

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

### **REGULAR MEETING**

**FEBRUARY 21, 1996**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, February 21, 1996, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chair Pro Tem Melody C. Miller; Commissioner Betsy Gwin; Commissioner Paul W. Hancock; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Stephen Plummer, County Counselor; Ms. Becky Allen Bouska, Director, Budget Department; Mr. Harry J. Hayes, Director, Human Resources; Ms. Nola Foulston, District Attorney; Ms. Louanna Honeycutt Burress, Administrative Officer, Department of Housing and Economic Development; Ms. Deborah Donaldson, Director, Bureau of Comprehensive Community Care; Mr. Daryl Gardner, Acting Controller; Mr. Kenneth W. Arnold, Director, Capital Projects Department; Mr. Jim Weber, P.E., Director, Sewer Operations and Maintenance; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Public Affairs Officer; and Ms. Susan E. Crockett-Spoon, County Clerk.

### **GUESTS**

**Dr. Edward Dismuke**, Chairman, Department of Preventative Medicine, University of Kansas School of Medicine-Wichita  
**Mr. Bill Jack**, CEO, Custom Cupboards  
**Mr. Jerry Gibson**, CFO, Custom Cupboards  
**Mr. Bill Stockwell**, Metropolitan Area Planning Department

### **INVOCATION**

The Invocation was given by Mr. Pete Morris of the Christian Businessmen's Committee.

### **FLAG SALUTE**

### **ROLL CALL**

The Clerk reported, after calling roll, Commissioner Gwin was absent.

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**Chairman Winters** said, "I might mention that Commissioner Gwin is giving a short welcoming speech to a group that's here in town today and she will be arriving very shortly. So, she's just going to be absent here at the beginning of the meeting. Next item, please."

**CONSIDERATION OF MINUTES:      Regular Meeting, December 13, 1996**

The Clerk reported that Commissioner Gwin was absent at the Regular Meeting of December 13, 1995.

**Chairman Winters** said, "Commissioners, you've had those minutes, what's the will of the Board?"

**MOTION**

Commissioner Hancock moved to approve the Minutes of December 13, 1995.

Chairman Winters seconded the Motion.

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

**VOTE**

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

**PRESS RELEASE: ISSUED BY SEDGWICK COUNTY FIRE DEPARTMENT**

**Chairman Winters** said, "Before we go on, I'd like to take just a moment to read a press release that has been issued by the Sedgwick County Fire Department this morning concerning burning and the severe, dry conditions that we're in here in Sedgwick County and south central Kansas.

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"Over the past several months, Sedgwick County, as well as south central Kansas, has been experiencing very dry weather conditions. The National Weather Service is not predicting any measurable rainfall to occur in the near future to alleviate these conditions. The Sedgwick County Fire Department has ceased issuing any new burning permits until conditions improve and is discouraging the burning of any items not absolutely necessary.

"The Sedgwick County Fire Department encourages all citizens of Sedgwick County to be more aware of the potential ignition sources and to be more responsible with these ignition sources. If anyone wishes further information or comments, they can contact Deputy Chief Tony Marceau or a Fire Prevention Officer of the Sedgwick County Fire Department at 744-0471.

"We do have extremely dry conditions and it makes it very dangerous for citizens and fire fighters each time we have any kind of a fire event. If all of the citizens would abide by that, we would certainly appreciate it.

"Next item please."

### **CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

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

**Commissioner Miller** said, "Doesn't seem to be any."

**Ms. Bouska** said, "Thank you."

**Commissioner Miller** said, "Commissioners, if there are no questions, then I'll call for the vote. Do I have to accept the certification of funds?"

**Commissioner Schroeder** said, "No."

**Commissioner Miller** said, "Thank you. Next item please."

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**RECOGNITION AWARD PRESENTATION**

**A. PRESENTATION OF A CLOCK TO WILLIAM COX IN RECOGNITION OF 38 YEARS OF SERVICE.**

**Mr. Harry Hayes**, Director, Bureau of Human Resources, greeted the Commissioners and said, "This morning we would like to recognize Mr. William Cox who was our Director of the Extension Service for 38 years of service to Sedgwick County."

**Chairman Winters** said, "Bill, I tell you it is a real pleasure for me to have the opportunity to present this clock. I think it is only about the second retirement presentation I've done, but I want you to know that the citizens of Sedgwick County have been very appreciative of the work that you have done over the years at the Extension Service. All of the citizens are thrilled with the new building and your help in making that building be the very best it could be. Thank you from the citizens of Sedgwick County, we appreciate your work."

**Mr. William Cox** said, "Thank you Commissioners. I certainly do accept this with graciousness and pride. It has been a pleasure to be an employee of Sedgwick County. All the people that have this opportunity to work for Sedgwick County should certainly count their blessings. There is so much opportunity to solve and work ahead and I certainly do appreciate being a part of it. Thank you very much."

**RETIREMENT PRESENTATIONS**

**B. RETIREMENT PRESENTATIONS.**

**1. PRESENTATION OF RETIREMENT CLOCK TO ERVIN BROWN, HERBICIDE APPLICATOR, PUBLIC SERVICES/NOXIOUS WEEDS DEPARTMENT, WHO WILL RETIRE MARCH 1, 1996 AFTER 33 ½ YEARS OF SERVICE.**

**Mr. Hayes** said, "Commissioners, Mr. Brown was unable to be with us this morning, we will make a presentation to him at the Bureau of Human Resources at a later date."

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**2. PRESENTATION OF RETIREMENT CLOCK TO MARY CLOUD, ADMINISTRATIVE ASSISTANT, DISTRICT ATTORNEY'S OFFICE, WHO WILL RETIRE MARCH 1, 1996 AFTER 21 YEARS OF SERVICE.**

**Mr. Hayes** said, "The Bureau of Human Resources is pleased to present Ms. Mary Cloud a retirement clock on 21 years of service. She joined the District Attorney's Office 21 years ago and began as a Clerk One, on March 3, 1975. She became the Senior Office Assistant in January of 1978. She was promoted to Office Associate in January 1988. Immediately prior to her retirement she was promoted to Administrative Assistant as of January 1, 1992.

"In her retirement, Ms. Cloud says she plans to spend time with her three children and eight grandchildren."

**Chairman Winters** said, "Mary, on behalf of the citizens of Sedgwick County, we're pleased with having you in our employment for 21 years and we wish you the best in your retirement and again, it is folks who work for all of us that are very important and we appreciate that work. So in recognition of that, the citizens would like to give you this clock."

**Ms. Mary Cloud** said, "Thank you Commissioners."

**Chairman Winters** said, "Would you like to say something?"

**Ms. Cloud** said, "Not really."

**Ms. Nola Foulston**, District Attorney, said, "Come and join us today for a reception in honor of Mary in the Jury Room between two and four."

**Ms. Cloud** said, "Thank you."

**Chairman Winters** said, "Thank you. Call the next item."

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### PRESENTATION

#### C. PRESENTATION REGARDING THE COMMUNITY HEALTH ASSESSMENT PROJECT.

**Dr. S. Edwards Dismuke**, Chairman, Department of Preventative Medicine, University of Kansas School of Medicine-Wichita, said, "I have the pleasure of giving you an update on a community health assessment that we are doing here in Sedgwick County. This assessment was really put together by three groups in addition to the School of Medicine, Wichita State University, and the City Department of Community Health were able to obtain a grant from the Kansas Health Foundation and we were able to start this community health assessment in September of this year. There are 40 diverse leaders from the community that sit on the main advisory committee for this group and in addition we have five task forces that involve many other citizens, so it is a very broadly-based, major effort on our part to really determine what the health problems and health priorities of Sedgwick County should be.

"I would remind you that really this began in the fall of 1994, when there were a series of meetings of County leaders to decide what some of the major health problems and issues were in the County and then Dr. Larry Jecha had a Health Summit in the fall, to which all the Commissioners were invited. I know Mr. Buchanan was there, there were City leaders, and there were other hospital leaders and people in the community that attended and at that time, there were seven recommendations, and one of them was that the City and County carry out a community health assessment and then based on those findings develop a community wide health plan. So we began that with a grant in September and we hope to complete the data gathering and analysis hopefully in June and then hopefully put together a plan and have something available approximately in October, at which time I would like to be able to come back.

"Just to tell you a little bit about what we're up to, we have right now four active committees and an evaluation committee will be convened later. One of those committees is actually collecting data that is currently available on health problems in the County, comparing those to state wide and national trends. We are collecting data from many sources including the State. We have a public education committee that is trying to communicate our findings and relate much more effectively with the public. We have a health resources committee that allows us to look at what community health resources are available, figure out how well coordinated they are and how well they are serving current needs.

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“Finally, we have a community perception task force that is very active, that is collecting fresh new data, particularly perception data that we'll be able to compare with actual hard data that we collected elsewhere. We have done a number of things, we've done a number of community focus groups, town meetings, we've had seven or eight of these where we have gone to various sub-communities in Sedgwick County and called people together and asked them what they thought the problems in the County or in their particular community were. We've also done about eight sub-group analysis for focus groups where we will take minority populations, adolescents, the elderly, Hispanics, Cambodians, different groups, and have gone in and asked them about their priorities and perceptions of health problems in the County.

“In addition, we're currently doing a telephone survey, so we really have a very good idea about what community perceptions are. This is about a twenty minute phone survey that is being done by a professional survey group at Wichita State. We've put together the questions from our research and we're two weeks into that, people in the audience may be called during the coming two weeks and we will put this data together and probably between April and June we'll have data for the advisory committee to begin to look at and then over the summer we will try to put it together in the form of a plan to sort of outline what many of the leaders think the health priorities are.

"Finally, I would say that you need to realize that what we are doing here is trying to look at the health of the entire community and this is somewhat different from what most people perceive when you talk about health care. Most people think about the illness care system that is represented primarily by physicians and other providers and hospitals. Of course, that is a very important part of the system, but actually it doesn't have as much to do with the health of the community as you might think. I mean, really the things that you do have probably as much importance, economic development, issues related to crime, issues related to young people problems, really have as much to do with quality of health of the community as hospitals and all the things that providers do. It turns out that probably 80-85% of the citizens in our County have insurance and receive pretty good health care, probably the best care in the world.

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“Unfortunately, 15 to 20% of the citizens in this County and elsewhere, don't have insurance and can't afford good health care, so we're certainly concerned about that. But we're also concerned about risk factors for disease, things like smoking, not exercising, not getting the right diet, many things like that are really the underlying problems that create health problems. Issues like teenage pregnancy, in which Wichita is higher than most communities, our infant mortality rate is above average, we have a lot of premature children that are born and these are issues that we will probably emphasize. But I come to you at this time, just to report back from a year and a half ago when this group convened and said indeed, we haven't lived up to Mr. Buchanan's admonition that we get this done in six months, it is a year and a half later, but we're well under way. We're six months into it and I hope we'll have some data that will be useful to you. I'd be glad to answer questions if there are any.”

**Commissioner Schroeder** jokingly said, "Mr. Chairman, no question, just a comment, that Mr. Buchanan has been known to be unreasonable from time to time, so don't let that bother you too much. I'm sure he has high expectations and so do we."

**Dr. Dismuke** said, "Thanks."

**Chairman Winters** said, "Are there any other questions? Commissioner Miller."

**Commissioner Miller** said, "Dr. Dismuke, at this time, are you updating us or are you simply informing us that you are about the business of doing this assessment? Are you actually bringing to the table some information that you have obtained."

**Dr. Dismuke** said, "I'm actually just telling you that we're doing it. We've been in the process of getting organized since September and we have some data, but it is really not complete and we have not set down and looked at it as a group yet, so it is fairly preliminary."

**Commissioner Miller** said, "Okay, so it is in the preliminary stages, nothing has actually been..."



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**Dr. Dismuke** said, "Yes, I wouldn't want to come to you today with conclusions or recommendations. We have lots of perceptions, but I would hate to give you perceptions and have you take that away and make decisions on that basis. But we're collecting a lot of data and should you need information that we can provide in the meantime, we'd be glad to share that with you."

**Commissioner Miller** said, "How quickly do you think you'll have the end all data that you are...."

**Dr. Dismuke** said, "Well, I suspect we won't have the end all data, I suspect that this will be an ongoing process and probably you're not going to be able to outline all the problems. We will probably choose the top three or four that really stick out and begin to really analyze those. What we'd like to do is have an ongoing community process where we go ahead and take this first step, because we're not going to be able to cover everything, and over subsequent years, be able to deal with it. I would think that we will have data in pretty good shape by June of this year. Eventually, we will publish this so it is available to you all and to others. Then in October, I hope to be able to come back and present you with a plan or at least an outline of what we think the major problems are and some suggestions about what can be done. I think we will take it upon ourselves to see if we can rally a number of organizations together, because I think there are so many resources here already that many of these problems could be solved if we would just work together to do it."

**Commissioner Miller** said, "And within your plan, your ultimate plan that you are going to present or the charge that is going to basically get to the building of the plan, it is the intent to find out if indeed satellite clinics are worthy or needy or..."

**Dr. Dismuke** said, "I think that it's clear that is an important issue. We had initially thought that we would talk about broad issues like risk factors and so forth, but it is clear that the uninsured, or people for instance that receive medicaid, a major issue and as you know, the Governor was here last night talking to the medical society about a plan for managed care for people that are eligible for medicaid benefits and we know that is an important issue. We're collecting data for instance on one side that says we've got lots and lots of clinics. We may have too many doctors, too many providers already in the City, but then when we go out to various communities and do our focus groups, a lot of the communities or sub-populations, say gosh 'we'd like a physician or a provider in our little community.'

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“The Cambodians, for instance, will say ‘we don't speak the language very well, we'd like somebody in our own community.’ So it is obvious that there is a mismatch that there seems to be plenty of providers out there already and many clinics that don't have enough business. On the other hand, when you go to the communities and ask the people, everybody seems to want their own facility, so that is an important question that we hope to look at much closer. I hope that we can come up with data to clarify what should be done, but those are at least the two sides of the issue that I see.”

**Commissioner Miller** said, "And who do you say is collaboratively working? Is it just the University of Kansas School of Medicine?"

**Dr. Dismuke** said, "No, it was really put together, a group of us, mainly from the School of Medicine, Wichita State from the College of Health Professions, and from the City-County Department of Community Health. We went in together to get the grant, but then that is just the group that got this off. We have chosen forty diverse leaders from across the City and County, from many backgrounds, not just medical or health backgrounds, to help us with this. Then we have task forces that really incorporate lots of citizens, then we have really gone out of our way to try to involve citizens in every possible way. We've got a City Line answering service so people can call in. We've tried to go out to communities so we could hear everybody's voice. We are really trying."

**Commissioner Miller** said, "Well, you obviously have a daunting task ahead of you and I'm sure that the information that you do obtain and the data that you do collect is definitely going to be informative and assist not only County Health Officials, but hopefully the whole community in figuring out whether or not if indeed, with all the excess in providers that we have, if they are truly meeting the needs of the community that they are attempting to assist and help. Thank you."

**Dr. Dismuke** said, "I hope we'll be able to answer that for you."

**Commissioner Miller** said, "Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Are there any other questions? Commissioners, seeing none, you've heard the presentation, what's the will of the Board?"

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**MOTION**

Commissioner Schroeder moved to receive and file.

Commissioner Hancock seconded the Motion.

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

**VOTE**

Commissioner Betsy Gwin	Abstain - not present for discussion
Commissioner Paul W. Hancock	Aye
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

**Chairman Winters** said, "Thank you very much, thank you for being here, Doctor. Madam Clerk, you might let the record show that Commissioner Gwin has just arrived at the meeting and that was her reason for abstaining is that she was not present for the discussion. Next item please."

**PUBLIC HEARING**

**D. PUBLIC HEARING AND RESOLUTION PROVIDING THE TERMS AND CONDITIONS FOR AN AD VALOREM TAX EXEMPTION TO CUSTOM CUPBOARDS, INC.**

**Ms. Louanna Honeycutt Burress**, Department of Housing and Economic Development, greeted the Commissioners and said, "Back in 1981 when Custom Cupboards opened its doors for business, it could be termed what Commissioner Miller calls a very small business, a micro-business. It had one full time employee. In 1981, its total sales volume was \$39,000, that was 1981. In 1993, sales volume was nearly \$4,000,000 and it has gone up from there. They started small and they have grown. They have continued to outgrow their facilities.

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“Finally, in 1994, they looked around and they felt they couldn't expand anymore where they were located, so they kept at least a portion of that facility for part of their operation, but they went out to the Mid-Continent Industrial Park in the County and they built a 33,000 square foot manufacturing facility. They manufacture custom kitchens and bath cabinets and they invested over \$800,000 in land and in the building. They also invested over \$500,000 in new production equipment. They have come to us today to ask that Sedgwick County give them an economic development tax exemption on the building and on the equipment.

“As a result of this expansion, they are in the process of creating 50 additional jobs and this will be in addition to the approximately 135 jobs that they currently have. It is a growing business. It is the type of business that we are seeking out in Sedgwick County, because it diversifies our employment base. It is not dependent upon the aircraft industry, which of course we are very proud to be the home of, but it is a growing business and they are asking for our help as they expand. This morning, Mr. Bill Jack, who is the CEO of Custom Cupboards and Mr. Jerry Gibson, who is the Chief Financial Officer, are with us if you have any specific questions you would like to ask of them. What I am recommending is that you conduct the public hearing and then take action to approve 100% declining economic development tax exemption on the real property, it would 100% for the first five years and then it would decline over the years six through ten and year eleven it would go 100% on the tax role. I also recommend that you give a 100% five year economic development tax exemption on the personal property, so I recommend that you conduct the public hearing and then approve those exemptions. If you have questions, I will attempt to address them.”

**Chairman Winters** said, "Thank you Louanna, Commissioner Schroeder has a question."

**Commissioner Schroeder** said, "I don't know if I should wait for the public hearing or do this first. I just wanted to ask, I would like you to give us some numbers of what we're talking about in way of exemptions. Can you give us both of those numbers at least for the first year or for those first five years?"

**Ms. Burress** said, "Yes. On the real property, the building and the land, you would be exempting approximately \$20,605 in ad valorem taxes and on the personal property it would be approximately \$13,500."

**Commissioner Schroeder** said, "Okay, is that for a five year?"

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**Ms. Burress** said, "That would be the personal which is five years."

**Commissioner Schroeder** said, "Okay, how many years is it again on the real property?"

**Ms. Burress** said, "Ten years. It would be 100% for five years and then it would decline over year six through ten?"

**Commissioner Schroeder** said, "Okay, alright. Thank you. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Seeing no other questions from the Commissioners, I will open the public hearing and ask if there is anyone here from the public who would like to speak on this item? Is there anyone here from the public who would like to speak on our item D? Seeing none, we'll close the public hearing and reserve comment to staff and bench. Commissioners, I'm certainly going to speak in favor of us approving this and adopting this Resolution. I had an opportunity to tour Custom Cupboards production facility, their original plant, and this is a company that is making a quality product here in Wichita, Kansas, and I know we would probably be pleased if they were just putting out cabinets as fast as they could and selling them, but this company is really involved in doing some quality kinds of products. Even when I was there, it was still a growing business, looking for people to go to work, and I think that is extremely important and that's what we're interested in, is making sure that the citizens in Sedgwick County have an opportunity to work.

"The first of the year, the City Council began a program of recognizing businesses in the City and particularly, I don't know if they are emphasizing small business, but small to medium size business have been the primary focus of their attention and their first two recipients. We do not have such a program. I hope we can implement such a program of recognizing growing businesses that are giving citizens an opportunity to work and Custom Cupboards would be a perfect example of a business that has just started out from virtually zero and now has grown into a good size company and chosen Sedgwick County to do their expansion. So, I'm going to be very supportive of us adopting this Resolution. Do any of you have any comments regarding this?"

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### MOTION

Chairman Winters moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

### VOTE

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

**Chairman Winters** said, "Mr. Jack and Mr. Gibson, we're pleased to have you here today and the best of luck in the future. Certainly, come right to the microphone."

**Mr. Bill Jack**, CEO, Custom Cupboards, said, "Mr. Chairman, Commissioners, I want to thank you for allowing us to expand in Sedgwick County. This was a big part, the tax exemption was a big part of staying in Sedgwick County. We compete, as a lot of small companies do, with companies in small towns. One of our competitors is in Neodesha, Kansas. We pay an average of \$2.00 an hour more on labor than they do. So without these types of incentives, we couldn't have stayed here, we would have had to have looked at some small towns where the wages were cheaper. In 1990, we had 20 people working, we now have 135. It varies from day to day, but around 135.

"We're now...in 1990, our furthest shipping point was Augusta, Kansas, we now, today, have a truck right now in Vermont. We have a truck in Florida today and next week our truck will be in California. So we are an exporter. This is not local dollars being turned. In small companies I think that's one thing that economic development needs to look at, is this just turning local dollars or is this importing dollars. We're going to import about \$9,000,000 this year. We do about a \$1,000,000 in the nine county area. We'll do about \$10,000,000, a \$1,000,000 of that will come out of the nine county area with dealers in the nine county area.

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“The other \$9,000,000 will come out of State, that's all import dollars. I think that is very important in the economic development. Again, I want to thank you and I am already talking to our builder about another expansion, so we'll probably be back here in a year or too. Thank you.”

**Chairman Winters** said, "Mr. Jack, hold on. You've sparked some discussion now. Commissioner Miller."

**Commissioner Miller** said, "Mr. Jack, I first of all want to simply commend you on the ability to grow from what I would consider a micro-business into a flourishing industry. Secondly, could you, for my sake, explain to me what prompted your business at this point to seek out an IRB?"

**Mr. Jack** said, "What prompted us?"

**Commissioner Miller** said, "Yes. Prior to....an exemption?"

**Mr. Jack** said, "Looking at all the...we did not want to move from Wichita, because we had the one plant here. In order to make it a viable move and expand, we had to get some type of a break or an incentive, because of the difference in the wage scale and even though our wages run a lot more than that, the \$33,000 exemption, that was enough of a....plus, the fact that we're in the County and not the City, we felt that was an advantage in several respects. Going to the County and talking to Tom Winters and Andy Bias, who was on the Commission, and after talking to them, we found that we could build in the County for one thing. We could build in the County about \$500,000 cheaper than we could in the City because of paving requirements, run-off requirements and things like that. So that was what got us started thinking about building in the County versus the City and then we started going after the different...you know, you've got to look for all the perks and so that is the reason."

**Commissioner Miller** said, "I just know that there seems to be a threshold of searching or seeking out County assistance, and I'm talking about in terms of exemptions. There seems to be a monetary threshold where businesses will seek out and find out that Sedgwick County offers an excellent package."

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**Mr. Jack** said, "I want to also add that five years ago we went to the City for a tax exemption and we were denied, because they said 'well you're a local company' and one of the Councilmen said 'we're not going to give this, because you are going to be competing with these other cabinet shops.' We tried to explain that we were not a cabinet shop, we're a cabinet manufacturer. That is another reason, I didn't even approach the City. We came straight to the County. You guys are more user- friendly, I'll put it that way."

**Commissioner Miller** said, "I was trying to get that out, thank you."

**Mr. Jack** said, "I do want to invite all of you to our plant out at 3738 Norman and I'll give you a nice tour of the plant, any of you want to come out and see it. Thank you."

**Commissioner Miller** said, "Thank you. Thank you, Mr. Chairman."

**Chairman Winters** said, "Thank you. Thank you, Mr. Jack. Commissioners, before we move on to new business, I would like us to take up an off-agenda item concerning railroads."

### **MOTION**

Commissioner Schroeder moved to take an off-agenda item.

Commissioner Miller seconded the Motion.

### **OFF AGENDA: DISCUSSION OF UNION PACIFIC & SOUTHERN PACIFIC RAILROAD MERGER**

**Chairman Winters** said, "We have a Motion and a second. I've asked Bill Stockwell from Wichita-Sedgwick County Metropolitan Planning Department to be here to visit with us for a moment about the impact of the Union Pacific and Southern Pacific Railroad merger."

**Commissioner Schroeder** said, "Let's vote on it first."

**Chairman Winters** said, "Oh, okay, sorry. Is there any discussion on the Motion to take an off-agenda item? Call the vote."



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### VOTE

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

**Commissioner Hancock** said, "We should have turned him down."

**Commissioner Gwin** said, "After all that."

**Chairman Winters** said, "Well, you should have notified me sooner that I was..."

**Commissioner Schroeder** said, "I'm sorry."

**Chairman Winters** said, "Again, I've asked Bill Stockwell to be here. Bill, we appreciate your being here on short notice, but our Commissioners are interested in hearing more about this and sharing what you know with the public also. So if you could proceed, I would appreciate it."

**Mr. Bill Stockwell**, Metropolitan Area Planning Department, said, "Thank you Mr. Chairman and Commissioners for giving me this opportunity. I think that you're well aware that this has impacts on the rural areas of Sedgwick County, as well as a lot of negative impacts on the City of Wichita and some of the smaller cities in Sedgwick County.

"I think that most of us that follow transportation know that there has been speculation for the past year that the Union Pacific Railroad would attempt to acquire the Southern Pacific Railroad. The Southern Pacific is a big carrier, as it almost says, Southern Pacific, a big carrier in southwest United States, aimed toward Los Angeles, San Diego, that particular part of the country, where as the Union Pacific, as I'll show you in a moment, principally has its traffic through Central United States, based out of St. Louis, Kansas City, Omaha, and points west to San Francisco. They do make it into Los Angeles. This acquisition by Union Pacific, will give much more strength to serve southwestern United States, Arizona, New Mexico, and Southern California. So obviously it is very beneficial to them.

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"For a railroad to seek to acquire another railroad requires approval from Inter-State Commerce Commission. As of January, under new federal legislation, they have abolished the ICC name, but in fact there is a replacement board that still operates, it is called the Surface Transportation Board that still has the same powers and continues to give approvals of these kinds of interstate commerce issues. That Board will consider this proposed merger. The merger documents were filed November 30, last year, and according to the federal rules, this matter must be decided by this Federal Board, by August of this year, 1996. We are looking within the next six, seven months, this matter will be resolved and we should know whether that merger is going to be allowed.

"Speculation also has been that since the ICC allowed the merger of the Burlington Northern and the Santa Fe, which had a great impact on Kansas and on Wichita, that they will also allow the merger of the Union Pacific and the Southern Pacific. There may be some restrictions placed on that merger, but it almost certainly will happen. With that in mind, the City and the Metropolitan Area Planning Department previously were involved in this last fall and we employed a rail consultant out of Chicago. He faxed us some pages out of the merger document. This merger document is six volumes long, thousands of pages, so obviously I did not have it, did not go through it. But he did go through it on our behalf and did fax pages to us that indicated that the Union Pacific, if the merger is allowed, plans to implement what they call the Kansas City by-pass. The Kansas City by-pass, we might have the slides now.

### **(SLIDE PRESENTATION)**

"This is the map of the Union Pacific Railroad system across the United States, as I said, with St. Louis there, Kansas City, Omaha, and you can see the main line through western Nebraska and Wyoming, up into Seattle over to San Francisco and down to L.A. You can see the principal lines going down into Texas, down to Fort Worth and some then coming out of St. Louis, likewise going to the Gulf Ports.

"The Kansas City by-pass, this is a close up of that same map. The Kansas City by-pass will allow the Union Pacific to ship coal from Wyoming, this is the Wyoming border and that's the border with Nebraska between South Dakota and Nebraska, so here is what they call the Powder River area of strip mining for coal in Wyoming. They bring coal down through Wyoming along the North Platte river, down to North Platte, right here, also you remember I-80 follows this general route.

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“At this point, about the middle of Nebraska, it begins to move south across the Kansas border, which is right here, through a place called Marysville and down to Topeka. At Topeka, the trains used to go right on into Kansas City and then they would ship them south on these two principal lines and on this one in Missouri, but they're having a great back-up of trains in that area with great delays and inefficiencies and that's why they want to implement the by-pass to turn the trains around at Topeka, put them on this line right here, which is not colored red, but just black, that's the Southern Pacific line they will inherit if this merger goes through, which leads from Topeka to Herrington.

"At that point, they ship them directly south through Wichita. This map is a Kansas rail map showing all the rail lines in Kansas and then we have a close up of that map again emphasizing the shipment coming out...this is the Union Pacific line coming out of Nebraska, this is the Kansas, Nebraska border, they come right through here, down into Topeka and then at that point, they turn them around and put them on the line shown in green which runs the trains then down to Herrington, at this point, and then back on to the Union Pacific line directly into Wichita. Then the last map just emphasizes again that here is the blue line right through Wichita. I don't have additional maps, but this route then continues on through Wellington, into Oklahoma, it then goes down near Oklahoma City, it does not actually go through the City like it does in Wichita. It passes about 50 miles to the west out around El Reno where they have their state prison. Then it passes on down to Fort Worth, Texas. From there it goes...the coal and the grain that is being hauled by these unit trains will go in several directions. Grain to the ports and coal to power generation for electricity.

"The trains are not, as I have indicated, does not have any origin in Kansas and there is no destination in Kansas, they're simply passing through. In our opinion, in my opinion, there is no economic benefit to Kansas. Certainly not to Sedgwick County or Wichita to have these trains pass through our community. At this point of time, we don't have any indication that they would add any employment here, the Union Pacific. In fact, these unit trains cannot be stopped anyhow to break them up to add grain cars onto them because they're made up total to the full extent that they can be packed together and carried all the way to Texas without interruption. They'll come through at their schedule. We don't have any control over trying to say that we can stop them and bring them all through maybe from midnight to 4:00 a.m., so that there would be less disruption to our traffic. So this is basically the situation Mr. Chairman, Commissioners, and I wanted you to be aware of that and I'll be happy to answer any questions you might have."

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**Chairman Winters** said, "Okay. Bill, did you indicate how many additional trains we believe this will bring through Wichita and Sedgwick County?"

**Mr. Stockwell** said, "The Union Pacific has told us, it wasn't in the merger document that we received from our expert, but in conversations with them they said in the range from eight to ten unit trains a day. But then they cautioned me and these were people in authority, that they're going to spend a hundred million dollars in improving this particular rail line and therefore they plan to put as many trains through on that line as necessary to improve their business and improve efficiencies. So they more or less indicated that we should not expect that it would be limited to eight or ten.

"Now what that does, the Union Pacific has about ten full trains going straight through today, coming from various points in this area plus we have numerous what they call manifest trains that are made up locally moving back and forth, so we already have moving back and forth through this central rail corridor about 17 Union Pacific trains today, an additional 8 Burlington Northern trains, so if we add 8 or 10, or as they warned me, more unit trains which are always going to be 110 cars long, we're looking at doubling the amount of trains going through this community. A rail consultant, who worked with us last fall, had rejected in his talks with the Burlington Northern line to also bring coal out of Wyoming because the Burlington Northern, or rather the NFA line to also carries a lot of coal to various destinations in the United States. We may find that we think now is roughly a projection of up to 35 to 40 trains per day going through here, that when we know what the Burlington Northern wants to bring here, it could be more than that."

**Chairman Winters** said, "Do you know total County crossings in Sedgwick County from the northern border to the southern border, what was that crossing number?"

**Mr. Stockwell** said, "In fact, we do have another map, I don't know if you want to break to it, if you don't, we have the potential just within all of Sedgwick County of having 180,000 trips a day disrupted. Obviously, it depends upon whether there is a train in your path or not, but there is 180,000 trips a day crossing these particular railroads, and that is only the arterials, there are many other local streets that would also be impacted."

**Chairman Winters** said, "Okay, but some place I had saw a place that had like 26 total crossings and 14 of them were outside the City of Wichita."

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**Mr. Stockwell** said, "That's right."

**Chairman Winters** said, "I think that there is at least three reasons why we should be concerned about this and why we should, I think, somehow become involved. I think, of course we know we have the public safety operations of the Sheriff's Department and Sedgwick County Fire Department, but even more importantly, we are responsible for two county-wide public safety services, that being the 911 dispatch system and this is certainly going to cause some concern for that organization that we're responsible for, along with the Emergency Medical Services, the ambulance service to the entire County, for which we are responsible. I think that is certainly one reason we should be concerned."

"With 14 crossings outside the City of Wichita, we know and understand that the major congestion will be in the City, certainly Haysville and Kechi are going to be impacted and then I think we need to remember that all the citizens of Sedgwick County are our constituents, whether they live in the City of Wichita or in an unincorporated area, or in a small community, so I would like to suggest and be certainly open to additions that we do at least three or four things to communicate with our elected officials at the Federal level to communicate with our State level officials, communicate with the Surface Transportation Board. That's the new name for the ICC, the Inter-State Commerce Commission, and to contact the smaller cities in Sedgwick County to make sure that they are aware of these. I would certainly hope we would do all of this in coordination with Mayor Knight of the City Council. I think we're aware from the media that they have been involved in this and concerned with this so I would certainly hope that we could join up with them. Commissioner Gwin."

**Commissioner Gwin** said, "Thank you Mr. Chairman. Bill, you said that these unit trains are 110 cars long and so let's just say they fly right through town, they go real fast, right?"

**Mr. Stockwell** said, "They would like to go faster than they are. Some of the tracks are in poor condition now and actually some of these trains are being slowed to 10 miles per hour presently on the Santa Fe tracks, and we're presently trying to get that resolved."

**Commissioner Gwin** said, "So what would be the estimated time frame, because that was a facetious question, what would be the estimated time for 110 cars to clear a crossing going through a city?"

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**Mr. Stockwell** said, "Depending upon the speed, of course, of the train, why you are going to be stopped from ten minutes above depending upon what the speed that they're going at, so I really think it is possible that people could be stopped for as much as 15 minutes just for one train. If it was a unit train, supposedly one goes by and suddenly another one is coming from another direction, you could be there a long time and I think under those conditions, we could really have some serious problems in fire fighting and response to emergencies of other types, so I think that one of the things we, as the Metropolitan Planning Department, need to do is to contact and talk with the emergency medical people as to just what problems they see in this as well."

**Commissioner Gwin** said, "I think, as the Chairman indicated, if we get a map of Sedgwick County and start hi-lighting those crossings that are going to be affected by this, I think we would find in a number of cases that traffic is going to be very difficult. I drove to Kechi yesterday and looked at their crossings just to see how it would affect them and the crossing at 61st and then it crosses just a little south at Oliver, you can't get into or out of that community if you're trying to use those accesses, so it is going to be very difficult even for the small communities."

**Mr. Stockwell** said, "Just recently, remember something that I think is significant, we sent to your manager and to the members of the Commission, a travel time survey where we were kind of bragging about how quickly people could get around and commute in Wichita and now we're wondering whether we will be able to...for east- west streets impacted by this train, that is going to negatively impact lifestyles completely."

**Commissioner Gwin** said, "Well I know that the City has been talking and others for a while about elevated crossings or elevated railways so that we don't have this problem. I'm assuming that is amazingly expensive, can we get any cooperation from the railroads in assisting us in trying to find a way up and over or under these?"

**Mr. Stockwell** said, "We're getting...they're certainly talking to us and in fact, they were talking to the City Engineering and Public Works staff as far back as last summer and even used their own engineers from a consulting firm in Omaha to work with the Public Works Department of the City of Wichita to develop a way to gain separation between Douglas Avenue up to about 21st Street, not including 21st, but including Central, Murdock and 13th, where we would elevate the tracks just as they are elevated going over Douglas today."

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“That plan, that's what we call the rail consolidation plan would cost \$66,000,000, and we get separation just at three locations. Three very important locations, but still just three.

"When you consider that 21st Street would still have to have its overpass and that we would still have to do something about Lincoln, Harry, Mt. Vernon, Pawnee and MacArthur and 47th and 71st Street in Haysville, the \$66,000,000 is only a partial solution. I've been asked from across the street to develop a little more comprehensive strategy and I'm going to do that with the aid of Engineering, Public Works, and we'll be asking Dave Spears and his people to consult on it, too. We're not going to try to do it in great detail, but I think they have enough engineering knowledge that we can pretty well come up with an idea of what it would cost to get a solution down in Haysville, what it would cost for MacArthur Road, what it would cost at Pawnee, we're going to build that in and then we'll come back and tell you what that total cost is, but it's going to be immense and the railroads, whether they will pay some part of it depends on the extent to which they benefit.

"As a private profit making company, they're not interested, they own their right of way, they have the rights through here, and so we don't know yet how much we can expect them to pay in helping to solve this problem, but the Governor of the State is aware and the Secretary of Transportation at KDOT has been asked to look into it and we believe that now is the time to do what we can. I might tell you that March 29 is apparently the cut off date for establishing the record that the ICC or Surface Transportation Board will consider and the Union Pacific is very concerned that they have Kansas and this City and County real positive about that merger before March 29, that's only six weeks away. I expect a lot of action on the part of the railroads over the next six weeks. In fact, I've talked to them just yesterday and I know things are working to get people down here to talk to us."

**Commissioner Gwin** said, "Thank you, Bill. Thank you, Mr. Chairman. My only follow up would be that I certainly have great concerns about this as it affects our ability to commute and to move around this County and I think, as I sent a note to you yesterday Mr. Chairman, I think we also need to have Bill or one of us, someone, go to talk to Kechi, Bellaire and Haysville elected officials and visit with them about this dilemma. Thank you Mr. Chairman."

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

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**Commissioner Hancock** said, "Thank you Mr. Chairman. Bill, I'm not sure I understand our options here. Are we trying to influence the Service Transportation Board to not approve this merger?"

**Mr. Stockwell** said, "Well, as was written in one of the communiques that I helped prepare that went to them, the City suggested that they could not support it unless the Union Pacific Railroad would be involved in solutions, financially involved in bringing about those solutions. The City has suggested that, that means several millions of dollars of participation, not just putting up a few signals and a few gates to stop cars, which helps with safety, but is still going to cause blockage. Ultimately, I think that it probably would be in our best interest to be opposed to it unless they do contribute financially.

"As I have said before, running unit trains through Kansas and through Wichita is of no benefit to the State of Kansas or to Wichita. I mean, I suppose you could see some day in the future that having such a well improved railroad might influence some major manufacturer to locate in our County or our City, but the height of speculation to think you would get the benefit out of that. All I know is that Colorado, when they started running unit trains down the front range out of Wyoming, they had a major program to start figuring out how to by-pass them, because just like in Kansas, all those little towns build around a railroad track.

"It was terribly disruptive to those cities and they still have the coal trains, but they have built by-passes, but they were into this back in the '70's and I don't know what the source of money was, but I don't think it was from the Federal Railroad Administration. They don't have money, I know that, I've talked to them. They do not participate in rerouting trains. The Federal Highway Administration says the money is flexible if Wichita and Sedgwick County want to spend the small amount of STP funds we get or bridge funds, we could choose to spend it for these kinds of solutions, but Dave Spears knows that if you add it all up, it doesn't come up to \$66,000,000 for a long, long time or \$100,000,000. So it would be a long time coming."

**Commissioner Hancock** said, "So our options then are to oppose the Surface Transportation Board, this merger, or be prepared to invest in rail improvement."



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**Mr. Stockwell** said, "Yes sir. I think that the State of Kansas, there is a possibility that the State of Kansas, in new highway legislation, within an enhancement section, that benefited this County and City last time, helped us build K-96, both County and City, as well as City's Oliver project and so on and new highway legislation will be forthcoming maybe in 1997 or '98, so the State of Kansas could be a major player in helping to solve this. We're the biggest County and City in the State. Obviously, we have 16% of the population, it ought to be worth something in that equation. So yes, I think the State, the Federal, I don't think we're going to get anything unless it would be through appropriations act where they would do a pork barrel type thing and earmark some funds and I understand that both sides of Congress are not too interested in that anymore, we'd have to see."

**Commissioner Hancock** said, "Are the number of trains that we are predicting will occur, are those happening some place else?"

**Mr. Stockwell** said, "Yes, those trains right now are going into Kansas City. They're backing up, because they've got something like five to six first class railroads all coming into Kansas City. The second largest rail head after Chicago and they are all along the Missouri River and they are backing up down by 435 if you want to know where that is. One train comes in loaded with coal and another one behind it and it has to actually stop, because it has to get across this other main line railroad and there is no separation between those railroads. So Kansas City has come up with a \$70,000,000 plan to build a fly over so that they can carry one railroad up and over another major railroad. That would improve their efficiency. They were looking to figure out how to fund that and they're talking about tax exempt bonds and the railroads paying for it gradually over years to accomplish it. It has not yet been approved or funded."

**Commissioner Hancock** said, "Thank you."

**Chairman Winters** said, "Mr. Hancock, the answer to your question from my angle would be that if this Kansas City by-pass is going to save them hundreds of millions of dollars over a short period of time and then on in, that I don't think our opposition would probably not stop this merger, but if the Surface Transportation Board would place some conditions on it that even part of that savings were going for a by-pass around one community is going to cause a problem for someone else that part of that savings be dedicated to solving our solution and so I don't think by our opposing the application, I don't know that would stop it. They certainly might think about..."

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**Commissioner Hancock** said, "What I was getting at, not really necessarily Kansas City, other communities have not experienced this and they have to be traveling on another line someplace else I presume outside of Kansas City and then not only Sedgwick County, but I'm sure they go through Wellington and I'm not sure..."

**Mr. Stockwell** said, "They go through Enid, Oklahoma, and then as I said, west of Oklahoma City, but in Kansas, the Kansas Department of Transportation told me that Herrington has negative impacts from this, and they said Marysville, but I don't...I believe that Marysville had the same trains going through it because if I understand the routing, it is going on into Kansas City from there."

**Commissioner Hancock** said, "There is a train station in Marysville."

**Mr. Stockwell** said, "Is there?"

**Commissioner Hancock** said, "Yeah."

**Mr. Stockwell** said, "I'm not sure they are receiving any coal though from Wyoming."

**Commissioner Hancock** said, "Anyway, I guess what I'm getting at is yes, we can work on this and improve our system through here, the portion that runs through here, but I'm thinking...I think the answer is going to be a really resounding no, because there is a number of these all the way through that will want the same thing."

**Mr. Stockwell** said, "I think that is a problem. I know that I am going to be asking Union Pacific to tell us why the routing through Wichita is absolutely essential. Because if I look at the rail map of Kansas, I could see that they could send the trains south directly on a Santa Fe track to Emporia and from there through the Flint Hills down through Rose Hill and Winfield on. Now that gives our good neighbors from Rose Hill more complication than they already have, but as I understand it, they already have about 65 trains a day going out of Emporia through the Flint Hills and therefore the Union Pacific says they don't have, there is not capacity to get on that line, and they probably will not be able to use it. The other one is that they could go out of Herrington, they could go directly into McPherson and over to Hutchinson and then cut south on another line and reach Oklahoma."

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"I think they need to tell us why those options are not as suitable as the option of coming directly through Wichita. There isn't a city probably in the United States that is more plagued with railroads than we are in terms of rail tracks right in our downtown area blocking that many arterials. I think we are probably one of the worst."

**Commissioner Hancock** said, "That's what I was looking for, okay. Thank you."

**Chairman Winters** said, "Commissioner Miller."

**Commissioner Miller** said, "Just for the public sake, I needed to put some dollars and cents on the tape and I don't have my green sheet in front of me, so correct me if I'm wrong, but I believe that the railways, the railroads, the Union Pacific Southern Pacific, stand to gain over \$750,000,000 is it \$760,000,000 or is it \$860,000,000?"

**Mr. Stockwell** said, "The information we had, and this was from the Kansas Department of Transportation Railroad Section, was that there was annual savings of \$780,000,000 a year in approved efficiency by the implementation of this Kansas City by-pass. I personally did not see all these merger documents as I had told you, but that was reported to me by one of the attorneys that works for the Kansas KDOT Rail Section. In looking at it and thinking about it, since I am wondering whether part of that efficiency is realized through the whole merger or whether it is just the by-pass, but that is the number that they are telling me. I have not had the Union Pacific tell me that number is wrong and I know that's been reported to them and that is what we have gotten out of their documents."

**Commissioner Miller** said, "So just the bottom line is that they stand to gain literally in net profit, more than likely, millions. When you talk about helping with financial solutions, and yes everyone along the way that is going to be impacted negatively by this merger because of the increase of trains coming through, stands to want to pull on that coat tail and say we need this also, so I agree with Commissioner Hancock. I just thought it was important that the public know that when we talk about weighing benefits versus cost, that we stand to lose in terms of actual time, disruption of a daily routine and activity in our drive of course, and a Commissioner that happens to house probably a fair share, if not a majority of the railroad tracks coming smack dab through the inner city core area, I am one that would very widely lobby that those financial solutions need to be looked at very seriously, because I believe that there could be a unification or partnership that would benefit both Sedgwick County in total and Union Pacific and the Southern Pacific Railways. Thank you."

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

**Commissioner Schroeder** said, "Mr. Chairman, if you please. I still think that we need to try our option of opposing it. I think to go on the record to say that is so important, because I think there may be an opportunity when they'll come back after we've failed in that area and say 'well, we didn't getting any opposition from Sedgwick County, so you know we didn't hear from you.' I think we need to be on record somehow, some where that we oppose this if they don't make any changes to how they do business today through this community. I think simply to not oppose it is probably a serious mistake, one that we'll regret. As I see it, we have three options, one, to try to kill the merger, two, make our own investment, or three, to encourage them to reroute or make their investments to improve the rail system. With those three options in mind, where does the Governor and or Congress have an affect on this process? What's the Governor's role first?"

**Mr. Stockwell** said, "The Governor has at his control several millions of dollars in that he is the Chief Executive of the State and he can obviously influence the discretionary funds that the State collects from all of us for gas taxes, therefore there is a lot of discretionary funds that are available to the Kansas Department of Transportation. The Governor influences how those can be spent. Obviously, they are just like Sedgwick County or Wichita, they have programmed every dollar they can see well into the future, so it is nothing they would embrace easily. I do think that it is a good strategy to work closely with the Governor and the Secretary of Transportation. The man who now heads the KDOT, Secretary Carlson is one of the most knowledgeable people in the country with regards to Federal funds and how that works, in that he held a high position within the Federal government before he took that job. I think the Governor has appointed him to be the point man in working this problem out."

**Commissioner Schroeder** said, "Do we need, or does he have to approve anything in the merger at all?"

**Mr. Stockwell** said, "No. I think that the Union Pacific wants to be able to show the Surface Transportation Board that this is favored by all the states where it will be impactive and therefore he is trying to line up every governor to endorse the merger and as I understand it from Union Pacific, something like seven or eight state governors have already given their endorsement. Arkansas had not, Kansas had not, and Texas had not, and there are a lot of problems down in Texas. All the western states have.

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"Maybe there are less problems out that way, or more benefits, I don't know, but many of the western state governors have already endorsed it."

**Commissioner Schroeder** said, "Okay, well I am just a little bit concerned. Obviously, these railroads thrive off of what happens in communities and this is one where they are hauling coal cars to a community south of us and you would think...I know they are a private sector and a private business, but I would hope we could work together better, especially when this will save them billions over a period of years. I think it would be worth it to both of us to sit down at a table and try to resolve this problem."

**Mr. Stockwell** said, "I am surprised at how concerned they are about their public image, I absolutely am, and they are constantly on the phone with me now, concerned about the kind of publicity. Apparently, some of these articles have already been picked up by Associated Press and run nationally and other people are raising questions too."

**Commissioner Schroeder** said, "It is a dramatic change and people say that we need to change every day, because our world is changing and I think they also need to do that. I know that commuters in this community will be drastically affected and I know how people in this community act and respond when you sit at a railroad crossing for three minutes, it is turn around and go back and find another way around and it will take you ten minutes instead of three or four minutes, so I can't imagine a fifteen or twenty minute wait. What that's going to do to people? I, myself, wouldn't be comfortable with that. Commissioner Winters kind of put the cap on it when he talked about emergency services being affected. That really concerns me and I appreciate it. Thank you Mr. Chairman."

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

**Commissioner Gwin** said, "Bill, one thing that you said elicited a question. You indicated that Kansas City was looking at ways to find \$70,000,000 to try to do some improvements. Is there an economic benefit to Kansas City that there would not be to Wichita?"

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**Mr. Stockwell** said, "I believe so. I believe that Kansas City has five or six separate inter-modal facilities that probably wouldn't be there if they couldn't be able to utilize these first class railroads going back to the west coast and other points as well as to the gulf and then into Mexico. Kansas City has a lot of industries that do the container type things, where you contain it and ship it and put it on a boat without a lot of extra handling. So the efficiency of the railroads, main line railroads, operating through Kansas City is very important to them."

**Commissioner Gwin** said, "Okay, I wanted to get that clarified because we talked about..."

**Mr. Stockwell** said, "There's an important point that I hope you understand that I'm still...I've been called by the way from Senator Dole's office asking whether or not Senator Dole should endorse that \$70,000,000 improvement in Kansas City, because he was aware of the problem in Wichita and he wondered whether that was going to be negatively impacting Wichita. I told him that as far as I can see, any efficiency and improvement in Kansas City is going to be helpful rather than hinder us, in that if we can get trains efficiently through Kansas City, maybe they won't have to reroute them through Wichita. Unit trains are not going to help us, that is the only thing I can say."

**Commissioner Gwin** said, "Alright, thanks for that clarification. Thank you Mr. Chairman."

**Chairman Winters** said, "Thank you. Commissioners, I'm prepared to make a Motion that we do four things in contacting Federal, State, Service Transportation Boards in smaller communities in Sedgwick County. Before I do that though, who should we have doing this for us and if we do in fact want to make communications with these people, do we want that to be our Legal Department, do we want that to be in conjunction with Wichita-Sedgwick County Metropolitan Planning?"

**Commissioner Schroeder** said, "I think it needs to be on our letterhead."

**Commissioner Gwin** said, "I think it needs to be on our letterhead with your signature. I notice the letters that came from the City was from the Mayor."

**Chairman Winters** said, "I agree with that, I mean who is going to help us compose those letters and put that information together and by when? Because I want it to be very clear who is going to do what?"

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### MOTION

Chairman Winters moved to instruct staff, the Legal Department, working with Bill Stockwell, to communicate with our elected officials at the Federal level, to contact our State level officials, including the Governor, to contact the Surface Transportation Board concerning our concerns, and to contact the smaller cities within Sedgwick County about the affect the railroad merger would have on them.

Commissioner Hancock seconded the Motion.

**Commissioner Gwin** said, "May I suggest a friendly amendment that says that those contacts indicate that Sedgwick County opposes this merger unless there is some sort of conditions from the railroads to make life easier here through this County."

**Chairman Winters** said, "That is acceptable with me, Commissioner Hancock is that with you?"

**Commissioner Hancock** said, "Fine."

**Commissioner Miller** said, "Do those conditions need to be more defined, or just conditions, because I am insistent that if it does occur that financial assistance need to be..."

**Chairman Winters** said, "I would think that it would need to be significant. I think we need to start the process though as soon as possible and perhaps even after Bill and the Legal Department are back with us, they have some ideas that might address that, but I would agree. Those conditions would mean significant financial contributions to help solve our problems in Sedgwick County."

**Commissioner Miller** said, "So that will be taken care of by Legal, is that what you're saying?"

**Chairman Winters** said, "Yes, I would assume that. Yes. Any other comments? Commissioner Schroeder."

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**Commissioner Schroeder** said, "Mr. Chairman, if you please. I think Betsy answered my question. I think we need, as I said earlier, to be on the record opposing this unless we have assistance from them to help solve this problem. Somehow, I think the letter needs to be directed or put together in that fashion and I can support it if it is done in that fashion."

**Chairman Winters** said, "Certainly, what I'd like to do is meet with Mr. Plummer later today and in conjunction with Mr. Stockwell we'll get a letter drafted up and let all of you take a look at for suggestions or other inclusions."

**Commissioner Miller** said, "Okay."

**Commissioner Schroeder** said, "Very good."

**Chairman Winters** said, "You will see that before it leaves here. Alright, any other discussion? Madam Clerk call the vote."

### VOTE

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

**Chairman Winters** said, "Thank you very much. Steve, if you'd make a point to get with me later this afternoon."

**Mr. Stephen Plummer**, County Counselor, said, "I can do that."

**Chairman Winters** said, "Thank you. Thank you, Bill, we appreciate you being here this morning. Next item please."



**Regular Meeting, February 21, 1996**

**NEW BUSINESS**

**E. BUREAU OF COMPREHENSIVE COMMUNITY CARE.**

**1. AGREEMENT WITH BERTHA MAYHUE TO PROVIDE DIETETIC SERVICES.**

**Ms. Deborah Donaldson**, Director, greeted the Commissioners and said, "This contract is a renewal. We've had an ongoing relationship with Bertha Mayhue who provides the services for our CSS program. I'd be glad to answer any questions."

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

**Regular Meeting, February 21, 1996**

**2. AMENDMENT TO CONTRACT WITH CITIES IN SCHOOLS, INC.  
REGARDING COMPENSATION.**

**Ms. Donaldson** said, "This particular amendment is being requested because the amount in the contract was not correct and this corrects that and then we can go forward to what was agreed to between the County and Cities in Schools. I would be glad to answer any questions."

**Chairman Winters** said, "So Debbie this means that the correction makes the contract read the same as our budget reads. We budgeted these funds."

**Ms. Donaldson** said, "That's correct."

**Chairman Winters** said, "Okay, thank you. You've heard the presentation. What's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the Amendment to Contract and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

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

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**F. POSITION RECLASSIFICATIONS.**

**Mr. Harry Hayes**, Director of Human Resources, said, "On January 31, the Sedgwick County Reclassification Committee met to review reclassification requests from the County Appraiser, County Coroner, the Community Care Department, Code Enforcement and Personnel. The reclassifications were approved per procedures outlined in Personnel Policy Number 4.3, Section 3, Number 3. This particular procedure allows the Personnel Department's Classification and Compensation Section to review job class, job task of positions or classifications at the request of the department heads and Bureau Directors to make recommendations for changes, if appropriate and necessary.

"The net charge of numbers one through eight for the fiscal year '96 personnel account is \$5,065. However, this amount is offset by outstanding vacancies and the County's normal turnover rate of approximately 13%. Approval of the action will have a negative impact on the FY 96 County Budget and with me is Ms. Jane Moralez, our classification compensation specialist who is also Vice Chairperson of that committee."

**Ms. Jane Moralez** greeted the Commissioners and said, "I'm going to go through the reclassifications that were approved by the committee on January 31.

**1. ENGINEERING TECHNICIAN, RANGE 18, APPRAISER'S OFFICE, TO REAL PROPERTY APPRAISER I, RANGE 17, NONEXEMPT**

"The first one is an Engineering Technician, with the Appraiser's Department, at a range 18. We're recommending that this position be reclassified to a Real Property Appraiser I, range 17. The salary savings for this position for 1996 would be \$1,500.

**2. ADMINISTRATIVE SPECIALIST, RANGE 19, APPRAISER'S OFFICE, TO REAL PROPERTY APPRAISER I, RANGE 17, NONEXEMPT**

"The next position we have is an Administrative Specialist at a range 19 in the Appraiser's Office. Recommending that this position be reclassified to a Real Property Appraiser I, range 17. Again, a salary savings for 1996 of \$3,101.

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**3. MEDICAL INVESTIGATOR, RANGE 22, CORONER'S OFFICE, TO CHIEF MEDICAL INVESTIGATOR, RANGE 24, EXEMPT**

"The next reclassification we have is a Medical Investigator a range 22 with the County Coroner's Office. We are recommending that a new classification of Chief Medical Investigator be created and placed on a range 24 in the Sedgwick County Compensation Plan. This has a budget impact for 1996 of \$448.

**4. ADMINISTRATIVE ASSISTANT, RANGE 18, COMCARE, TO ADMINISTRATIVE SPECIALIST, RANGE 19, EXEMPT**

"The next one we have is an Administrative Assistant, range 18, Mental Health Department. We are recommending that this position be reclassified to Administrative Specialist, range 19, with a budget impact for 1996 of \$733.

**5. FISCAL ASSOCIATE, RANGE 16, COMCARE, TO ADMINISTRATIVE ASSISTANT, RANGE 18, NONEXEMPT**

"The next one you have, which is number 5, we are tabling this so that the Department can give additional information to the Reclassification Committee. So we are tabling this for a time.

**6. OFFICE SPECIALIST, RANGE 15, COMCARE, TO ADMINISTRATIVE ASSISTANT, RANGE 18, NONEXEMPT**

"The next one we have is an Office Specialist, range 15, Mental Health Department. We are recommending that this position be reclassified to Administrative Assistant, range 18, with a budget impact for 1996 of \$654.

**7. BUILDING INSPECTOR II, RANGE 20, CODE ENFORCEMENT, TO BUILDING PLANS EXAMINER, RANGE 22, NONEXEMPT**

"The next position is Building Inspector II, range 20, in Code Enforcement. We are recommending a new classification of Building Plans Examiner be created and placed as a range 22 in the Sedgwick County Compensation Plan and the budget impact for 1996 is \$3,850.

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**8. OFFICE ASSISTANT, RANGE 12, PERSONNEL DEPARTMENT, TO OFFICE SPECIALIST, RANGE 15, NONEXEMPT**

"Our last reclassification is Office Assistant, range 12, in the Personnel Department. We are recommending that this position be reclassified to Office Specialist, range 15, with a budget impact for 1996 of \$2,808. That's all the requests we have for this time. If you have any questions, I'd be glad to answer."

**Chairman Winters** said, "Okay, thank you. Commissioners, I would suggest that we take all of these at once if we can come to agreement on it, but I see there is a question. Commissioner Miller."

**Commissioner Miller** said, "Thank you. Good morning Jane, any time there is a decrease or a...I don't know if you want to call it a demotion, I need to be clear with what is the due process for the employee that is receiving that action. That's going to be under number one and under number two."

**Ms. Moralez** said, "Those two positions are currently vacant and they will be doing the duties of Real Property Appraiser I. So they changed the duties of the positions from what they were."

**Commissioner Miller** said, "When we refill, or replace that vacant position, they'll come in at a lower..."

**Ms. Moralez** said, "Right, at a lower range."

**Commissioner Miller** said, "Okay. If it was an individual that was in that position, what's the process though?"

**Ms. Moralez** said, "What we would do is we would put them on the new range and we would put them between steps so they would not lose any money and then when their merit date came up and they were eligible for a merit, then they would go maybe a partial step to the next step."

**Commissioner Miller** said, "Okay, so they would..."

## **Regular Meeting, February 21, 1996**

**Mr. Hayes** said, "One other thing that needs to be considered on that Commissioner Miller is that you spoke of the due process, if there were to be a demotion, that would have to go through the County's disciplinary procedures for an individual to be remanded to a lower classification. What we are dealing with here is request from department heads for vacant positions. If they are being demoted, per your terminology, and for those positions where we are requesting upgrades, the job duties of the individuals concerned have been significantly altered, whereby they are performing other jobs and they are working out of their current classification."

**Commissioner Miller** said, "I can understand that, I just wasn't clear that they were vacant positions and that basically what it seems as though the department heads are using their budget differently."

**Ms. Moralez** said, "No ma'am, that is not the case. In the future, we will ensure that we note positions that are vacant when we are requesting reclassifications."

**Commissioner Miller** said, "Okay, so they are not using their budget differently? If you are going to change a range to another range, if you're going to lower it, then you're going to have an extra amount of money or you're going to have to find monies in order to actually fill that position, is that correct?"

**Mr. Bill Buchanan**, County Manager, said, "Excuse me Commissioner. Mr. Chairman, Commissioner, when we reduce the classification from a 17 to a 15 and replace that person at a lower level, yes there will be a salary savings, for the department then to use those salaries for anything else would require a budget adjustment and you would see that come before you. We get to review that and we're looking at ways to affect those to have a different kind of review than we've had in the past, so that they can, so it would be possible for a department to present a plan to use those monies to buy a car or a computer or pay off some other bills that they have had accumulating. For the increased costs, often times at this stage of the year, we do have a high turn over, not a high turn over, we have a turn over rate that will come and go and when that occurs, you hire people in at a lower level and so there is salary savings and that is usually how you can pay for the increase if someone is going from one classification to another, so that's how we affect that."

**Commissioner Miller** said, "Okay, thank you."

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**Mr. Buchanan** said, "You're welcome."

**Commissioner Miller** said, "Thank you."

**Chairman Winters** said, "Thank you Commissioner. It is my understanding then that item five has been tabled out of this and we are not considering item five. Commissioners, you've heard the presentation, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the reclassifications, Items F-1 through 4 and F-6 through 8, and table item F-5 indefinitely.

Commissioner Miller seconded the Motion.

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

**VOTE**

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

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

**G. COMBINATION OF TWO PROJECTS FOR THE DEPARTMENT OF CORRECTIONS AFFECTING THE 1996 ADOPTED CIP; PROJECT NOS. 1996 OR05 AND OR10.**

**Mr. Kenneth Arnold**, Director, Capital Projects Department, greeted the Commissioners and said, "Asking your approval of this change in the CIP to combine projects for some work at the Department of Corrections for some sidewalks and steps, to be used to replace some lavatories as a result of the Kansas Department of Health and Environment inspections down there."

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“We are able to do this by the fact that last year we used some other funds to do those steps and the sidewalks that were available last year, that you previously approved as part of the CIP process. I would ask that you approve and I'll try to answer any questions if you have any.”

**MOTION**

Commissioner Schroeder moved to approve the change to the 1996 Adopted CIP.

Commissioner Gwin seconded the Motion.

**Chairman Winters** said, "We have a Motion and a second. Ken, what was the total amount of this?"

**Mr. Arnold** said, "\$24,000, sir."

**Chairman Winters** said, "Okay. Thank you, we have a Motion and a second. Is there any discussion on the Motion? Seeing none, call the vote please."

**VOTE**

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

**Chairman Winters** said, "Thank you. Thank you Ken. Next item please."



**Regular Meeting, February 21, 1996**

**H. AGREEMENT WITH HICKORY CREEK, LLC, FOR PRIVATE STREET CONSTRUCTION ON 13TH STREET NORTH BETWEEN 119TH WEST AND 135TH WEST. DISTRICT #3.**

**Mr. Jim Weber**, Director, Sewer Operations and Maintenance, said, "In Item H we are requesting your approval of an agreement with Hickory Creek, LLC, for private construction with a public street right-of-way on a portion of 13th Street North between 119th Street West and 135th Street West. These improvements are being made in conjunction with the new Hickory Creek subdivision located within the City of Wichita. Under the agreement, all costs of the project are to be paid by Hickory Creek either directly or through reimbursement. There will be no special assessments in the County resulting from this project. We request your approval of the recommended action."

**MOTION**

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

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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

**Regular Meeting, February 21, 1996**

**I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' FEBRUARY 15, 1996 REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have before you the minutes from the February 15 meeting of the Board of Bids and Contracts. There are nine items for your consideration.

**(1) BITUMINOUS OVERLAYS - BUREAU/PUBLIC SERVICES  
FUNDING: SALES TAX**

"Item one; Bituminous Overlays for the Bureau of Public Services. It was recommended to accept the low bid of Ritchie Paving, Inc. for \$352,210.80.

**(2) CLEANING & TELEVISIONING OF SEWER - BUREAU/PUBLIC SERVICES  
FUNDING: DEBT FINANCED SEWER PROJECT**

"Two; cleaning and televising of sewers for the Bureau of Public Services. You will note that we have a tie bid between our two local vendors and we have elected to split the bids as evenly as possible between Utility Maintenance and Sewer Masters for the 1996 fiscal year for an approximate total of \$63,000. That would be about \$31,500 each."

**(3) EMULSIFIED OILS - BUREAU/PUBLIC SERVICES  
FUNDING: BUREAU/PUBLIC SERVICES**

"Item three; emulsified oils for the Bureau of Public Services. It was recommended to accept the low bid of Coastal Refining, for a total delivered price of \$423,000.

**(4) COPY MACHINES - DISTRICT COURT - LEASE/PURCHASE  
FUNDING: DISTRICT COURT**

"Item four; copy machines for the District Court and there are two copy machines. I think there are four pages of bids here. On page six, you will note that we are recommending to accept the low bid meeting specifications of Office Automation, for a 4 year lease program, for both a 45 copy per minute machine and a 65 copy per minute machine.

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**(5) COPY MACHINE - TREASURER - LEASE/PURCHASE  
FUNDING: TREASURER**

"Item five is a copy machine for the Treasurer, and we would like to reject this for consideration at this time and then bring it back to the Board of Bids and Contracts for further consideration.

**(6) LAVATORIES - JUVENILE DETENTION FACILITY  
FUNDING: 1996 CAPITAL PROJECT**

"Item six; lavatories for the Juvenile Detention Facility. It was recommended to accept the only bid received of Hajoca, for \$14,400.

**(7) SIX PASSENGER SEDANS - MOTOR POOL  
FUNDING: MOTOR POOL**

"Item seven; six passenger sedans for the Central Motor Pool, and these vehicles are all for the Sheriff's Department. It was moved to accept the low bid meeting specifications of Mel Hambelton Ford, in the amount of \$68,360 and that does include the trade-in of four vehicles.

**(8) CHAIRS - DISTRICT COURT TRUSTEE  
FUNDING: COURT TRUSTEE OPERATIONS**

"Item eight; various office chairs for the District Court Trustee's Office. Moved to accept the total bid of Scott Rice, in the amount of \$20,008.04.

**(9) CONSTRUCTION OF EMERGENCY MEDICAL POST #12  
FUNDING: 1995 CAPITAL PROJECT**

"Item nine; construction of Emergency Medical Post #12 for Capital Projects and Emergency Medical Services. It was recommended to accept the low negotiated bid of Williams Construction in the amount of \$242,782.

**ITEMS NOT REQUIRING BOCC ACTION**

**Regular Meeting, February 21, 1996**

**(10) PROPERTY IMAGING - APPRAISER  
FUNDING: APPRAISER**

"There was one item that does not require action at this point in time. Those were requests for proposals which were solicited for Property Imaging for the Appraiser. You will note that we have two proposals and those are being reviewed at this particular time. I would recommend that you approve the recommendations as presented by the Board of Bids and Contracts."

**MOTION**

Commissioner Schroeder moved to approve the recommendations of the Board of Bids and Contracts, which excludes item five.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you very much. Thank you, Darren. Next item please."

**CONSENT AGENDA**

**J. CONSENT AGENDA.**

**1. Utility and Highway Permit Agreements.**

**Regular Meeting, February 21, 1996**

- a. KG&E, A Western Resources Co. is submitting application requesting permission to push under 127th St. East approximately 872 feet north of 13th St. North and install underground primary. Minneha Township. Utility Permit #010-96. Road #837-N. District #1.
- b. KG&E, A Western Resources Co. is submitting this application requesting permission to install 10 poles and overhead primary along the west side of 151st St. West between Central and 13th St. N. Attica Township. Utility Permit # 011-96. Road #801-O. District #3.
- c. B & B Lumber, Inc. is submitting this application requesting permission to do ditch work and install a paved entrance on MacArthur Road between Maize Road and 119th Street West to service Baalman Third Addition. Waco Township. Highway Permit No. 001-96. Road No. 628-19. District #2.

**2. Right-of-Way Instrument.**

- a. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 809-T; Tyler Road Relocation. CIP #R-227. District #2.
- b. One Easement for Public Utilities for Belle Terre Second Addition. District #1.

**3. Section 8 Housing Assistance Payment Contract.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C96012	\$410.00	1	James Cochran

**Regular Meeting, February 21, 1996**

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

<b><u>Contract Number</u></b>	<b><u>Old Amount</u></b>	<b><u>New Amount</u></b>
V95040	\$303.00	\$147.00
V861001	\$286.00	\$286.00
V95141	\$335.00	\$302.00
V96001	\$267.00	\$212.00

5. **Agreement with Mid-America Child Support Collections to provide on-line access to Sedgwick County's electronic data.**

6. **Plat.**

Approved by the Bureau of Public Services. The County Treasurer has certified that taxes for the year 1995 and prior years are paid for the following plat:

**Windmill Estates 2nd Addition**

7. **Order dated February 14, 1996, to correct tax roll for change of assessment.**
8. **Consideration of the Check Register of February 16, 1996.**
9. **Budget Adjustment Requests.**

<b><u>Number</u></b>	<b><u>Department</u></b>	<b><u>Type of Adjustment</u></b>
960096	Road and Bridge Sales Tax	Transfer
960097	1994 Series A Bond Issue	Transfer

## **Regular Meeting, February 21, 1996**

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

### **MOTION**

Commissioner Hancock moved to approve the consent agenda as presented.

Commissioner Gwin seconded the Motion.

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

### **VOTE**

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

**Chairman Winters** said, "Thank you very much. I'll recess the meeting of the regular meeting of the Commissioners and I'll call to order the meeting of the County Commissioners sitting as the governing body of the Sewer District regular meeting February 21, 1996."

### **EXECUTIVE SESSION**

#### **K. OTHER**

**Chairman Winters** said, "Is there any other business to come before this Board?"

**Commissioner Miller** said, "Yes, Chairman. I moved that we 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 litigation and that the Board of County Commissioners return from Executive Session no sooner than 10:50."

**Regular Meeting, February 21, 1996**

**MOTION**

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for 20 minutes and return no sooner than 10:50 a.m.

Commissioner Gwin second the Motion.

**Chairman Winters** said, "I have a Motion and a second for a 20 minute Executive Session. Any discussion? Seeing none, call the vote please."

**VOTE**

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

**The Board of Sedgwick County Commissioners returned from Executive Session at 10:50 a.m.**

**Chairman Winters** said, "Let the record show that there was no binding action taken in Executive Session. Is there other business to come before this Board?"

**Mr. Steve Plummer** said, "I have in front of me a workman's comp claim on behalf of one of our employees, Karen Kirk. She sustained bi-lateral carpal tunnel syndrome and I recommend we pay that claim in the amount of \$13,902.02."

**MOTION**

Commissioner Gwin moved to pay the claim for \$13,902.02.

Commissioner Miller second the Motion.

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



**Regular Meeting, February 21, 1996**

**VOTE**

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

**Chairman Winters** said, "Thank you very much. Is there any other business to come before this Board? We are adjourned."

**L. ADJOURNMENT**

**Regular Meeting, February 21, 1996**

There being no other business to come before the Board, the Meeting was adjourned at 10:55 a.m.

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

\_\_\_\_\_  
**THOMAS G. WINTERS**, Chairman  
Third District

\_\_\_\_\_  
**MELODY C. MILLER**, Chairman Pro Tem  
Fourth District

\_\_\_\_\_  
**BETSY GWIN**, Commissioner  
First District

\_\_\_\_\_  
**PAUL W. HANCOCK**, Commissioner  
Second District

\_\_\_\_\_  
**MARK F. SCHROEDER**, Commissioner  
Fifth District

ATTEST:

\_\_\_\_\_  
**Susan E. Crockett-Spoon**, County Clerk

APPROVED:

\_\_\_\_\_, 1996