Okay. And funding comes through a taxing authority that's built into the mechanism?"

Mr. Harper said, "Yes. And in the Eagle District, that is, they determine a budget and spread that on a per acre basis as opposed to a more traditional Ad Valorem tax basis. We've been working, in fact, with the Clerk's Office to make sure we're on track on getting the budget information to them, contingent upon approval of the Resolutions today, to get them on track, to get the budgeting process done in time for your purposes as well."

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Commissioner Norton said, “And Greeley had a little bit different funding mechanism, so they’ve had to kind of work that out. Is that correct?”

Mr. Harper said, “Right. And as, one of the alternatives that we looked at was some way to take advantage of a different statute that allows individual landowners or two different drainage districts to essentially enter into cooperative agreements on how to address these joint problems.

The differences in the funding mechanism was part of what led to the conclusion that combining would make more sense, because that way all the properties are treated essentially the same for a taxation purpose and it consolidates how those budgets are constructed and it just, we believe it will affect a lot more efficiency and how the funds are handled in the long run.”

Commissioner Norton said, “Well, I asked these questions for a couple of reasons, for this specific, but in general, for the County, I think we are going to be looking at more and more drainage districts where there is participation from the people that live there to fix the issues that are in their area that may have existed for many, many, many years. And the mechanism that happens between Greeley and Eagle, I’m going to watch real closely, because if they can work together to solve a greater basin issue, it applies to many other parts of the County that probably need to do something very, very similar. I’m very interested in this. That’s all I have Mr. Chair.”

Chairman Unruh said, “All right, thank you. I don’t see any more requests to speak, so, Commissioner Winters?”

Commissioner Winters said, “I would be glad to offer a motion, and Bob, at the end, help me if I didn’t get it all right.”

Mr. Parnacott said, “Have we closed the public hearing? I’m not sure we...”

Chairman Unruh said, “We have closed the public hearing.”

Mr. Parnacott said, “Go ahead sir.”

Commissioner Winters said, “The public hearing is closed.”

MOTION

Commissioner Winters moved that the Commissioners make the finding, that proper notice has been given, the petitions conform to the Kansas State Statutes, and that the petitions statements are true and that the Board of County Commissioners supports the transfer of land comprised in the Greeley Drainage District to the Eagle Drainage District and

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authorizes the Chairman to sign.

Commissioner Parks seconded the motion.

Commissioner Winters said, “Just want to ask Bob if that touched all...”

Mr. Parnacott said, “That covers everything.”

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item.”

2. PUBLIC HEARING REGARDING A JOINT PETITION OF EAGLE DRAINAGE DISTRICT AND WILLIAMS LAND, INC. FOR ANNEXATION OF CERTAIN LAND BY THE EAGLE DRAINAGE DISTRICT.

Mr. Parnacott said, “This is the second petition today and I’ll leave the same map up. We are not talking about those blue parcels that have been referenced earlier. I would agree that you can certainly incorporate and take note of the earlier comments by everybody in connection with this petition.

This petition is specifically to add those blue parcels into the Eagle District. Same kind of set up here, we provided notice, in this case we just provided notice in our official Derby paper since all that’s involved here is one landowner asking to be part of a district and the district wants to have them. So there wasn’t perceived any need to do any additional courtesy notices. We did meet the statutory required notice of at least ten days prior to the deadline.

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Again, we have reviewed the petition, it conforms to the statutes, that is another one of the findings that you will need to make. And finally that the statements in the petition are true. So let me just read through those real quickly so you have those in your mind.

The first statement in the petition just describes the eight parcels and we've confirmed that those are the right legal descriptions.

The statement two in the petition indicates that the land and property they're on are subject to injury and damage from overflow of natural or manmade water courses and particular water courses known as the Arkansas River and the big slew. You've heard testimony to that affect already.

The third statement is the improvement of the channel or watercourse, construction and maintenance, levies, drains, ditches, dikes, jetties, rip wrap or other works are necessary to prevent such overflow. Again, we've had some testimony on that point.

And finally that the improvements would be conducive to public health, convenience or welfare. So again, it's a question of opening the public hearing, having any additional comments or questions that you might want to hear. For now, I think you've received all the testimony you need and you can just incorporate that into your findings on this one as well."

Chairman Unruh said, "All right. Thank you Bob. Before we open the public hearing, Commissioner Winters?"

Commissioner Winters said, "Just a comment. I agree that we can certainly rely on that. During the public hearing, I would like for Kurt Harper to just acknowledge that he's here and perhaps Mr. Williams to acknowledge that he's here and in agreement that their statements are the same as they would have been in the preceding...."

Chairman Unruh said, "All right. Very good. And if you gentlemen will be willing to do that and at this point then, we will open the public hearing and Mr. Harper, once again, if you would state your name?"

Mr. Harper said, "Yes, I would incorporate my previous comments and I would like to address in advance the question that Commissioner Norton asked regarding some of the taxation issues and management issues.

Here we have a landowner who is not currently subjected to a taxation process for the land that we're talking about bringing in, and is indicated by joining in the petition, his willingness or the Corporation's willingness to participate in the funding of these projects as well and to address this

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as a larger joint problem. And so again, this is someone who is actually, voluntarily coming into the district to find better and broad based solution and with that I will turn it over to Mr. Williams, unless you have other questions for me?"

Chairman Unruh said, "I see no other questions, so, Mr. Williams?"

Mr. Williams said, "My previous comments are to be incorporated into this part of the hearing. Thank you very much."

Chairman Unruh said, "Thank you sir. Any other persons here that would like to speak to this agenda item? Alright, seeing no one requesting to speak, I will close the public hearing and restrict comments to the bench."

Commissioner Winters said, "I am ready to make a motion. Bob, I'm not sure exactly what this motion is, except to say that we'd find that all the statutory requirements have been met?"

Mr. Parnacott said, "Same motion as before. That the notice has been provided, the petition conforms to the Statute requirements and all the petition statements are true."

MOTION

Commissioner Winters moved to find that the notices have been properly given, the petition conforms to Kansas State Statutes, the statements are true and that the Board of County Commissioners supports the inclusion of this property into the Eagle Drainage District and authorize the Chairman to sign all documents.

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

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Chairman Unruh said, "We do have a comment from Commissioner Norton."

Commissioner Norton said, "Bob, its just a question."

Mr. Parnacott said, "Do you want me to bring the map back up?"

Commissioner Norton said, "There's white spaces, still..."

Mr. Parnacott said, "On the other map?"

Commissioner Norton said, "Right. And this is just thinking strategically, what is the legalities of those districts taking in those other properties? Do they have to willingly want to be in the drainage district? It just seems like, particularly that one white square over the independent blue square, is right in the middle of..."

Mr. Parnacott said, "This one right here?"

Commissioner Norton said, "No, one down."

Mr. Parnacott said, "That one?"

Commissioner Norton said, "Yea."

Mr. Parnacott said, "Yes, yes."

Commissioner Norton said, "It just seems like that is at the confluence of where some of the major problems are, and it seems like it being left out, doesn't make any sense. Is there legalities involved in trying to include other properties?"

Mr. Parnacott said, "I haven't looked at that myself, and I don't know, Kurt can answer that maybe."

Mr. Harper said, "The procedure, of in which we've added the Williams Land Company is an annexation procedure and one can, or the Board could, theoretically, petition involuntarily, in a sense, to annex additional adjacent properties. We were looking for a means to prepare for next year, particularly in light of this years experience.

The Williams Land Company and Greeley were both eager to address that jointly and this one we knew we could put together and address with the real estate that's involved, the most urgent

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questions that we are facing. It gives us then, a bigger opportunity to work cooperatively with those other landowners, but there are procedures by which a drainage district can petition to annex adjacent properties and those adjacent properties can actually spill into other counties.

We've invited representatives from Harvey County down for one of the joint meetings that we had, to look at how broad-based the problem was and start testing the waters there. We are here today with these, simply because these are the ones that we knew that we had on board with a way to address it. We recognize there are still those gaps and are looking at a way to bring everybody on board where it's possible to do so."

Commissioner Norton said, "Okay, thanks."

Chairman Unruh said, "Thank you for that explanation. Alright, I believe that takes care of agenda item E, 1 and 2, so gentlemen, thank you for your participation. Thank you Bob. Madam Clerk, will you call the next item please."

PLANNING DEPARTMENT

F. PLANNING DEPARTMENT.

- 1. MAPD CASE NUMBER CON2007-00026 – SEDGWICK COUNTY CONDITIONAL USE TO ALLOW RECREATION AND ENTERTAINMENT, INDOORS AND OUTDOORS, FOR A HAUNTED FOREST; GENERALLY LOCATED ON THE WEST SIDE OF RIDGE ROAD, MIDWAY BETWEEN 53RD AND 45TH STREETS NORTH. DISTRICT #4.**

POWER POINT PRESENTATION

Mr. John Schlegel, Director, MAPD, greeted the Commissioners and said, "You can see the application area on the graphic in front of you now. It's a 15-acre site of which the applicant would like to use about 11-acres for a haunted forest. You can see the zoning on the map in front of you, the property is currently zoned "RR", rural residential, and has across the street to the east, SF-20 zoning and you can also the property to the south that is zoned SF-20. So it is primarily

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residentially zoned neighborhood.

The applicant is intending to operate this haunted forest during the month of October, during the first two weeks and the first two weekends. He'd operate it on Fridays and Saturdays. And then later in the month, in the third and fourth weeks, he would want to also operate it Thursdays in addition to Fridays and Saturdays. And then as they lead up to Halloween, on the 31st, he'd like to operate it on that Monday, Tuesday and Wednesday of Halloween week.

He is proposing to operate from, hours of operation would be from dark until 11:00 p.m. on weekdays and from dark until midnight on the weekends.

The applicant has operated this event, seasonal event, for a number of years. He was informed by the County Code Enforcement people that he would have to comply this year, get a Conditional Use for this particular use. The Zoning Code does allow for these types of seasonal events, as outdoor recreation and entertainment, but in the rural residential zoning district requires a Conditional Use. And those Conditional Uses are subject to a number of minimal standards that they have to meet. Those are outlined in your Agenda backup report.

You can see the character of the, essentially, rural residential area in the aerial photo. It also gives you a perspective on where the existing home is on the site and the woods to the west of that home. And you can see the surrounding land uses are residential in character all up and down Ridge Road and there is a suburban density subdivision off to the southeast of this site.

The nearest residents are approximately 30-feet on the south, another one about 160-feet off to the east and the one to the north is about 135-feet from this property.

The applicant has supplied a site plan to us for what, how he intends to operate this. The orientation of this map is, Ridge Road is along the south edge of this site plan and what they intend to do is use the front area, which is a grassy, gravel area, or sandy area as a parking area. The entrance to the haunted forest would be through a temporary building that he intends to construct here and then you can see a pathway back through the trees where the haunted forest would take place.

Just real quick to show you the existing home, and this would be the parking area out in front of that home.

Now the applicant is asking that two of the conditions that are required for this type of Conditional Use be waived. One of those is the paving requirement, that that parking area be paved. We do have a recommendation from the County Fire people that this would be okay with them. However, staff, the other that they are looking for is to, the requirements regarding noise standards, they would like to have an outdoor sound system that would enhance the haunted forest experience.

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Staff is recommending that you not approve that waiver.

This item was heard by the Metropolitan Area Planning Commission at its July 19th meeting and the Planning Commission is recommending that you approve this Conditional Use, subject to a list of some ten conditions. They are recommending that you waive the paving requirements for the seasonal activity. And they are also recommending, in accordance to staff's recommendation, that you not waive the noise standard requirements.

One change in the MAPC, one potential change in the MAPC recommendation regards a condition to dedicate 10-feet of right-of-way on the front of this property along Ridge Road. After further review by the County Engineer's Department, they've concluded that they really don't need that additional 10-feet. Our staff recommendation is that that not be included in any action you might take today.

When this item was heard by the Planning Commission, there was one person that spoke against it, claiming that this seasonal event would be an intrusion into the peace and quite of the neighborhood. The Planning staff has received no phone calls supporting or protesting the request up to and after the Planning Commission meeting. And we have received no written protests regarding the request, although we have received one e-mail in support.

So with that, you have a recommendation from the Planning Commission for approval of this request for this Conditional Use. And those conditions would include a waiver of the paving requirement and at this time, would require a dedication of 10-feet of right-of-way along Ridge. And with that, I will be glad to take any questions."

Chairman Unruh said, "All right. Thank you John. Just so I'm clear, the recommendation is to waive the paving but allow for the outside amplification?"

Mr. Schlegel said, "No. It would be not to allow the outside amplification. The applicant is requesting that the noise standards that are required in the code be waived in order to allow them to have the outside sound system. The Planning Commission recommendation is not to do that."

Chairman Unruh said, "Okay, thank you. We do have a question from Commissioner Parks."

Commissioner Parks said, "The 10-foot right-of-way, is that not needed because the right-of-way was purchased for the additional four-lane? The four-lane project that's going to be going along there? Do you know if that is, that's part of that project, is it not?"

Mr. David Spears, Director, Bureau of Public Works, greeted the Commissioners and said, "Yes,

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we'll have our four-lane project going through there. It came back to our staff and evidently we've either already got the right-of-way or we have recently purchased it or we already had it in the first place, but we do not need this 10-feet."

Commissioner Parks said, "Okay. And, John, on #7 on the analysis, it may just be a double negative here or something, but the applicant is still asking the BoCC to waive the noise standards on the site to allow stereo speakers be placed in a 16-foot-by-16-foot temporary office at the entrance to the haunted forest? And then the first part of that statement says no outdoor amplification shall be permitted on site."

Mr. Schlegel said, "Right. The first part of that statement is the recommendation of the Planning Commission, that was one of the conditions that they attached, that no outdoor sound amplification system be permitted. However, we're trying to make known in the staff report that the applicant is asking for that requirement be waived."

Commissioner Parks said, "And Mr. Chairman, I know that this is not a hearing as such, but I do have a constituent that would like to speak to this at the appropriate time."

Chairman Unruh said, "Okay, we'll allow that here in just a minute, as soon as we see if there is any more questions from Commissioners of Mr. Schlegel. I don't see any, so, in deference to Commissioner Parks' request, is there a neighbor here that wanted to speak? If you would state your name please, and address, step to the podium and if you could keep your remarks short, we would appreciate it."

Mr. John Gollihar, Wichita, greeted the Commissioners and said, "I am a neighbor at 5259 N. Ridge Road, located approximately five, or I'm sorry, four houses north of the area, 'the Forest of Terror'. Several years ago, in fact 24-years ago, we moved into the area and we expected to hear an occasional tractor, combine or rooster in the morning. Then, several years back, we started hearing screams, chainsaws and such in the night; it's very disrupting to sleep. I would suggest that the Commission would consider the recommendations made just previously not to allow a speaker system in the area. Thank you."

Chairman Unruh said, "All right, thank you. Appreciate your comments. Commissioners, are there any other comment or question? Yes sir, if you would like to speak?"

Mr. John McCollister, Wichita, greeted the Commissioners and said, "I am the one that does the event. It is a charity event for McDonald House and Make a Wish. The sound system that I use, its not no big glorified deal. It's a 20-watt stereo, low voltage stereo. Speakers are 6-inches-by-9-inches. From the street, you have a hard time hearing it from the street. It's not, it's quiet back there and it needs some kind of noise other than just silence, when I do this event. I'm wanting you

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to let me do my sound system, it's real small."

Chairman Unruh said, "Okay. Thank you sir."

Commissioner Parks said, "I had a question of him while he was up there."

Chairman Unruh said, "Okay, if you'd stay up there, Commissioner Parks has a question."

Commissioner Parks said, "You said that it's a charity event? Do you give a certain percentage to certain charities or what...?"

Mr. McCollister said, "McDonald House and Make a Wish Foundation."

Commissioner Parks said, "Okay, thank you."

Chairman Unruh said, "All right, thank you. Is there anyone else who is a neighbor or has a vested interest in here that would like to speak? Okay. Commissioners are there any other questions of Mr. Schlegel or comment on this issue? Commissioners Winters?"

Commissioner Winters said, "I have a question for John Schlegel. John, I see on page 42 of our backup, a statement that within 1,000 feet of the site that there are between 45-50 single-family residences, I assume that if that wasn't correct it wouldn't be in the statement. I guess, are most of those just evenly distributed to the north, the east and the south, it looks like?"

Chairman Unruh said, "I think that is referring to the next agenda item."

Commissioner Winters said, "Oh, it is? Am I on the wrong page?"

Chairman Unruh said, "Yes, I think so."

Commissioner Winters said, "Well great. Maybe that answers my question, if I'm on the wrong page."

Chairman Unruh said, "I think that has to do with the Air Base."

Mr. Schlegel said, "He is correct. In the backup report for this item, we do have that statement in there. And I would say that most of those houses are probably to the southeast. You can see from the aerial photo that, to the west of this property, the housing development thins out quite a bit, it's

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primarily agricultural. And as you go north on Ridge Road, there aren't quite as many house as there are to the south and southeast."

Commissioner Winters said, "All right. Well, thank you then. I appreciate that. That seems like quite a few houses, but I'll just listen to Commissioner Parks and take his advice."

Chairman Unruh said, "Okay. And sorry I incorrectly corrected you Commissioner."

Commissioner Winters said, "That's all right."

Chairman Unruh said, "All right. Commissioner Parks?"

Commissioner Parks said, "I might just add that it will be very close to a additional island annexation that we're going to be hearing very soon in this area also. It's not within the 1,000 feet, but just to the southeast of the picture here on Ocioe is where that other development is. Just thought I'd throw that in."

Chairman Unruh said, "All right, thank you. Any other comment or question Commissioners? Hearing none, I guess we are ready for a motion."

MOTION

Commissioner Parks moved to allow the conditional use permit, taking out the two items, the ten-foot right-of-way requirement and not allowing the electronic sound system as recommended by staff and MAPC.

Mr. Schlegel said, "Mr. Chairman, may I ask the motion maker a question? Regarding the motion? Does the motion then include, also, the waiver of the paving requirement for the parking area?"

Commissioner Parks said, "Yes, it would. And waived it."

Chairman Unruh said, "Thank you for that clarification. We have a motion, and Commissioners, I think we understand it. Is there a second to the motion?"

Commissioner Welshimer seconded the motion.

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

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item please."

2. MAPD CASE NUMBER DR2005-21 – PROPOSED AMENDMENTS TO THE UNIFIED ZONING CODE PERTAINING TO MCCONNELL AIR FORCE BASE AIRPORT OVERLAY DISTRICTS AND ANTI-TERRORISM/FORCE PROTECTION OVERLAY DISTRICT.

POWER POINT PRESENTATION

Mr. Schlegel said, "You'll recall that back in November of last year, you, as a Board, and the Wichita City Council directed the Planning staff to precede with a number of Zoning Code text and zoning map amendments as a way of implementing the recommendations of the McConnell Air Force Base joint land use study.

What's before you today is one of the Zoning Code text amendments, which would amend the Airport Overlay Districts that exist at both the north and south ends of the runway for the Base. The graphic in front of you now illustrates the location of these Airport Overlay Districts. They have been in existence for a number of years.

What is being proposed today is to amend them, to be more consistent with the federal land use compatibility guidelines, which list out how to make, to bring local land use regulations into greater compatibility with a military base such as McConnell.

In addition today, we have before you an amendment that would change the name of the already adopted Anti-Terrorism Force Protection Overlay District. You'll recall that when I presented this item to you that I brought up the issue of the name having a negative connotation. That was a concern of some of the constituents in the City of Wichita. And so, the City Council initiated a Zoning Code text amendment, which would change the name of that district, which you've already adopted, to the Air Force Base Protection Overlay District.

The proposed amendments to the Airport Overlay District, do not entirely prohibit all the uses that are discouraged by the federal land use compatibility guidelines. We've tried to modify them to

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reflect current local conditions, however, what they would do in essence, would be in the Airport Overlay District 1, which are the three districts which are immediately adjacent to the north and south ends of the runway, would prohibit parking, deviation related facilities, storage uses, cemeteries, and certain agricultural uses in those districts.

Then in the AOD 2, which are the next zones out from the ends of the runway, residential uses would be prohibited, as well as funeral homes, government services. And then in AOD 3, which are the two districts furthest from the ends of the runway, again, funeral homes and government services would be prohibited and the density of residential uses, which are currently allowed in the district, would be reduced to a lower density. And the intensity of certain public assembly uses, likes auditoriums, stadiums and community assembly uses would be more restricted.

The amendments that we are proposing do further clarify that existing uses can continue in those districts, be rebuilt if damaged or destroyed and can be changed to other permitted uses in those districts.

We did send out written notice of these proposed amendments to over 1,200 property owners within those existing AOD areas. We held a 'Open House' on July 9th that allowed those property owners to come out and ask us about what impact this would have on their properties. We had about 36 property owners attend that open house. There was no significant opposition to these proposed amendments expressed at that meeting. In addition, staff has talked to about 75 other property owners, either by phone or via e-mail and we've encountered no significant opposition in any of those conversations.

The Metropolitan Area Planning Commission held its public hearing on these proposed amendments on July 19th. There were two citizens in attendance that day who spoke in opposition to the amendments indicating that the amendments would negatively affect the value of their property.

The MAPC did vote unanimously to recommend approval of the amendments that are before you today. And both of the items have been reviewed and approved by the Wichita City Council at its Council meeting on June 21st. So with that, I would be glad to take any questions."

Chairman Unruh said, "All right, thank you John. We do have a question from Commissioner Welshimer."

Commissioner Welshimer said, "Well, all of this is in my district. And you say, reduce the density, we'll get down to the Derby area, where we all met, we had a meeting and we talked about this. Was this in the planning before we had the meeting, about the corner of, along 63rd and K-

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15?”

Mr. Schlegel said, “Yes. Yes, this has been in the works for quite some time now.”

Commissioner Welshimer said, “Okay. So by reducing the density, we’ve put into this residential area, industrial...”

Mr. Schlegel said, “This is only within the density reduction that is being proposed in these amendments before you today, are only in the AOD 3 areas, which is the rectangles at the north and south ends of the graphic...”

Commissioner Welshimer said, “I understand...”

Mr. Schlegel said, “It’s simply to... go head.”

Commissioner Welshimer said, “But the residential area that is being developed is going to have density reduced by simply rezoning certain areas within it?”

Mr. Schlegel said, “Correct.”

Commissioner Welshimer said, “Okay, thank you.”

Chairman Unruh said, “All right, thank you. Are there any other questions for Mr. Schlegel? I see there are representatives from McConnell Air Force Base, I’m not necessarily requesting that you speak, but giving you the opportunity if there is anything you want to add to Mr. Schlegel’s presentation. Okay, thank you. Commissioners, if there is no other questions or comments, we are ready for a motion.”

MOTION

Commissioner Welshimer moved to adopt the proposed amendments to the Wichita/Sedgwick County Unified Zoning Code, approve the Resolution and authorize the Chairman to sign.

Commissioner Norton seconded the motion.

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

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VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

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

NEW BUSINESS

G. RESOLUTION CREATING A ROAD IMPROVEMENT BENEFIT DISTRICT IN SEDGWICK COUNTY, KANSAS AND AUTHORIZING IMPROVEMENTS THEREIN (PRAIRIE BREEZE ESTATES ADDITION).

POWER POINT PRESENTATION

Mr. Joe Norton, Gilmore & Bell, P.C. Bond Counsel, greeted the Commissioners and said, "This item deals with a Resolution relating to a petition that was filed with the Public Works Department in September of 2005. The Certificate of that petition indicating the property may be subject to special assessments was also recorded in that month with the Sedgwick County Register of Deeds.

The area in question is known as Prairie Breeze Estates Addition, it is located near the intersection of MacArthur Road and Webb. The proposed improvement is an improvement to MacArthur Road or at 39th Street, outlined in the dark red there, which leads from the intersection west to the entrance to the subdivision.

The map on the screen before you indicates that there are 28 platted lots within the subdivision outlined in red. The petition requests that these improvements be assessed equally per lot within the subdivision.

The additional item within the petition that you need to consider is that the petition request that 50% of the cost of this improvement to 39th Street be borne by the County-at-large with the remaining 50% be assessed to those 28 parcels.

When the project was originally petitioned, Public Works had an estimate of this project amounting to approximately \$175,000. The petition requested that, from and after the date of it's filing, that

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the cost could increase at 1% per month. Today those estimated costs, and authorized by the petition, are almost approximately \$218,000.

When, if split equally between the County and the improvement district, each lot would bare a principal component of about \$3,888 or about \$400 annually on an assessment.

Jim Weber, Public Works, is here to address any questions you may have about the project or the petition filing and so forth. Otherwise, we have prepared a Resolution for your consideration, which would accept the recommendation of the petition and authorize this district to be created. I will try to address any questions that you may have also.”

Chairman Unruh said, “Well, Joe, thank you for that presentation. Commissioners, are there any comments or questions? Commissioner Welshimer?”

Commissioner Welshimer said, “I’ve been in touch with many of the residents along 39th Street and I hope that we have this worked out. I’m just wondering if there is anyone here in opposition to this.”

Chairman Unruh said, “I see no one.”

Commissioner Welshimer said, “Okay. Then, when you’re ready, I’ll be glad to make a motion.”

Chairman Unruh said, “I don’t see any other Commissioners with a request to speak, so I think we’re ready for a motion.”

MOTION

Commissioner Welshimer moved to approve the Resolution creating the road improvement district, authorize the use of local sales tax funds to pay for the County-at-large portion of the project and waive the Debt Policy requirement that the developer guarantee payment of special assessments for the project.

Commissioner Parks seconded the motion.

Chairman Unruh said, “There is opportunity for discussion. Commissioner Winters?”

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Commissioner Winters said, "I'm going to be supportive of this motion. I think in the way that the recommended action was, the statement about us waiving the requirements for the guarantee and that is because we are already above the guaranteed percentage that a developer would need to guarantee. So we're at that higher percentage now. Just said that for clarification in case somebody wondered about that."

Chairman Unruh said, "All right, thank you. Commissioners, are there any other comment or question? Hearing none, Madam Clerk call the vote."

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

VOTE

Commissioner Norton	Abstain
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Mr. Norton said, "Thank you very much."

Chairman Unruh said, "Thank you Joe. Commissioner Norton?"

Commissioner Norton said, "I just wanted to clear up, I abstained because I stepped out and I heard none of the dialogue. I would normally been an affirmative on that. I thought that it would it pass, but I wanted to abstain because I was not at the bench listening to the presentation."

Chairman Unruh said, "All right, thank you for that. At this time, before we call the next item, we have been at this for a little over an hour and a half, if we could take about a 5-minute break and then we will reconvene. So we recess for 5-minutes."

COUNTY COMMISSION RECESSED AT 10:35 A.M. AND RETURNED FROM RECESS AT 11:00 A.M.

Chairman Unruh said, "We are back from recess and we are ready to begin our meeting, so at this point, the meeting is back to order and I will ask the Clerk to call the next item please."

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H. PRESENTATION REGARDING THE NACO “CHANGE A LIGHT” CAMPAIGN.

Ms. Caroline Hosford, Chair, Waste Minimization Team, greeted the Commissioners and said, “Over the past few months the Waste Minimization Team has been dealing with the topic of energy efficiency. And after much research and study on this topic and others, we have recommended that people change their most frequently used bulbs from regular light bulbs to compact fluorescent bulbs, like this one.

These bulbs last six to ten times longer than regular incandescent bulbs; they use 2/3rds less energy and can save a substantial amount in green house gas emissions as well. And coincidentally, the National Association of Counties, which we call NACO, is now sponsoring a “Change a Light” campaign. And this campaign is in two parts. The first part asks County employees to pledge to change just one light bulb in their homes from a regular bulb to a compact fluorescent bulb. And once that pledge is made then they can print off a \$3 coupon that is good towards the purchase of this energy efficient bulb.

Sedgwick County employees are asked to do this beginning today and through September 13th. Employees can go to a link on our E-line site or they can go directly to the NACO site at www.naco.org/changealight.

The second part of the campaign is similar except that this will open to all Sedgwick County residents. And this part of the campaign begins in October, October 3rd I believe, until the end of November. And every other situation is the same, once they pledge, they will also be able to receive a \$3 coupon. And if people don’t have access to the Internet, they don’t have a coupon, we have made arrangements, people can obtain a hard copy of this pledge through our Communications office.

Now, I will say that compact fluorescent bulbs, like this one, do contain a small amount of mercury. And so, they should not be thrown in the regular trash, like regular light bulbs, instead, we’re really lucky here though, because they can be disposed of at our Sedgwick County Household Hazardous Waste Facility, and that is at 801 Stillwell. So people can take these bulbs when they burn out to that facility along with all the other items that the Household Hazardous Waste Facility accepts.

So, today, we’re asking all County employees to make a pledge to change just one light to an energy efficient bulb and I guess I would like to personally ask each of you Commissioners if you would go to E-line today or sometime before September 13th and be the example and make that pledge also. I would be happy to answer any questions that you might have.”

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Chairman Unruh said, "All right, thank you Caroline. Well, the bulbs are readily available at hardware stores, or whatever?"

Ms. Hosford said, "Right."

Chairman Unruh said, "And my question, do they, they have all characteristics, do they shine as brightly as the others, or do you get just as much light?"

Ms. Hosford said, "Sometimes it takes just a bit longer for them to come up to their full brightness. And now, you know, technology is a wonderful thing. It gets better all the time. It used to be that people said, oh I can't see as well and that sort of thing, but they have improved them and now there are lights that are yellow cast, some that are blue, brighter lights, and they are not all spiral anymore either. There is some globe lights and all sorts of different kinds and types. I think people will be pleased if they try them."

Chairman Unruh said, "All right, good, thank you. Well, we have another comment from Commissioner Winters."

Commissioner Winters said, "Well, thank you very much. And I do, Caroline, appreciate your work and the Waste Minimization Team, and I'm glad that you've got hooked up with this NACO initiative, I think it's very worth while. I will take the pledge and sign up and do that today. We are already using some of these bulbs in our home and I think people need to be aware that there are some differences and the first time I used it, first time I saw it, I didn't like it. But, we've bought several other bulbs and they seem to be different and better and for sure we have learned that the longer the light is on the brighter it gets. And so if you turn one on instantly, don't be dissuaded because you don't think it's bright enough, just give it some time to warm up and I think that they just do a wonderful job. Thanks for your work."

Ms. Hosford said, "You're welcome. And I would make the comment that these lights are not necessarily applicable to areas where you flip the light on and off, on and off and on and off, like a closet. They do better where you keep the light on for an extended period of time and people will notice a difference in their energy bill, perhaps, if they will change five bulbs. Researchers said if you change at least five of your most used bulbs, you'll notice the difference."

Chairman Unruh said, "Okay, well thank you. Appreciate your leadership in this area and the report, the challenge that you've given to us. Commissioners, we need a motion to receive and file."

MOTION

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Commissioner Winters moved to receive and file.

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you Caroline."

Ms. Hosford said, "Thank you."

Chairman Unruh said, "Next item please."

- I. AGREEMENT WITH DENNIS LANGLOIS, SOLE PROPRIETOR OF PECK GENERAL STORE, FOR CONTROLLED ACCESS TO A PORTION OF 119TH STREET SOUTH BEGINNING AT NORTH MERIDIAN SOUTH TO "D" STREET IN PECK, KANSAS FOR THE PURPOSE OF HOSTING A CAR SHOW ON SEPTEMBER 8, 2007.**

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "Throughout the year, we get several of these requests, different kinds of requests for closing of streets or certain roadways.

This is a, this is the first time we've had this request for controlled access to the roadway as noted in Peck. That is a portion of 119th Street South, beginning at North Meridian then south to D Street. This request is made by Mr. Dennis Langlois, he is the sole proprietor of the Peck General Store, he is acting as the promoter for the purpose of holding a car show on September 8, 2007, from 8-3 p.m.

The promoter agrees to coordinate with the Sedgwick County Sheriff's Reserve with regard to the

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traffic control and Emergency Vehicle access and we also have received a Certificate of Insurance that is required by this Agreement. I would ask that you would approve the Agreement and authorize the Chairman to sign. I would be happy to answer any questions you may have.”

Chairman Unruh said, “Thank you Ron. Commissioners, are there any questions for Mr. Holt?”

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 Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item please.”

J. FOURTH REPORT OF THE ARENA SALES TAX OVERSIGHT COMMITTEE.

Mr. Chris Chronis, Chief Financial Officer, greeted the Commissioners and said, “Little over two years ago, the County Commission established a ten-member advisory group to oversee our receipt and utilization of the Arena sales tax. The Committee was established by the Commission after the voters had approved the Arena sales tax and the Arena project at the ballot, but before the tax had actually been imposed. We now have 125-days left in the life of that sales tax, it will expire December 31st of this year, 125-days from today. But, of course, much of the activity surrounding that sales tax is still in front of us. We have the bid packages for construction of the Arena on the street, they are do in next month and construction will commence, we think, in late October of this year.

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The Arena Sales Tax Committee has been meeting all along to review our activities. They were established specifically for the purposes of reviewing Arena sales tax revenues and expenditures and insuring the public that taxpayer dollars are being used properly in accordance with the purposes for which the Arena sales tax was authorized.

The Committee has met approximately every 90-days since its inception in accordance with the Resolution, by which you create the Committee. They have issued reports to you approximately every six months since they were created. And today, you are receiving the fourth report of the Committee.

Here to deliver that report to you, and to answer any questions that you might have about the Committee's work or about their review of our actions regarding the Arena sales tax, is Greg Seviere, who is the Chairman of the Arena Sales Tax Committee."

Mr. Greg Seviere, Chairman, Arena Sales Tax Committee, greeted the Commissioners and said, "You have a copy of our report dated July 24, 2007. Report begins with the ballot question that was presented to the Sedgwick County taxpayers that was approved in November, 2004. As Mr. Chronis commented, our Committee was formed to oversee that the revenues from the sales tax were properly recorded in County funds for Arena construction costs and improvements to the Coliseum. We also have a task of reviewing expenditures to make sure that all expenditures that are charged to those revenues are for the Arena construction and/or Coliseum improvements.

The original budget projections for the Arena revenues and expenditures were \$184 million. In January, 2006, those projections were revised to \$201 million. On the top of page 2 of our report, you will see the revisions and the \$201 million that is now what we operate off of.

Sales tax collections were, through June of 07', approximately \$148 million. That represents sales tax collections on sales that went from July of 05' through April of 07'. That is about \$4 million above or about 2.7% above the revised January, 2006, revenue collection projections. Expenditures through June 30, 2007, were \$23,914,00, with another, approximately \$5.2 million encumbered for the Arena and/or Coliseum projects.

I'm pleased to report this morning that all revenues that come from the State of Kansas for the sales tax are properly credited to the Arena and/or Coliseum funds and our Committee have reviewed a number of individual transactions, compared expenditures to budget reports and made a number of inquiries of the, Mr. Chronis and his staff, and am pleased to announce that all the expenditures that have been charged to the fund, radically documented and the Committee's opinion, properly charged to Committee, construction. If you have any questions, I would be happy to answer any questions you might have about what our Committee has done, or our report."

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Chairman Unruh said, "Well, thank you Greg. We appreciate this update on the activities of the Committee, I think our citizens are, put a great deal of confidence in your Committee and welcome these reports that you bring to us. The membership of the Committee is an active group, most of them are there at every meeting?"

Mr. Seviere said, "Yes. The meetings have been very well attended, very well participated in. We've had numerous questions and we have challenged Mr. Chronis and his staff on numerous occasions to get records and they have done a wonderful job of providing us with everything. When we have our meetings, we have access to all the County reports that are related to the Arena construction and/or the Coliseum improvements and have had no problems in getting all the information that we've requested."

Chairman Unruh said, "Thank you. I guess the intent of my question is to underscore the fact that this is actively a working Committee, not just a passive group that just kind of okays numbers that are handed to them, but you actually do an analysis?"

Mr. Seviere said, "Yes, we do."

Chairman Unruh said, "All right, well thank you. We have a comment from Commissioner Parks."

Commissioner Parks said, "I have been to a couple of your meetings and I've enjoyed seeing the openness and the ferber of the Committee. If you could just touch, just a little bit, on the 20% override and, kind of explain to the general public that are watching on TV today and streaming video later, kind of what the process is on that because in your Committee's responsibility for that, in case the sales tax comes in at over 20% above the estimated costs."

Mr. Seviere said, "Well, actually, as you know in our meetings, we really haven't addressed that too much because we don't see that being a., probably going to occur. As of, to the June collections, we're a little over 2-1/2% above what the January of 06' revisions have been with only eight months of collections left to go. So we're 2/3rds through the collection and 2-1/2 % above what the January of 06' revenue projections were."

So we're pretty much on track with the January of 06' projections and at our last meeting, feel confident that those are still reliable projections through the process, which will, primarily is going to end up in February. The last of the large collections will be in February of 08' for that."

Commissioner Parks said, "Thank you."

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Chairman Unruh said, “All right, anything else? Commissioners, are there any other questions of Greg and the Oversight Committee?”

MOTION

Commissioner Winters moved to receive and file.

Chairman Unruh seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And we have a comment from Commissioner Norton.”

Commissioner Norton said, “I just want to thank Greg for sitting through two hours worth of our meeting to give this presentation. We didn’t have a lot of questions; it’s pretty straightforward. But thanks for sitting here for two hours, I know you got business to transact in your other life, but I appreciate you being here and waiting us out and making sure this report got given, eyeball to eyeball. Thanks.”

Mr. Seviere said, “You’re certainly welcome.”

Chairman Unruh said, “All right, well thank you Greg. And extend our appreciation to the other members of your Committee.”

Mr. Seviere said, “Will do. Thank you Commissioners.”

Chairman Unruh said, “Madam Clerk, next item please.”

HEALTH DEPARTMENT

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K. GRANT APPLICATION TO DELTA DENTAL OF KANSAS FOUNDATION TO PROVIDE FUNDING FOR ORAL HEALTH EDUCATION AND OUTREACH RESOURCES.

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, "Before you is a Grant application to the Delta Dental of Kansas Foundation for Sedgwick County Health Department to provide funding for Oral Health Education Outreach Resources. In general, we are asking for supplies, materials to enhance our current education program to improve oral health into the community.

Just some highlights of what we are asking, we currently have a Dental Screening Program and through that program we're screening of children through the schools and we have identified five elementary schools that have a higher than normal rate of dental carries and three middle schools that have a lower than 50% rate of dental sealants.

And what we intend to do is create a report card for those schools and the report card with information about, you know, how to improve your child's oral health. We will be partnering with the schools on this. We will also be doing education in the schools as requested by the elementary and middle school teachers. We are going to encourage parents to bring their children to our clinic and when they do, they will get a dental kit that has a toothbrush and dental floss and some other things in it. So, we will be using some of the funds for that.

We're also asking for special spinner toothbrushes for all the children in our dental clinic. And then dental kits will also be used as part of a worksite dental challenge, and also, as part of the Dental Outreach and Screening Program that's currently sponsored through the Department of Aging. They have a Healthy Teeth, Healthy You Program. And so, all and all, we'll have six thousand people affected by this program.

We are requesting \$21,228,000. There is not a required match, however, we are showing a match of .3 FTE of a health educator, we would use that time anyway for this program. And so, I recommend approval of this Grant application and authorization for the Chair to sign all related documents and I'd be happy to answer any question."

Chairman Unruh said, "Thank you Claudia. We have a question from Commissioner Welshimer."

Commissioner Welshimer said, "Claudia, is this Grant application or the program you've been talking about, include the Healthy Options for Plainview dental services?"

Ms. Blackburn said, "They have a program, but this doesn't include that."

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Commissioner Welshimer said, "It's not involved with what you're doing?"

Ms. Blackburn said, "Not for this particular Grant application."

Commissioner Welshimer said, "Okay. And the County is somewhat involved with that?"

Ms. Blackburn said, "Well we work with Healthy Options, I think they've changed their name now to Healthy Options for Kansas Communities. And we work through them with the vision group, so they keep us apprized of the changes in their programs and, yes, we understand that they have a dental program now."

Commissioner Welshimer said, "Thank you."

Ms. Blackburn said, "You're welcome."

Chairman Unruh said, "All right, thank you. Are there other questions or comments? Hearing none, we are ready for a motion."

MOTION

Commissioner Welshimer moved to approve the Grant Application and authorize the Chairman to sign all necessary documents, including the Grant Award Agreement containing substantially the same terms and conditions as this Application.

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you Claudia. Next item please."

DEPARTMENT OF CORRECTIONS

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L. DEPARTMENT OF CORRECTIONS.

1. GRANT APPLICATION TO THE KANSAS DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2008 FUNDING OF A SENATE BILL 14 RISK REDUCTION INITIATIVE.

POWER POINT PRESENTATION

Mr. Mark Masterson, Director, Department of Corrections, greeted the Commissioners and said, "I'm here this morning with some good news. The Kansas Legislature has appropriated new funding in their Corrections package, which should help our local community.

I have four separate agenda items that address this funding in varying ways. The first item is presentation of the new Risk Reduction Grant application. I'll begin with some background information for the public. Community Corrections is a State Mandated program in the Adult Correction system. Its purpose is to provide intensive probation supervision to punish felony offenders in the community instead of sending them to prison. Individuals are assigned to the program by a District Court judge as a sentencing option. The program is far less costly than prison and provides strict conditions that allow continued employment, payment of taxes, restitution to crime victims and a means to continue to support their families.

Local programs, Community Corrections programs, are state funded through an annual Grant process. As you know, the Grant program has been chronically under funded for several years and we've engaged in substantial advocacy at the Legislature to try to get this addressed.

This year, the Legislator appropriated \$4.4 million for this new Risk Reduction Grant Program, which is contained in Senate Bill 14. And the purpose is to strengthen probation services by infusing evidence based practices and revamping the way that we provide services based on sound research and in that way to reduce revocations to prison.

I'm here today to present our Grant application for a share of these funds. As you know, we operate two programs, and intensive Field Services Program, where our clients live in their own homes and then a 120-bed residential facility, where clients typically go for 120-days and then transition to the Field Services Program. Those that go to the Residential Program have greater needs and require, in the Court's mind, 24-hour supervision for that 120-day period, while they receive more intensive service.

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Size wise, we're the largest program in the State, we serve over 2,100 individuals a year and on any given day we have about 1,350 individuals that are under our supervisor. I'll now move to a power point, and you have a copy of it in your packet, of what is called the Risk Reduction Initiative.

The purpose that Senate Bill 14 is to provide this Grant program to increase probationer's success and to decrease revocations rates, which means that admissions to prison. Sedgwick County Community Corrections makes up 18% of the Statewide population, but we have 28% of the revocations.

Through data analysis, and study of evidence based practices, and applying that research, we identified two targets of opportunity, two groupings. First, is a grouping that we call the Risk Reduction Group, and those are the individuals that score on our assessment tool as at high or medium risk to re-offend. We contrast that with, what was called previously, Senate Bill 123, which you may recall, a couple of years ago, the Legislature passed that provides up to 18-months of treatment, substance abuse treatment for a specific population based on their conviction.

When we compared those that get Senate Bill 123 treatment with those that don't, that are in the same risk categories, we have, the Senate Bill 123 people do better on all levels. And so we applied that research to say in this, this is a target of opportunity for these services.

Another target is those that go to our Adult Residential Center and to the Labette Boot Camp, and transition back to the community. They've typically been in jail for several months, prior to admission to these Residential Correctional programs and when they're coming back, they have special needs in situations that we can address and hopefully improve the success of those transitions.

The outcomes that we hope to achieve are to increase successful completions by 20%; to reduce revocation rates by 20%, that 80% of the clients will show improved functioning by receiving interventions that reduce their risk to re-offend. And at the end of State fiscal year 09', we'll be in a position to see how they've done a year after they've completed the program, if they've stayed out of trouble.

Our plan features the application of research into probation practice, specialized risk assessment, targeted case plans with enhanced treatment interventions, reduced officer case loads, over these past five years, case loads have gotten up into the 40's and you can't provide appropriately, intensive services and these evidence based interventions, working with that many individuals. There just isn't time. We will reduce officer caseloads in our target group populations to 17-20. The officers will apply cognitive skills curriculum in working with those offenders. That really targets in on addressing their criminal thinking, values and attitudes and builds confidence to help

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them change their behavior.

The plan also features a lot of specialize staff training. Transition services for Labette and Residential Center will begin 45-days in advance of their transition and continue when they go on to the Field Services Program.

Mental Health Case Management will be provided for a population that is currently not served because the don't meet the criteria of severe and persistent mentally ill. We have co-located services at our Residential Center, but when those clients transition out, only those that are, meet the SPMI qualification, get continuing Mental Health Case Mangement. This Grant will expand that to serve those that are, what we call, SMI, Serious Mentally Ill. Most who are in dual diagnosis treatments, substance abuse and mental health. Treatment and reentry funds are provided to assist and on-going date collecition and reporting are a feature of this plan.

Oversight, the BoCC has a significant role in approving all of our applications and reports that we must submit. And whenever you would like to receive reports about this, we of course, we will make them available.

The Community Corrections Department Advisory Board has approved this plan and they are the Statutory Board that oversees Community Corrections. They meet monthly and they have been involved in the development of this plan and they will be involved as we go along with a data reporting on a monthly basis of what's working, what's not, as we make course corrections along the way. So they will be the primary hands-on oversight group.

The Criminal Justice Coordinating Council, at their meeting last week, approved my request to receive a quarterly update about the progress that we are making and to give us assistance if we need help in integrating pieces of this plan into the Criminal Justice System. And that body includes people that can help make that happen.

We also have funds in here for an Agreement that we propose with Wichita State to provide, we'll generate the data but we need help understanding what it means and need advice in making adjustments to make this as affective as possible. At the end of 09' we want them to produce a report that would be presented to you as well on how affective we're being in getting these practices in place and in meeting our outcomes.

Budget wise, the plan includes the additions of twelve staff, effective November 1st and another four in June, \$412,162.. Start up costs of \$183,668., that includes equipment training and one sedan. Contractual services of a little over \$500,000., that includes the professional services

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Agreement with Wichita State for \$10,000. And treatment funds to pay for various types of treatment, but primarily substance abuse treatment for the population that does not qualify for it now and is indigent. And then other operating expenses of \$36,000., which deals with things like travel mileage, training supplies, and then office space at our Residential Center that will be, that these positions will occupy, we've built in a charge for that space, based on market value.

The budget, we're asking for a total of \$1,132,400., for the eight-month period, November 1st through the end of June to implement this program and the break outs of, how that breaks out percentage wise are displayed on the screen. I'd be happy to answer any questions and would ask that you would approve the application and our submission of it to the State."

Chairman Unruh said, "Thank you Mark. We do have a question from Commissioner Parks."

Commissioner Parks said, "I attended the CJCC, Criminal Justice Coordinating Council, meeting last week, where Mark presented this in detail. And had quite a few questions, didn't just rubber-stamp it, but I think it's a good Grant program. I would say that I did ask him if these twelve employees were hired and the Grant went away, that they would realize that they would lose their jobs, but I guess in the whole picture, and Mark, correct me if I'm wrong, the jobs would come from within the department, not necessarily from the ones that were funded by the Grant."

Mr. Masterson said, "If these positions were not funded, these positions would not be filled, but we would do a reduction and force protocol and we have over 400 positions in the department, we would attempt to step down the permanent employees. But we deal with this over, well, approximately half of our programs in the Corrections Departments are State funded and we go through this often when positions, we have more positions than the budget each year will provide, so we can't fill positions that we don't have money for."

Commissioner Parks said, "I know that in some of these Grants in the past, the State has cut them off and then you're left with that void there or a rough decision. I am going to be supportive of this."

MOTION

Commissioner Parks moved to approve the Grant Application and authorize the Chairman

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to sign all necessary documents, including the Grant Award Agreement containing substantially the same terms and conditions as this Application, and approve establishment of budget authority at the time of the Grant Award documents are executed.

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item please."

2. ADDITION OF SIXTEEN GRANT POSITIONS TO THE STAFFING TABLE OF THE DEPARTMENT OF CORRECTIONS.

Mr. Masterson said, "This item adds the positions necessary to carry out the plan. They expect to fill, as I said, twelve positions November 1st and four positions on June 1st, because if we are successful, our number of clients on the program are going to go up and so we have planned for that and wanted that built into this Grant.

The positions include, ten Supervision Officers, one Intensive Supervision Officer II and III, an Office Specialist, a Case Manager I that would be, that would go to the COMCARE team at the Residential Center, but would supervised by them but located at our Adult Residential Center, a Grant Coordinator and a Skills Developer. I request your approval to add these positions to the staffing table and that it be affective today so that recruitment and selection may occur with starting dates contingent upon receipt of the Grant award. We need to hit the ground running with this in November and we can do that advance work in September and October."

Chairman Unruh said, "All right, thank you. Are there any questions on this Agenda item?"

MOTION

Commissioner Welshimer moved to approve additions to the Department of Corrections' Staffing Table.

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Commissioner Winters seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item."

3. ADDITION TO THE FLEET OF A SEDAN TO BE USED BY THE DEPARTMENT OF CORRECTIONS ADULT INTENSIVE SUPERVISION PROGRAM.

Mr. Masterson said, "This item also supports the plan and provides a sedan so that the officers, the increased number of officers, we can make field visits to check on clients. I ask that you approve \$18,000., for the purchase of the sedan and \$2,800 for Fleet maintenance charges. And this would all be contingent upon receipt of the Grant award."

Mr. Unruh said, "Thank you. Are there any questions of Mark?"

MOTION

Commissioner Welshimer moved to approve addition to the fleet.

Commissioner Parks seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye

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Chairman Unruh

Aye

Chairman Unruh said, "Next item."

4. ADJUSTMENT TO THE DEPARTMENT OF CORRECTIONS' STAFFING TABLE TRANSFERRING 5.5 FTE INTENSIVE SUPERVISION OFFICER I POSITIONS FROM A GRANT FUND CENTER TO A GENERAL FUND COST CENTER.

Mr. Masterson said, "Commissioners, this item addresses other parts of the State's Corrections package considered by the Kansas Legislature. After several years planning, in 2005, Sedgwick County partnered with the State in funding the Offender Re-Entry Project. That's a project that works with parolees on their transition to Sedgwick County and onto parole services. The program is operated by the Kansas Department of Corrections and has been funded on a two-thirds/one-third arrangement. Two-thirds State funding, one-third County funding. Our annual share has been \$275,000, and is funded in both 2007 and 2008 in the approved County budgets.

Effective July 1, 2007, the State has assumed full funding for the program. And they have requested that the County funds be redirected to the Adult Residential Center budget where there is an operating short fall in Grant funding. The short fall, as you know, has been chronic and has been caused by flat or level funding in this Grant for more than a decade. The Legislature did not get this problem addressed in their Corrections package, although we advocated and Senator McGinn advocated very strongly to try to get it addressed.

If you approve for the funds to be redirected, as recommended, we ask that 5.5 ISO I positions be transferred from the Grant funds center to the County fund center and then to be retroactive to June 24, 2007 to allow for full use of the funds. I'll be happy to answer any questions."

Chairman Unruh said, "All right, thank you Mark. We have a question from Commissioner Parks."

Commissioner Parks said, "Is this still on the Legislative Agenda for the upcoming Session?"

Mr. Masterson said, "It is."

Commissioner Parks said, "Okay. And we're, of course, directing our people to put that on our priority list then, for getting that back on there?"

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Mr. Masterson said, "Yes sir."

Commissioner Parks said, "Thank you."

Chairman Unruh said, "Okay. Mark, we just need a motion to approve the adjustments to the Department of Corrections Staffing Table and that will cover your request completely here?"

Mr. Masterson said, "I believe that it will."

Chairman Unruh said, "I don't see any other requests to speak, so I will make the motion."

MOTION

Chairman Unruh moved to approve the adjustments to Department of Corrections Staffing Table.

Commissioner Winters seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Mr. Masterson said, "Thank you very much."

Chairman Unruh said, "Thank you Mark and we will trust that this will be very successful and beneficial to our community."

Mr. Masterson said, "Thank you."

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Chairman Unruh said, "Next item please."

DIVISION OF HUMAN SERVICES - COMCARE

M. COMCARE.

1. RESOLUTION ADOPTING A REVISED FEE SCHEDULE FOR COMCARE OF SEDGWICK COUNTY.

Mr. Tom Fletcher, Clinical Director, COMCARE, greeted the Commissioners and said, "This Resolution amends COMCARE's sliding fee schedule. Change is in affect, reflect changes that have occurred with the Medicaid State Plan System that went into affect on July 1st. Just bringing our rates both into to match the rates being provided by Medicaid and also adding a service that was previously not present within the Medicaid State Plan. I'd be happy to answer any questions and would recommend that you adopt the Resolution and adopt the Chairman to sign."

Chairman Unruh said, "Thank you Tom. Are there any questions? What's the will of the Board?"

MOTION

Commissioner Welshimer moved to adopt the Resolution.

Chairman Unruh seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item."

2. CONTRACT WITH BEHAVIORAL LINK, A DIVISION OF PYXIS, INC.

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FOR PSYCHOSOCIAL REHABILITATION AND ATTENDANT CARE SERVICES FOR YOUTH WITH A SERIOUS EMOTIONAL DISTURBANCE.

Mr. Fletcher said, “This item, as you have seen with previous Contract renewals, is a regular renewal of the Contract that we have with Behavioral Link, now called Pyxis, Inc., to provide attendant care and psychosocial group and individual services. This organization provides services to youth, primarily between the ages of 11 and 22, though through their attendant care services they do provide services to children in the younger age group. All of the services that they provide are based on the child’s plan of care and are approved by the program, by COMCARE, prior to the delivery of those services, so according to the plan of treatment for that youth.

All of the service criteria for the youth as well as the expectations for the Grant, are listed within the Contract itself. Again, I would recommend approval of this Agreement, but would be happy to answer any questions that you have.”

Chairman Unruh said, “All right, thank you. Commissioners are there any questions? What’s the will of the Board?”

MOTION

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

Commissioner Welshimer seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

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

N. REPORT OF THE BOARD OF BIDS AND CONTRACTS’ REGULAR MEETING ON AUGUST 23, 2007.

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Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of August 23rd results in six items, I believe, for consideration.

- 1) **CHANGE ORDER #2 FOR FIRE STATION #33 – FACILITIES DEPARTMENT.
FUNDING-RELOCATE STATION #33.**

Which is located over 53rd and Maize. Recommendation is to accept the change order with Carol Construction Company Inc., in the amount of \$9,157.

- 2) **CHANGE ORDER #1 – AMENDMENT TO CONTRACT FOR TICKETS.COM – KANSAS COLISEUM.
FUNDING – KANSAS COLISEUM (COMMISSION FEE BASED).**

Recommendation is to accept the Amendment with Tickets.com and amend the Contract to include the sale of baseball tickets.

- 3) **CHANGE ORDER #2 – AMENDMENT TO CONTRACT FOR BI, INCORPORATED – DEPARTMENT OF CORRECTIONS.
FUNDING – DEPARTMENT OF CORRECTIONS.**

Recommendation is to accept the Amendment with BI Inc., and amend the Contract to add radio frequency electronic bracelet devices in monitoring.

- 4) **SIGN SHOP RESTROOM REMODEL – FACILITIES DEPARTMENT.
FUNDING-REMODEL BUILDING 16 RESTROOMS.**

Recommendation is to accept the low bid from Van Asdale Construction in the amount of \$26,000.

- 5) **UNIFORMS AND APPAREL FOR SEDGWICK COUNTY – VARIOUS DEPARTMENTS.
FUNDING – VARIOUS DEPARTMENTS.**

Recommendation is to accept the proposal from Industrial Uniforms for items 1-30 and 79-197 and to accept the proposal from Baysinger Police Supply for items 31-78 and 198-221 and establish contracts for one year with two one-year options to renew.

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**6) PATCH AND REPAIR CONCRETE SLAB AT FIRE STATION #38 –
FACILITIES DEPARTMENT.
FUNDING – FIRE DISTRICT ADMINISTRATION**

Which is at 1010 North 143rd East. That recommendation is to accept the low bid from Descon, Inc., in the amount of \$28,487.

Would be happy to answer any questions and I recommend approval of these items.”

Chairman Unruh said, “Thank you Iris. Commissioners, any questions? Commissioner Parks?”

Commissioner Parks said, “On Change Order #2, was Select-A-Seat not considered for this or...?”

Ms. Baker said, “On the second item, Select-A-Seat is the ticketing system and it’s owned by Tickets.com.”

Commissioner Parks said, “Okay. Thank you.”

Ms. Baker said, “And in that original Contract, baseball was excluded, specifically excluded. We’re now adding minor league baseball the Contract so we can sell those tickets.”

Commissioner Parks said, “So Select-A-Seat will be a contact for them?”

Ms. Baker said, “Will be selling the tickets, yes.”

Commissioner Parks said, “Okay. Thank you.”

Chairman Unruh said, “Any other questions, Commissioners?”

MOTION

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

Commissioner Winters 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 Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Ms. Baker said, "Thank you."

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

CONSENT AGENDA

O. CONSENT AGENDA.

- 1. Agreement with the Wichita Metro Chamber of Commerce to provide funding for Visioneering Wichita.**
- 2. Range reallocation of Communications Director, B429, to Communications and Community Initiatives Director, B531.**
- 3. Section 457(b) Deferred Compensation Plan and Trust Agreement for Sedgwick County, Kansas.**
- 4. Deferred Compensation Plan Recordkeeping and Communication Service Agreement with Great-West Retirement Services.**
- 5. Increase grant fund (274) budget authority for 2007 and 2008 for the Maternal and Child Health Kansas Health Policy Authority. Healthy Start Initiative and Women, Infants, and Children grants.**
- 6. Lease Agreement with S & B Real Estate Investments, LLC, for space used by the Housing Department at 604 N. Main Street, Suite E, Wichita, Kansas.**
- 7. Lease Amendment Number Four with Market Parking, Inc. for space used by COMCARE at 7701 East Kellogg for its Family and Children Community Services.**
- 8. Two Temporary Construction Easements for Sedgwick County Project 634-32, 33, 34, 35, 36; widen 63rd Street South between Rock Road and the Butler**

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County line. CIP# R-275. District #5.

- 9. One Easement for Drainage for project north of 21st Street North and east of 135th Street West. District #3.**
- 10. Twelve (12) Easements for Right-of-Way for Sedgwick County Project 811-J, n ½ K; widening of Ridge Road between K-96 and 53rd Street North. CIP# R-282. District #4.**
- 11. Payroll Check Register for August 10, 2007.**
- 12. Order dated August 15, 2007 to correct tax roll for change of assessment.**
- 13. Order dated August 22, 2007 to correct tax roll for change of assessment.**
- 14. General Bills Check Register(s) for the week of August 15 – August 21, 2007.**
- 15. General Bills Check Register(s) for the week of August 22 – August 28, 2007.**

Mr. William Buchanan, greeted the Commissioners and said, “You have the Consent Agenda before you and I would recommend you approve it and remind you that the sales tax expires December 31st.”

Chairman Unruh said, “And how many days is that Mr. Manager?”

Mr. Buchanan said, “A hundred and twenty five days, according to Chronis.”

Chairman Unruh said, “Thank you. We have some comment, question? Commissioner Welshimer?”

Commissioner Welshimer said, “Well, on the Consent Agenda, there is one item I would like to have deferred until I’ve had a chance to understand it. It has to do with much more than just the people involved, as far as I’m concerned, the budgets involved and so on. I’d like to take that off the Consent Agenda until next week.”

Chairman Unruh said, “And that is item number?”

Commissioner Welshimer said, “Two.”

Chairman Unruh said, “Consent item #2? All right. We have another comment. We can have a

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motion to approve the Consent item for everything except item 2?"

Commissioner Welshimer said, "Except that? Yes. I don't know that I have a problem with it, but I just need to be advised on it."

Chairman Unruh said, "All right. Commissioner Parks?"

Commissioner Parks said, "I guess, if there is a motion to that affect..."

Chairman Unruh said, "A motion has not yet been made."

Commissioner Parks said, "I had a question on #1. Just a question about the amount of money that we are funneling through Wichita Metro Chamber for Visioneering?"

Mr. Buchanan said, "The Contract that we had with the Metro, with the Chamber of Commerce, for Visioneering services, has been \$50,000 a year for the last several years. This is the \$50,000 for 2007."

Commissioner Parks said, "Okay. Thank you."

Chairman Unruh said, "All right. Are there any other questions? Commissioner Winters?"

Commissioner Winters said, "Question for Commissioner Welshimer, I know you're getting ready to leave and, I think, miss next week's meeting, is there somehow you could get your information on that before, so we can act on this at next Wednesday's meeting?"

Commissioner Welshimer said, "Yes. That would be fine. If I'm not here next week and you want to go ahead and vote on that, that's fine. But, I'm not ready to vote on it today because I don't, it's a whole new subject for me and it relates to some other things that I want to talk about. I also have a problem with the funding of the Visioneering Group, but I'll forego with that one, but I would like to discuss this and you can take whatever action you want next week."

Commissioner Winters said, "Well, I'm prepared to move forward on it, but I would be glad to wait until next week, I believe, if you could get your questions answered before then."

Chairman Unruh said, "If it would please you, we can approve the Consent Agenda except for items 1 and 2 and then we can discuss those items 1 and 2, subsequent or go ahead defer item 2?"

MOTION

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Commissioner Welshimer moved to approve the Consent Agenda with the exception of items 1 and 2.

Commissioner Parks. seconded the motion.

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Commissioner Winters?"

Commissioner Winters said, "Thank you very much. On item #1, I'm prepared also to defer that today until you had a chance, but just, if there are any Visioneering of folks and supporters are listening to today's meeting, I want them to know that I am still fully 100% behind the work the Visioneering is doing. I think they are bringing together some tremendous opportunities in the community and I'll continue to be a big supporter. But I am certainly willing to let additional information be gathered over the next week. Thank you."

Chairman Unruh said, "All right. Thank you. Commissioner Norton?"

Commissioner Norton said, "Well, item #1, I am very involved in Visioneering and sit in for their Visioneering Task Force and I think it adds value to our community, it's a place where citizens can come together and discuss the issues of our community and take positive action. You know, the Literacy Alliance that we are working on is an outgrowth of Visioneering and they are helping, you know, County Government moved that forward but they are taking care of all of the meeting, facilitation, and logistics of that conversation. So I think it has great value.

I am ready to move forward on that today because I am very supportive of that. And truthfully, that's not a relatively new item the community doesn't know about. Now, item #2, if you might need some more information, that is a relative change to our policy, I can see that. Visioneering is a conversation we've had for two years in our community and I don't think there is any new news on that. We're moving it forward and it is a pretty powerful method to advance a lot of good things in our community. So, I am supportive of that one. Item #2, you know, it is new news, it is a change,

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so maybe I could support that, but I'm ready to move forward on item #1, personally."

Commissioner Winters said, "If you'll make a motion, I'll second it."

MOTION

Commissioner Norton moved to take item #1 on the Consent Agenda and approve that as written.

Commissioner Winters seconded the motion.

Commissioner Welshimer said, "Excuse me, didn't I make a motion already?"

Commissioner Winters said, "Oh is there a motion on the table?"

Commissioner Welshimer said, "Yes."

Commissioner Norton said, "Oh, I'm sorry."

Commissioner Winters said, "But we haven't voted on the motion."

Chairman Unruh said, "Correct. So we, there is a motion on the table to approve Consent Agenda with the exception of items 1 and 2."

Deputy Clerk said, "And we have voted on that."

Commissioner Winters said, "Oh, we did?"

Chairman Unruh said, "So there is not a motion on the table?"

Deputy Clerk said, "There was a motion and it has been voted."

Chairman Unruh said, "So now we are open for that motion Commissioner Norton just made, that we approve Consent Agenda item #1, which has the Wichita Metro Chamber of Commerce and Visioneering Wichita. So it hasn't, we've got a motion and a second, is that correct?"

Commissioner Winters said, "Yes, I seconded that motion."

Chairman Unruh said, "Okay. Now, we're ready for discussion on that motion. And, I suppose

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Commissioner Welshimer, if there is specific things that you needed to know, that you're unaware of, well then, I guess I'd like to hear that. But, I'm ready to go forward and approve this also."

Commissioner Welshimer said, "Approve the balance of the Agenda?"

Chairman Unruh said, "No, approve Consent Agenda item #1."

Commissioner Welshimer said, "Oh. We're just talking about Agenda item #1?"

Chairman Unruh said, "Correct."

Commissioner Welshimer said, "I'm not ready to approve Agenda item #1."

Chairman Unruh said, "All right. But you're seeking more information?"

Commissioner Welshimer said, "On (inaudible), yes."

Chairman Unruh said, "All right. Commissioner Parks?"

Commissioner Parks said, "I guess, for continuity, I'm going to go along with this for this time, but the next budget session, I would like to have more information on the Visioneering and just exactly what that \$50,000 goes for and what not."

Mr. Buchanan said, "We can handle it."

Commissioner Parks said, "I can have a discussion with staff on that and, but, I've had a lot of constituents have concerns about that."

Mr. Buchanan said, "Commissioner, I think it might be helpful to do that and a public meeting and have Visioneering folks here, do a pin point of a presentation."

Commissioner Parks said, "That might be good. And, you know, we could certainly do that next month, if you want to."

Mr. Buchanan said, "Sure."

Commissioner Parks said, "Then, I may not be supportive of that, then if you would like to bring them in, to that point. Cause I would like to hear from the Visioneering people and maybe some

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opponents of that.”

Chairman Unruh said, “Okay. Is there any other comment? Without asking for, or without having any more comment, I’d say that I’m going to be supportive of it. Visioneering, I think, had a great impact on our community, we’ve been supportive of it now for several years and I believe it’s got more work to do and it’s bringing a lot of different people together for the benefit and progress of our community. So, I will be supportive of it. If there is no other request to speak, Madam Clerk, please call the vote.”

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Parks	Nay
Commissioner Welshimer	Nay
Chairman Unruh	Aye

Chairman Unruh said, “So, motion carries. And Consent Agenda item #2, we will take up next week. And, Commissioner Welshimer, if you have serious concerns, you can communicate with us in the next couple of days about that. But we will take that up in your absence then.”

Commissioner Welshimer said, “Okay.”

Commissioner Norton said, “Does that require a motion to not take not action on it? Or can we just leave that like it is, based on the motions and the votes that we’ve already had?”

Mr. Euson said, “No, you’ve already made a motion to defer to next week. I mean that is my understanding of your action.”

Commissioner Norton said, “I don’t know that we had a motion...”

Chairman Unruh said, “A motion pulled it from the Consent Agenda and so we’ve taken no action on it.”

Mr. Euson said, “Right. And so, I’m sorry Commissioner, your question is, in order to bring it up next week, do you need a motion to place it on the Agenda?”

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Commissioner Norton said, "Well, we haven't taken any action on it today, other than to not deal with it today. Our motion was to accept all items but 1 and 2."

Mr. Euson said, "Right."

Commissioner Norton said, "And then we accepted 1. So we have not had any motion, positive or negative on item #2 other than we took items 3-10. Is that okay?"

Commissioner Winters said, "I'll make a motion."

MOTION

Commissioner Winters moved to act on Agenda time #2 at the next BoCC meeting.

Chairman Unruh said, "Just make sure that we have officially addressed it and we're going to deal with it next week. That will be fine."

Commissioner Winters said, "That it will be on the Consent Agenda ..."

Madam Clerk said, "I'm sorry. Who seconded that one?"

Commissioner Norton seconded the motion.

Commissioner Parks said, "And that will be on the Consent Agenda?"

Commissioner Winters said, "The motion is..."

Mr. Buchanan said, "(Inaudible)"

Chairman Unruh said, "It will be before us, one way or another. So we will let the Manager decide that."

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

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye

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Commissioner Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, “All right Commissioners, we have come to the end of our regular Agenda and so at this time I will recess the Regular Meeting of the Board of County Commissioners and call to order the meeting of the Board of County Commissioners, setting as a governing body, of Fire District #1 and it’s Regular Meeting of August 29, 2007.”

The Board of County Commissioners recessed into the Fire District #1 Meeting at 11:40 a.m. and returned at 11:43 a.m.

Chairman Unruh said, “I call back to order the Regular Meeting of the Board of County Commissioners. And Commissioners, we’ll need an Executive Session today, but before that, this is an appropriate opportunity to bring up any ‘other’ items of concern or interest.”

P. OTHER

Chairman Unruh said, “Commissioner Norton?”

Commissioner Norton said, “Mr. Chairman, I have several things. Tonight, in Haysville, at the Community Building on 2nd Street, we are going to have a Town Hall Meeting that deals with ground water and flooding issues on the south side. It is the second in a series, I’ve communicated to citizens in that area that we will consistently meet and discuss the issues down there, may not come to any conclusions again tonight, but we are going to keep moving forward on having discussions on how we address that.

I thought it was appropriate that we had a pretty good discussion day on some drainage issues on the north side and how they’re coming together to work that out. I’m interested in hearing some of that philosophy at our Town Hall Meeting tonight. That is at 7:00 in Haysville, at the Community Building on 2nd Street, for those citizens that live on the south side that may have some ground water or flooding problems.

I met earlier in the week with our first Visioneering and Literacy Alliance. We are talking about adult basic education, GED, GED testing, English as a second language and other basic adult programs in our community. As you know, we inherited the adult programs with WATC and we’re trying to work on whether that’s something that the County wants to move forward and how we can use all our resources and community efforts and volunteers to create a system that will affect the intellectual capitol and the literacy of our community without, particularly, putting all that burden on Government to do it. So, we are working on that right now.

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Just a note that the Township Summer Meeting will be at Lake Afton and several of us will be at that tomorrow night. It's our opportunity to work with Township officials and talk about those things that we share in common in a setting that is a little more collegial than at that bench. That's tomorrow night at Lake Afton.

Last night I went and spoke to the Southwest Neighborhood Association and there was about 50-60 people there, so, I tried to get the message out on some of the major, important issues that we're working on in the County. I think they were very receptive, had great comments, and I think pretty well understood some of the difficulties we have with budget issues and other, some of the big issues in our community. But I met there last night.

I want to let you know that I'm going to Jacksonville on the Visioneering city-to-city trip next week; I think it is the 11th-14th, maybe. And the two areas that I really want to look at are the Health Department and their health access because they've done some innovative things in the State of Florida, but particularly in Duval County, and I want to be sure that I understand that. And they also built a new arena and I want to be sure that I understand parking and how, what the thought processes were in their community to deal with that in the Downtown/Metro area. They have had several years to work on it and see how it works. So that is two issues that I plan on looking at in Jacksonville.

The next thing I've got is the United Way Kick-Off is coming up real soon and I am the Government Chair, Campaign Chair and I certainly will be out sending letters and talking to groups about the United Way and how employees in the Government Sector can contribute and be volunteers in a very important institution in our community that helps a lot of people through a lot of services. I think there is 32 agencies that benefit from that from people's donations and volunteer work.

And then, finally, we are dedicated to talking about parking at the Arena every week. Commissioner Winters and I met again this week on Monday and had great discussions about parking for the Arena and Downtown. We've continued to look at the revitalization or redevelopment plan from the City, the Walker Work Study, have met with John Schlegel, Ron Holt and the Manager to continue that conversation so that we come out with the best possible parking plan we can for Downtown. And I would entertain any questions that other Commissioners might have on that subject.

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Once again, I am dedicated to making sure that it stays on the Agenda, out in the public, that we are working on it, that it's not something that's kind of, we're going to let happen by serendipity, that we are trying to take it serious, we understand it's an issue in the community that people are thinking about, and then we're going to try to come up with the best possible solution. That's all I have Mr. Chair."

Chairman Unruh said, "All right. Thank you Commissioner. Any other comment or question? Commissioner Parks?"

Commissioner Parks said, "I just wanted to say, on the Visioneering, I would still like to see a program of that brought to us and know what is out there and what their doing. I think any program that we fund, it's our duty to step up and make sure that their money is being spent wisely. Thank you."

Chairman Unruh said, "All right. Thank you. Talking about Visioneering, there's a big article on the front page of the paper today about the Arts and Cultural Alliance and it's just another instance of how Visioneering is very active in our community and being production in their different alliances to keep our whole area here, in Southcentral Kansas, progressive and up to speed, I guess, with the competition we receive from other communities. So, they are active and doing a great job.

The only comment I have before we get a motion for Executive Session is at the beginning of our meeting, Christy Zukovich talked a lot about tickets and it just so happens, I have Zoobilee tickets for sale. If anybody wants a ticket, I've got a few. Other than that, I think it's all I had, I see no other requests to speak and so..."

MOTION

Commissioner Winters moved that the Board of County Commissioners recess into Executive Session for 20 minutes to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending claims and litigations, potential litigation and legal advice, and preliminary discussions regarding the acquisition of Real Property for public purposes and that the Board of County Commissioners return to this room from Executive Session no sooner than 12:10 p.m.

Commissioner Parks. 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 Parks	Aye
Commissioner Welshimer	Aye
Chairman Unruh	Aye

Chairman Unruh said, "We are recessed into Executive Session."

The Board of County Commissioners recessed into Executive Session at 11:50 a.m. and returned at 12:31 p.m.

Chairman Unruh said, "For the record, we're back from Executive Session and no binding action was taken while in Executive Session. Commissioners, is there anything else to come before us? Mr. Euson? Mr. Buchanan? We are adjourned."

Q. ADJOURNMENT

There being no other business to come before the Board, the Meeting was adjourned at 12:31 p.m.

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

DAVID M. UNRUH, Chairman
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

Regular Meeting, August 29, 2007

KELLY PARKS, Commissioner
Fourth District

GWEN WELSHIMER, Commissioner,
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2007