

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

FEBRUARY 14, 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 14, 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 Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Stephen Plummer, County Counselor; Ms. Becky Allen Bouska, Director, Budget Department; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Lyman Reese, Major, Sheriff's Department; Ms. Deb Evenson, Senior Accountant, Accounting Department; Mr. Andy Kenyon, Business Client Coordinator, Appraiser's Office; Ms. Deborah Donaldson, Director, Bureau of Health Services; Mr. John Nath, Director, Kansas Coliseum; Mr. Mark R. Borst, Deputy Director, Bureau of Public Services; 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

Ms. Bev Dunning, Director, Sedgwick County Extension Services
Mr. Andrew Hudanick, Gott Over-aggrieved Addition Taxpayers Society
Ms. Arneatha Martin, Chairperson, Community Health Clinic Committee
Mr. Thomas Webb, Director of Community Outreach, Commerce Bank
Mr. Walter E. Gates, Chairman and CEO, Thorn Americas, Inc.
Mr. Thomas Compton, Architect, Compton & Associates
Mr. Keith Morton, Executive Director, Community Development Coalition
Ms. Elizabeth Johnson-Bishop, 3995 E. Harry, Wichita, Kansas
Mr. Arnold Busenitz, Rt. 1, Valley Center, Kansas
Mr. Chuck Drove, 803 Patch Drive, Garden City, Kansas
Mr. Greg Sepheus, 2108 W. 60th North
Mr. Greg Young

INVOCATION

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

Regular Meeting, February 14, 1996

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: **Regular Meeting, December 6, 1995**

The Clerk reported that Commissioner Miller was absent at the Regular Meeting of December 6, 1995.

Chairman Winters said, "Commissioners, you've seen those minutes. What's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Minutes of December 6, 1995

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	Absent
Commissioner Melody C. Miller	Abstain
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

Regular Meeting, February 14, 1996

CERTIFICATION AS TO THE ABAILABILITY OF FUNDS

Ms. Becky Allen Bouska, Finance Director, greeted the Commissioners and said, "Happy Valentines Day. 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."

Chairman Winters said, "Seeing no questions. Thank you very much Becky. Before we go on to the next item, we have a couple of introductions that we would like to do this morning. So if the Manager, Bill Buchanan, would come forward please."

INTRODUCTION

Mr. William P. Buchanan, County Manager, said, "Commissioners, we have one introduction this morning and maybe one a little later. The other person got called out. It is my pleasure to introduce Bev Dunning. Bev is the Director of the County Extension Service. She is a Kansas State University graduate. She joined the County staff sometime a decade or two ago and has been working there for lots of years and has lots of experience. We're just delighted and pleased that she was chosen, that this is a position that is chosen by the Extension Council. We're delighted and pleased that she has this position and was chosen by them and that she, in fact, grew up in that organization and knows it well. Evidence that hard work and nose to the grind stone and doing what it takes to get the job done does pay off. So we're delighted that Bev is with us."

Ms. Bev Dunning said, "It's my pleasure and I look forward to working with each of you."

Chairman Winters said, "We're pleased of the appointment selection for the head of the Extension Service out there. I really think with the new facility that is out there, that is really one of the fun places to work in Sedgwick County."

Ms. Dunning said, "That's right, it's great to go every morning."

Chairman Winters said, "I think we've got a lot of folks who are involved in services to the community and I think that Extension Service Office is one and I think it's one that the Commissioners are very proud of so we would certainly hope that you would keep us well informed of what's happening out there and we'd like to be supportive of that new building, new facility, and now it's new director as possible."

Regular Meeting, February 14, 1996

Ms. Dunning said, "We appreciate that. We'll look forward to good educational programs there."

Chairman Winters said, "Alright, thanks. We have another introduction, but we'll do that a little bit later. Next item please."

APPOINTMENTS

A. RESOLUTIONS (4) APPOINTING YVONNE COON, TOM SANDOVAL, JAMES ARBERTHA AND IRENE HART (AT-LARGE APPOINTMENTS) TO THE SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT EXECUTIVE COMMITTEE.

Chairman Winters said, "Thank you. Commissioners, as you are aware, a couple of months or so ago, we were back into the South Central Kansas Economic Development District. We have four appointments to that Executive Committee. These four folks have agreed to serve. It would be my recommendation that today we adopt the resolution appointing them as our members of the Executive Committee and I would make that in a form of a Motion."

MOTION

Commissioner Winters moved to adopt the Resolutions.

Commissioner Miller seconded the Motion.

Chairman Winters said, "We have a Motion and a second. Is there any discussion about this Motion?"

Commissioner Schroeder said, "Just one question and I may be wrong on this, but did we adopt a policy or think of adopting a policy that would not allow employees to be part of a Board that is affected or affects their department? Were we working on something like that, I thought? I should have asked this earlier and I'm sorry I just thought of it."

Regular Meeting, February 14, 1996

Mr. William Buchanan, County Manager, said, "We have worked on it. There was one that is still in the works. We need to get on it and get that done."

Commissioner Schroeder said, "But Irene wouldn't be affected by this?"

Mr. Buchanan said, "This would not be a program in which the policy would cover. The policy was intended to cover agencies for which someone worked. For instance, having a secretary or a counselor be appointed to the Mental Health Advisory Board."

Commissioner Schroeder said, "That has direct control over there."

Mr. Buchanan said, "Those who would make policy decisions or recommendations regarding the department about those activities. It was felt that was not an appropriate use of County employees or appointees and we need to dot the i's and cross the t's on that issue. This one does not make recommendation about how we operate, but rather helps up bring dollars and hopefully we would influence how they make decisions."

Commissioner Schroeder said, "Sure, thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you very much. You've heard the Motion, is there other discussion? Call the vote please."

VOTE

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

Chairman Winters said, "Thank you very much. I believe Tom Sandoval is here. Tom, if you would come forward, the Clerk will swear you in and we'll take care of the others by mail."

Regular Meeting, February 14, 1996

Ms. Susan Crockett-Spoon, County Clerk, said, "Tom, I'm going to read your oath and if you will just say 'I do' at the end, that will be fine.

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duty of the Office of South Central Kansas Economic Development District Executive Committee so help me God."

Mr. Tom Sandoval said, "I do."

Ms. Crockett-Spoon said, "Thank you Tom, we appreciate your service."

Mr. Sandoval said, "I want to thank the Commission and especially my Commissioner, Chairman Tom Winters, for your support on this and we'll do what we can to make you proud."

Chairman Winters said, "Thank you very much. We appreciate your willingness to serve Tom, thanks. Next item please."

CITIZEN INQUIRY

B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING A PROPOSED FISCAL NEEDS ANALYSIS PROCEDURE AND A COMPLIANCE OFFICE.

Chairman Winters said, "Thank you very much. We have Andrew Hudanick here and I would take this time to mention to anyone, in the public, that we do have a regularly scheduled time in the agenda if anyone does wish to address the Commission by notifying a Commissioner or the Manager's Office to secure a time slot. Andy, we are pleased to have you here. Andy and I visited on the phone this week. I was kind of short last week, but Andy does have several things he'd like to say and so I think we've kind of got part of those differences ironed out and I've told Andy that what he needs to say today we're certainly willing to listen to."

Regular Meeting, February 14, 1996

Mr. Andrew Hudanick, Gott Over-aggrieved Addition Taxpayers Society, said, "Top of the morning to you Commissioners. Thank you for having me here. There are three items I want to throw out, not even related to the sewer district. It's something that has come up, it's procedures that I've seen that could save a lot of embarrassment for the Board, for related agencies and for the citizens.

"First of all, last week, Mr. Plummer made a decision regarding me about limiting access to the Board. I want to recommend that if you put that in writing, I hope you would put it in writing, that you would consider the fact that if a citizen does petition and we understand that there are limitations. You can't come and bug the Board all the time, that your written procedure should include the fact that if a citizen is turned down should be notified in writing why and what was the regulation or policy and what is the appeals and so forth. I also, being I was the focal point on it, I would like to recommend a request that I get a written analysis of Mr. Plummer's decision, specifically what was it based on, so that I can review it.

"Number two, through my searchings or workings with the County people, I found that you are in dire need of a policy procedure that guides citizen access to County documents. There is nothing in existence and if there is I have no idea about it. I recommend using mostly like the freedom of information act that applies to the federal agencies. In other words, there are some documents that are not open to the public that these should be specified when a person requests to access these documents. However, the denying agency should point out the reason why that these documents are denied, what is the regulation or policy denying it, and what are the appeals procedures.

"Next, I am requesting personal access to documents, based on citizens' inquiry into the sewer district documents, Timber Lakes documents, federal grants that are tied in with the sewer districts and also permission to interview people on the Capital Assets Board to discover how is the need analysis performed and given to the Capital Assets Board. I am doing this, for example, there is nothing in existence now to protect Board members, to protect agency members, and protect citizen rights. I get very upset when I see that the Board gets caught in things like the recent County Treasurer incident and so forth. One basic reason was there was nothing in writing to protect you or to guide you. I am a staunch advocate of the County government and like I said, I'm doing this just out of the...from a professional point of view. That's about all I have. I'm not going to berate my sewer district any more. Thank you very much."

Regular Meeting, February 14, 1996

Chairman Winters said, "Okay, thank you very much. Mr. Plummer, I think Mr. Hudanick has raised some questions and perhaps, I don't know that we can address them right now, but I think it would be appropriate if you would respond to the Commissioners and then make appropriate response to Mr. Hudanick. I think some of those things we do have a processes in place and so I think it will be appropriate and possible for us to answer a number of those questions. I think we've already got some stuff in place."

Mr. Stephen Plummer, County Counselor, said, "First of all, we have an Open Records Act in place and the Act clearly says that all you have to do is make a written request to the agency that has the records and by law we have three business days to respond. There are certain categories of records that we have to produce, certain categories we don't. But it is real clear that our Act is patterned after the Federal Act and the procedures are real clear that you make a written request and we respond in three business days. So that is one case, as you said, where we have full procedures in place mandated by State law.

"As far as the reasons why I made my comments last time about restricting speaking time. First it wasn't a decision I made, I just advised the Commission what to do, but I'll certainly respond to Mr. Hudanick as to why I rendered that opinion as I did."

Chairman Winters said, "Okay, I would appreciate it if you would make a response to him and then I don't know if we need to review with other departments concerning the open records, but I think everyone should be pretty well aware of what those are that work for Sedgwick County. One of the things we do here is we're a giant filing cabinet for the entire County and we have lots of records and documents, most all of them open. If anyone does restrict any of that they certainly need to be on firm ground and explain to the citizen why those are not being produced, so I think we just need to follow through on that a little bit to make sure that's the process we're following."

Mr. Plummer said, "That's right Commissioner and frankly, nearly all of those come through my office and our procedure is to look at it, see if the records are protected by State law and if they are, for some reason, we send a letter within three business days explaining why we can't produce it. That is standard procedure, we always do that."

Regular Meeting, February 14, 1996

Chairman Winters said, "Alright. If I'm correct, you also set on the Capital Improvement Committee and perhaps we've got some information about how that committee works that we can share with Mr. Hudanick and anyone else, because one of the real purposes of that committee is to make sure that Commissioners are informed about projects long term. That committee is planning out five years in advance. So if we've got something in writing about the workings of that group, I'd like to have the Commission see that and then share that with Mr. Hudanick."

Mr. Plummer said, "We can do that."

Chairman Winters said, "Okay, thank you very much. Commissioners, anything else?"

Commissioner Schroeder said, "My light's not working, but I just wanted to ask Mr. Plummer that Mr. Hudanick then should request to you in writing, is that correct? Not to that department, but to you in writing so that he doesn't have to go through other hoops? What should he do?"

Mr. Plummer said, "By State law, the request should be sent to the person who has custody of the records. Those requests are then sent on to me, but it should go in the beginning to the agency that has the records, so they can begin compiling them while we decide if the records are protected by State law or not."

Commissioner Schroeder said, "Mr. Hudanick, did you understand that?"

Mr. Hudanick said, "The problem is that the ordinary citizen has no idea which agency has the records and you would need a focal point. I know I've been doing in the past through Mr. Plummer, because he has a finger on the button being a legal type."

Mr. Plummer said, "Send it to me, that's fine."

Commissioner Schroeder said, "If you have questions about what department is responsible for it, I would suggest you call the Manager's Office, is that okay? If you have trouble, let one of us know, we'll get you the information."

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

Regular Meeting, February 14, 1996

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

PRESENTATION

C. PRESENTATION REGARDING SUPPORT FOR A COMMUNITY HEALTH CLINIC.

Commissioner Miller said, "Mr. Chairman, it is my pleasure at this time to introduce Ms. Arneatha Martin, who is the Chairperson of the committee that is about the business or the promotion, the support for a Community Health Clinic and there will be, I believe, other presenters that will come to the fore front and one that is named in the agenda is going to be Mr. Walter Gates, who is the Chairman and CEO of Thorn Americas, Inc. I would ask Ms. Martin to introduce those individuals that are here in support for this effort at this time."

Ms. Arneatha Martin, said, "Thank you very much for allowing us to address the Commission regarding this primary health clinic. My name is Arneatha Martin and I am the Director of Education and Research at Via Christi Regional Medical Center, also the Chairperson of the Community Health Committee. I would also like to introduce the members of our committee and I would ask them to just stand briefly so that you can recognize who they are. Mr. Bud Gates, who is President and CEO of Thorn Americas. Mr. Thomas Compton, who is with Compton and Associates and is our architect. Dr. Maurice Dugan, he is a primary care physician. He is finishing up his residency. Mr. Keith Martin, who is the Executive Director of Community Development Coalition. Mr. Thomas Webb is the Director of Community Outreach for Commerce Bank, and Nancy Johnson is the Director of Public Affairs at Thorn Americas. I would also like to say that Sister Laurene Letz, who is the Vice President of Mission Effectiveness at Via Christi Center sends her regrets, I know she did talk to some of you yesterday, and express that she has supported this primary health clinic concept.

"What I'd like to do right now is just to give you a brief overview of how the clinic has been set up and I'd like to do it with overheads so...what I'd like to do is address the needs of a primary health clinic in the northeast area and we will be located on 21st and Erie and we feel that is an ideal location because it is easily accessible to a large segment of the African-American Community in need of primary health care.

Regular Meeting, February 14, 1996

"In 1994, we did a block builder survey of 1,000 people in the northeast area to get their perception of how they felt their health was. This was actually a walking around, knocking on doors survey. We asked them how would you rate your health of the people in your neighborhood. You see that 54% thought they were in fairly good health, but you would notice that 46% felt their health was medium to low. We also asked them what kind of services would they like to have. They told us that they thought they would like to have a community health clinic, that they needed children facilities, treatment for AIDS, and drug and alcohol related treatment.

"We asked them their perceptions of how they felt, their problems they felt they were affected with and you can see that high blood pressure, arthritis, weight, cardiac, memory, stress and they are probably like the rest of us, we all think we are skinny when actually we're not. I think that reflects in that survey. So what we wanted to do then is take the perception of the community of what they actually needed and then we'd use that to build the clinic. So as you can see, the Community Health Clinic, and we also asked them what time they would like to have the clinic available to them and some of the services they would like to have.

"I suspected this all the time, they validated this by saying they would like the clinic to be open later in the morning at 10:00 a.m. and stay open later in the evening to 8:00 p.m., because that is a blue color district and obviously they are at work between 8:00 a.m. and 4:30 p.m. so they wanted a time that would be more accessible to them. Also, we'll be offering Saturday hours and we're going to focus on prevention and wellness and you can see that we have designed some times in two hour blocks that the community can come in and access the clinic for these education opportunities.

"Also in our research, it is probably nothing that you don't really know. We do know that there is a higher incident of death rate among Afri-Americans and those are just some of the reports of that, cancer, cardio vascular, diabetes, infant mortality, AIDS and HIV. So those are some of the chronic diseases that we are affected with. Obviously, the teen pregnancy is a big problem in the Afri-American community. Per 1,000 there is 78.8% to 32.9% affected by that. And if you have a higher incident of teen pregnancy, then you're going to have a higher incidence of low birth weight, children and infant mortality.

Regular Meeting, February 14, 1996

"The five top issues that we hope to address is the disproportionate number of health problems in the northeast community, lack of health care in the community, need for preventative health care education, we need to move away because the economics is demanding that we remove away from sick care to wellness, health and prevention. That's the way we have to move in the future. There has been an increased need for community health care because of that change, because of managed care, because of the way that we will be dealing with health care in the future.

"There is a need for continuous care, especially in the older population. As we know that there is a senior center that is also being expanded on East 21st Street, and I just had the opportunity to visit with one of the nurses that sees some of the nurses in their center, they only do that on a voluntary basis once a week. She sees this as a real opportunity for us to interact with the seniors in that center and offer them a continuum of care over time. So we think that would be supportive of that also.

"So then, building from those five top issues, the purpose that we wanted to address in the clinic was to reduce that disproportionate number of chronic illnesses affecting the northeast area and to increase compliance with immunization for preventable childhood diseases. One that I really think is so important is to dialogue with parents and their children regarding probable consequences of high risk behavior, because we need to focus on prevention and wellness and to focus less on sickness. We need to innovate before that time, and to increase community awareness focus on preventive activities. The unique part about this clinic is that we have incarcerated into the clinic an education center so that we can really address those issues.

"The clinic will be operated under the direction of a Board of Directors. We already are fortunate enough to have our Medical Director, who is sitting in the audience, which is a very big plus. We will team a primary health physician with an advanced practice nurse and they will offer the care over a continuum and manage the care of those patients there and then we will have support staff.

Regular Meeting, February 14, 1996

"The services, again, that we plan to provide, we will provide a primary health care, which is to manage the care of a group of patients over a period of time every day. During the rest of the parts of the day, we will also offer diabetic assessment and management, hypertension screening and management, well baby clinics, women's health assessment and management, mental health counseling, prevention and wellness programs, and that part between six and eight will scrap the community center for health education and outreach. We'll spend that time, dedicate those times, to making sure that we are focusing on fitness and wellness activities. Our plan to address this is to build a building on 21st and Erie, we plan for that to be a new building. I'd like to have Tom to come up and give you a little overview over that."

Mr. Thomas Webb, Director of Community Outreach, Commerce Bank, said, "I believe, in your packets, you'll find a floor plan and a sketch of the front elevation. These plans have been developed over almost two years of work and the concept has evolved from a renovated building into a full blown stand alone facility on 21st Street. Most of the facility is really directed toward the basic services that the clinic will provide which is what Arneatha has so nicely gone over.

"You'll notice on the front that there is a courtyard for the children and instruction room where Arneatha's group can hold classes to address the various issues. The area off to the back houses the exam rooms. There is a lab, a procedures room, an x-ray facility, there is records.

"We've expanded the concept to include a basement, which you'll see in the last page. In this area we hope to relieve any inevitable storage problems we might have in the facility itself. Also, it will house some mechanical and that type of activity. The materials that will be used on the outside will pretty much be what is already going in the 21st Street area there with the new satellite police facility, Bank IV, and some of the planned buildings up in that area. As I said before, we've worked very hard to meet some of the criteria that Arneatha's group has outlined and the support of Bud Gate's group, we hope that we can bring this all to reality soon. If you have specific questions, I'd be glad to answer."

Chairman Winters said, "Thank you."

Regular Meeting, February 14, 1996

Ms. Martin said, "I guess I wanted to emphasize that the clinic will have eight staff and that's how we are going to make sure that there is a continuum of care, that we're able to manage patients over a period of time. There's been research across the country to say that if you manage the care of a group of high risk patients, that you can really decrease the amount of health care dollars that group of dollars are using. I wanted to share with you some early investors into our project.

"The early investors so far has been Thorn Americas. Mr. Gates has been very supportive of us. The City of Wichita. Compton and Associates, Tom has been with us since day one, and has done this renovation over and over to make sure that we got the type of clinic that would be usable. Via Christi Health System is also one of the early investors in this project. I also just wanted to share just a general overview of the estimates of the construction and to also show the amount of area that the main level would be 5,020 square feet, and the basement was added, so we would have storage space."

Commissioner Miller said, "Arneatha, I do have a question regarding the total amount that it is going to cost to build this structure. It is about \$900,000, if that's what I saw on the previous overhead. Approximately \$900,000, close to a million to actually design, build, and put in all of the landscaping, furniture, and any type of equipment."

Mr. Webb added, "Right, hopefully that's the turn key type number that would get the facility up and running."

Commissioner Miller said, "Okay, and is it appropriate now to begin some questions, or are you continuing your presentation?"

Ms. Martin said, "No, we're ready for questions."

Commissioner Miller said, "Okay now, is it appropriate to bring up the co-presenter?"

Mr. Walter Gates, Chairman and CEO, Thorn Americas, Inc., greeted the Commissioners and said, "Just to add to what's been said, this is a unique opportunity. It is a combination of large companies and small companies and private enterprise and County and City government to do something that is not only right, but I think fairly unique in its construction.

Regular Meeting, February 14, 1996

“What this shows is approximately a million dollars to get the facility built, but what goes beyond that are plans that we intend to raise a couple of million dollars more than that over the next three years to fully endow this, if you will, so that the interest from the money raised keeps this a self-supporting proposition forever, so that in years to come, we're not coming back to the well, whether it be to government, to individuals, or corporations, to continue to fund this.

“It is our strong belief that if you do something right that it will succeed, and I think we've done everything we can to make this right in the design and construction of the building, the location, how it's staffed, and I think the roots and tentacles of this will go deep into the community. I don't just mean the northeast community, I don't just mean the African-American community, I mean the entire community of Wichita and that's what will make it succeed.”

Commissioner Miller said, "Thank you."

Chairman Winters said, "Okay, well thank you. Mr. Gates I really appreciate your being here this morning, I think this is one more example of where some real corporate citizens in this community are willing to stand up and talk about a project and support a project. We know your firm here is a solid corporate citizen in this community and I think it's very important, whether it be your firm or Mr. Compton's, or Tom Webb's Commerce Bank. I think some of the best projects I see develop, we see develop, are the partnership kinds of projects that involve a big part of the community.

“Again, I think you've demonstrated one more time by your commitment that corporate America does want to stand up and play a part in the communities that we all live and work in and try to be successful in. I certainly appreciate your comments and your contributions to this project. I think I've still got some questions that I need visit about, but I think it is through lots of people working together that we get some things done. So I appreciate you being here. Does anyone have any questions of Mr. Gates while he is here?”

Commissioner Miller said, "I don't have any questions per se for Mr. Gates, but there are questions."

Mr. Gates said, "We'd be glad to answer any questions that you have."

Regular Meeting, February 14, 1996

Chairman Winters said, "Okay. Commissioner Miller."

Commissioner Miller said, "I simply need to reiterate what you've so well stated Mr. Chairman and that is that what we have in front of us is no less than what I consider a mission of partnership, of developing relationships within our community. When I say community, I'm talking about all of Sedgwick County, just as Bud was referring to. When we have corporate America that comes to the table along with grass roots who I know the Black Nurses Association is definitely grass roots and people oriented and we have in front of us those individuals that are small business. That says that this is a worthy project. That this is something that we feel is appropriate for, not only in terms of needs assessment, but it is appropriate enough that we can invest our time, energy and resources in. I believe it is something that needs to be mimicked, so first of all I'd like to commend the Board for being able to pull this together, stay on top of it for the amount of time that it has taken to take it to this point and I'm hopeful we'll make it through to the opening of this clinic or breaking ground in September.

"I believe that the key question is why would Sedgwick County want to invest in this venture and I believe there are many answers to that. I am sure that I could get an answer from each of the committee members that are here today. From a Board perspective, I believe Sedgwick County is about the business of understanding that health care is an important one and that community building bridges is even more important and I believe that's what we would be doing here. Logistically, this clinic, this health clinic, would be positioning itself such that it would be a definite hand and glove fit for the senior center that we are so deeply invested in, resource wise and philosophy wise.

"If you have an anchor at one end, which is the actual senior citizen that provides programming, that provides a social setting, that provides an actual facility that houses seniors at one and then it just seems to make sense that at the other end that there would be a continuum of care for these individuals and that's exactly what this facility would provide along with other health care amenities. I think that it is just in hand and glove in terms of investiture from the County's perspective and then I'm sure that I'll have some other things that I would like to say. Thank you."

Chairman Winters said, "Okay. Commissioner Gwin."

Regular Meeting, February 14, 1996

Commissioner Gwin said, "Mr. Gates, not a question of you, of Mr. Compton. We have, we're given the square footage of the facility both ground floor and the basement. Can you give me the size of the site? Do you know what the size of the site is?"

Mr. Compton said, "The original site along 21st Street is about 200 by 220 feet, but there is basically an area behind the site that we're hoping to secure and I believe we have now, where we have space to expand the facility on to the south. So actually the site is, and we actually use that space a little bit also to push the building back from 21st Street, because 21st Street is fairly close. Those front lots are fairly shallow, so using the projected area there, I am sorry, I can get you a site plan, there is not one in that packet. I'll get you a site plan and show you exactly where that goes."

Commissioner Gwin said, "Okay, that would be helpful to me. I think that's all I have of you. I have a question of Ms. Martin. You've gotten a lot of people to the table, I guess the one thing I need to know is who will own this building, who will own this clinic?"

Ms. Martin said, "This will be a non-profit group and it will be owned by the Community Health Clinic committee. We will seek..."

Commissioner Gwin said, "501-C3 or something."

Ms. Martin said, "Yes."

Commissioner Gwin said, "Secondly, how would you plan or do you plan to use the services of the Wichita-Sedgwick County Health Department or the Sedgwick County Bureau of Comprehensive Care which used to be our Mental Health Department. Are there opportunities to use that, so we're not duplicating things here?"

Ms. Martin said, "Yes. We have no plans to duplicate any of the services that are currently offered. Our service we feel would be, what we're offering is a primary health care over a continuum and we're going to manage the care of a group of patients. To give you a better understanding, we'd be like a physician's office, but we're going to focus on prevention and wellness and utilize the whole prevention and wellness perspective to education and work with high risk behavior patients to decrease those risks and work over a continuum to keep the community healthier. But what we would do, looking at the Sedgwick County Health Department, we would work in conjunction with them."

Regular Meeting, February 14, 1996

“They would refer patients to us when they found a patient that would need a continuum of care and then vice versa if there was something we would refer that to them.”

Commissioner Gwin said, "Okay, what was interesting to me was the mental health counseling that you showed on the scheduling as to the times for that and I thought at the time, gosh we have a mental health department. We don't call it that anymore, but maybe there would be some way you could utilize those counselors to do something there."

Ms. Martin said, "Sure, and we wouldn't duplicate that service and we plan on using Wichita State also. They have a Masters in Public Health program that is being developed and they have an Advanced Practice Nurse program and we plan on utilizing those people in the community to come in and help with different activities that we would be sponsoring at the clinic."

Commissioner Gwin said, "You also talked about one of your goals about increasing immunizations for children and I know that Dr. Jecha and the Health Department are very big advocates of early immunization and complete immunization. They have the program every year."

Ms. Martin said, "We have, and the Black Nurses Association has worked with the Health Department volunteering our services to go and help get those children immunized and they use a large group to help get that service done and I think I see that just as a conjunction to that."

Commissioner Gwin said, "Obviously as you would expect, my concern is that I don't want you all to have to duplicate what's already available. I want you to be able to call on or work with existing agencies so that they can make your life easier and vice versa, if we're going to...comes to us as a partnership, and there are certainly other governmental partnerships that you may want to continue. I noticed in Via Christi's commitment to you that they had committed, I think it says they approved funds sufficient to cover the salary of the clinic's physician for three years. So as Mr. Gates has indicated, then you expect that after that time this will be self sufficient, that you'll be able to bill who can pay or else having an endowment available to pay for those who can't?"

Regular Meeting, February 14, 1996

Ms. Martin said, "Yes, that's our proposal is that after three years, we have a business plan that's available, and it says as we grow in those three years, we will have more patients as we have established that we will provide quality health care at a reasonable price, then we expect that we will have people that have insurance that would come to our clinic and pay for the service. We also expect that there will be some people in the community that can not pay and they will come to the clinic to receive that service, but it is not a free clinic.

"If you can pay, if you have insurance, then we expect that person would pay, but the service we are going to offer, anyone would want that service because we have a fantastic physician that's going to be with us and teaming an advanced registered nurse practitioner with a physician is the move to the future. We are going to measure outcomes in conjunction with WSU, to find out what we're doing that is successful and we hope that we can market this across the United States, because it really is going to be a very unique program that we plan to do. After three years, I am very confident that we will have patients enough to support the clinic."

Commissioner Gwin said, "Do you have available as we look at this decision, any financial information that we could see, when we consider outside agency requests, we look at those agencies during our budget cycle as to what their proposed income or revenues are, what sources those revenues might be, those kinds of things. Is that kind of information available to us?"

Ms. Martin said, "Yes, that is available and I'm sorry I did not get it to you, but I did give that to Commissioner Winters, Commissioner Miller has it and Commissioner Hancock has that and I have a folder in my car, so I will get that to you."

Commissioner Gwin said, "Great, I look forward to seeing that. Thank you. Thank you Mr. Chairman, that's all for right now."

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

Commissioner Schroeder said, "Thank you Mr. Chairman, if you please. I'm not sure who to direct these questions to but first of all, who would appoint the initial Board of Directors? Who would be responsible for doing that for the non-profit organization?"

Regular Meeting, February 14, 1996

Mr. Keith Morton, Executive Director, Community Development Coalition, said, "I think at this time we are going to stay with the committee itself as the Board seeing that we started it from birth and we want to continue to make sure that it does sustain itself. So I think that the people we already have on board would be initially the Board of Directors."

Commissioner Schroeder said, "Very good. My other question is that I see from the overhead that the City of Wichita has been a participant in this effort. To what extent are they participating?"

Mr. Morton said, "The City of Wichita has come out and supported us as far as the land, came out and also supported us as far as the site prep on getting the land prep for actual building. In addition, the City has come out and is going to support us on acquiring some additional property to be able to have the additional land for future expansion."

Commissioner Schroeder said, "Okay, and what you're asking for from us today is a cash contribution of \$125,000 which would obviously go to the construction of the facility, is that correct?"

Mr. Morton said, "That's correct, and also in addition, we have hired a professional fund raiser, the one Harslip is known throughout the City of Wichita, has come aboard and is going to actually go out and do the actual fund raising for this facility. Initially you guys would be part of the first investors and we definitely would like to have you on board. In addition, our organization is a non-profit organization, the CDC, and we work in conjunction already as a provider for the Department of Aging, so the relationship that we have already established with the County is that we understand the needs of that particular area seeing as we do a lot of work for you as well."

Commissioner Schroeder said, "Okay. One other question, and that is, when it comes to the medical staff, is Via Christi for the first three years paying for the cost of the medical staff or letting you use their medical staff, which is it?"

Ms. Martin said, "They are going to pay for the cost of the physician and relate it up to \$200,000 a year."

Commissioner Schroeder said, "Okay, then after three years hopefully you're self sufficient."

Regular Meeting, February 14, 1996

Ms. Martin said, "And after three years, we know that Dr. Dugan will have 400 patients that he is seeing every week."

Commissioner Schroeder said, "Okay, that's great, well that ended my question on that. My last question, well it's really not a question, it's a request of the Manager to tell us how our staff has been involved in this. I'm not sure if all of us know and I appreciate your answers."

Mr. Buchanan said, "Commissioner, we received this information, this request last week and it was assigned to Debbie Donaldson to begin some research, do a staff report for you. We thought it would be helpful to understand and fortunately, next week, on the agenda is an interim report about the study that they are involved in and how this clinic might tie into that study of community needs and whether it plays a role or not, but we sure need to know that, and to talk to Dr. Jecha and figure out how this clinic assists and aids in providing health services to people in this community. So, we're in the process of doing that and we'll have it ready shortly. We are also, part of that staff work will be to find the money and Becky Bouska is furiously working upstairs right now trying to do that."

Commissioner Schroeder said, "Just to sum up, I think the project sounds like an excellent project and I wish you the best of luck with it and I know today we will probably receive and file the report, so that we can do more on the financing end of it, but I am very supportive of what you are doing. Appreciate your efforts, to all of you, thank you. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Well I have a couple of comments and then maybe you want to follow up then. I am glad you came today to make your presentation, because I know that I wasn't ready to make a decision and I don't know that I'm ready to make a decision today. But I appreciate the presentation today and your efforts to be here in this forum where we can all begin to talk about it. I think you've clearly got momentum on your side. I think you're rolling real well. A couple of the things that I need to visit with our people about and I think the Manager has indicated that he's started the processes.

"When I think about Sedgwick County's involvement in health issues, I immediately think of our Wichita-Sedgwick County Health Department. I immediately think about what was formally our Mental Health Department, who works with addictions and mental illness and now I even begin to think about our Community Development Department headed by Irene

Regular Meeting, February 14, 1996

Hart, so I would really like to see those three departments that we put a lot of money into Mental Health, Debbie Donaldson, Dr. Jecha at Wichita-Sedgwick County Health Department and Irene Hart look at and see how this project fits in with what Sedgwick County is about in providing health services to our community. So I need to fit that connection together, but again I clearly understand more about this project now that we've heard this discussion."

Commissioner Miller said, "I need to address some of the issues that I believe Commissioner Gwin raised and also what Chairman Winters just finished with and that is primarily are we duplicating some services here, are we duplicating an area the County is already heavily vested in. I believe that when you think about health clinics and you think about health care and you think about accessibility. Then this particular venture to me is going to meet the needs of, first of all a health care deficit in this particular area, but it will also be able to lend itself to the accessibility of a paying population. I think that is something that probably isn't spoken to enough. We're thinking of this clinic sometimes stereotypically as a low income or a free clinic. That is probably what our Wichita-Sedgwick County Health Clinic has the feel for and we are about the business of making it a broader concept.

"The fact is that average individual that lives in the area that was polled and was surveyed for this particular health clinic has health insurance. They have access to limited health care and that to me sends the message that this particular venture would be a successful one. That it would be a fee paying one, that individuals would be paying for their care and choosing to come there because of the doctor and because of the practitioners and because of the auxiliary staff that is there, because of the state of the art facility.

"So, I believe it is unique in that manner. When you talk about, once again, being able to duplicate services, I believe Dr. Jecha and possibly Debbie Donaldson would be able to say that we can't reach everyone from that site, understanding that your attempt as a health care provider is to meet the needs of people, those needs are varied and I believe that is what this particular venture is attuning itself to are the varied needs of our population and so by sitting itself where it potentially wants to be and providing those services that we've talked about, I don't believe there would be an overlap or a duplication.

Regular Meeting, February 14, 1996

“In fact, I believe it would simply be the continuum that Arneatha Martin has spoken to. There could be the referral basis that is going on from our mental health which is COMCARE now, also the Wichita-Sedgwick County Health Department. There could be a reciprocating referral bank that simply broadens the arena of accessible health care to target populations. So I just simply needed to make that statement. Thank you each for coming and presenting and I am very supportive and very, very optimistic and I believe we are going to file and receive what we've heard today. And it looks as though Tom Webb would like to say something.”

Mr. Webb, said, "If you don't mind, I'd like to speak briefly. One of the things we were talking about was duplication of services. When we have this clinic here, there's going to be an unique element of that and that would be the hours of operation. A lot of, I know Arneatha addressed this point, people are going to emergency rooms and they are stressing emergency rooms and some of what this clinic would provide is a means where people don't have to go to emergency rooms. Take some of the stress off the emergency rooms and at the same time give them access to a primary care physician and lower their cost of health care by not going to the emergency rooms where they're going to be charged much more for that.

“So in terms of duplication of services, I think the partnerships are going to be real important because what we're trying to do here is provide a niche here with our clinic to work in conjunction with all the existing health care facilities and other services that are currently provided in the area. So I think keeping that point in mind is really important because we're trying to do some things that not necessarily compete but compliment what's already out there.”

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

Mr. Morton said, "Let me just piggy back off of what he just got through saying. Again, our organization, CDC, has a whole plan for northeast Wichita and this is a part of the initiative. The credit union just opened up its doors in January which was one of our initiatives.

Regular Meeting, February 14, 1996

“The medical facility, the Phyllis Wheatly Children's Home which is going to be turned into a neighborhood center and also you would see that we have started a housing program where we're building houses off of 13th Street and that we are in the process right now with the State to acquire all the property in and around the facility to actually build a buffer, so we will actually have control of that block and those blocks around there to be able to support the clinic.

“Safety is the key when you start talking about extended hours and being able to provide an overall development for this area in conjunction with the developments that are happening on 21st Street and also 13th and 9th Street. The clinic is just going to be one of the many things that is going to come in that particular area. So you will probably see me again, but I just want to say that this is overall support on an overall plan of initiative for that particular area. Thank you.”

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

Commissioner Gwin said, "Just one more thought. I don't want you all to misinterpret my questions about duplication, but as I'm rolling this through my head, I'm thinking of other opportunities or partners that might be able to be an important part of the project and I think I need to think about that and if there is a way all of this can work together then it even makes it a better opportunity I think. You are watching my thought processes and the opportunities and or road-blocks to success here as I roll them through my head so I appreciate each of you being here and taking your time this morning to talk to us and certainly as I continue to learn more and to look at the staff and get some input from them, I hope that each of you is available so I may contact you for any additional information that I might need. Thank you again so much for being here."

Mr. Morton said, "Thank you for your time."

Chairman Winters said, "Thank you. Commissioner Miller do you have anything else? I'm ready for a Motion then."

Regular Meeting, February 14, 1996

MOTION

Commissioner Miller moved to receive and file the report.

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you all for being here. We appreciate your presentation and your work on this effort. Madam Clerk, if you'd call the next item please."

PLANNING AGENDA

D. METROPOLITAN AREA PLANNING DEPARTMENT.

1. CASE NUMBER DR 94-4 - PROPOSED UNIFIED ZONING CODE.

Chairman Winters said, "At this time, let's just take a short recess and return in about seven or eight minutes. Let the record show we're back in session and I believe we had called the next item which was the Metropolitan Area Planning Department. Marvin, you're back on."

Mr. Marvin Krout, Director, said, "Thank you. Nice to see you all again. This item is not an individual zoning case, this is a major, major overall of the City, Wichita City Zoning Ordinance and the County Zoning Resolution. The Wichita City's Ordinance is really about 50 years old and the County Zoning Resolution about 40 years old.

Regular Meeting, February 14, 1996

“They have all been patched over time, we tried to keep up as well as we can, but they both are really ready for retirement and so we thought as part of the retirement party we would try to also unify them into one unified code. We think that makes a lot of sense. There is a joint City-County subdivision code. The building codes are basically the same between Wichita and Sedgwick County and as much as possible, there need to be some different rules, but as much as possible to try to eliminate confusion by having one unified zoning code we think was an important objective here. We think that is what we've attempted to do. We have discussed this zoning code with you a couple of times now recently, so I won't go into the details about it, just to remind you that this was three years in the development stage.

“We started out by picking the brains of the best nationally recognized zoning experts that we knew. They came in, they had about a dozen meetings at various stages with various parties and public interest groups, public hearings, they developed what they called an issue analysis and then an outline of a code, then we felt that they were so successful that the City and the County both hired them back to do a first draft of an ordinance. While that was all very helpful, we realized that those outside consultants could only take us so far and so the Planning Commission appointed a subcommittee about a little more than a year ago and that subcommittee worked for several months and made dozens of other changes to make this ordinance resolution really work.

“During that time it has gone through many more meetings. The first draft was, of that revised version, really back in September. We've had a number of public meetings. The Planning Commission had their official hearing on December 14, and on January 11 of this year their vote was unanimous to recommend the zoning ordinance resolution that is before you this morning.

"As I told the City Council yesterday, the City Council reviewed this yesterday, and took public comments. This is not the perfect code and there probably isn't a perfect code. The planners in the back room would have probably developed their own perfect code and homeowners association would probably have developed their perfect code and so on. I think there are a lot of despaired interest and bringing this together into something that everybody could live with was a pretty difficult task. I think thought that if you look at the minutes of the Planning Commission hearing you'll see that there were not many people who were opposed, there were not many issues of controversy, and I think that's because a lot of people, the Planning Commission in particular, have put a lot of time into the work to try to deal with a whole lot of issues as we went along.

Regular Meeting, February 14, 1996

"I think we have accomplished the major objectives we set out to accomplish. One, that the document is more user friendly. There is more plain English. The format is more logical to find your way through. There are tables and charts to help you find information quickly. We changed the names of the district, the symbols to reflect what are the basic uses that are permitted in each of these zoning districts. We have new and better definitions so that we think that it will be easier for the lay person and for staff and everyone else to use.

"Second, we have some new tools, some new districts and other tools in the code to try to eliminate or reduce some of the conflicts that you sometimes find on zoning cases. We won't eliminate all the conflicts that you face on zoning cases, there will still be large numbers of people occasionally who come to your meetings, but we think we have some better answers. People who ask for more precise districts, or narrower districts with fewer uses that are permitted in them. The overlay provision which allows for more of a tailoring of the uses and the planned unit development concept which is more of a custom tailoring of uses in a district. We think we do have some more tools.

"We have also attempted to streamline the code. Where there were opportunities to reduce a three step process or a two step process to one step, we've done that. Where we thought we could identify areas where no public hearing was necessary or something could be done administratively, we've done that. For instance, the City has had for several years, an administrative adjustment provision so that minor variances, someone who maybe had their house build twenty years ago and no one realized that it was six inches into the platted building set back and now has to sell their house and get title to their property, you've seen cases like this that have come to the Board of Zoning Appeals and in those minor cases, we've been able on the City side to do those kinds of things administratively and now this would be as part of the unified code, something we could do both in the City and in the County.

"We always look at the Board of Zoning Appeals and what kinds of cases they get to try to figure out. What's wrong with the codes and for instance, one of the cases that your County Board of Zoning Appeals gets fairly often is when someone out in a rural area wants to build an accessory building that is closer, it's behind the required set back, but it is closer to the street than the main building, the main dwelling unit. That's not permitted in the current County code and we've got a lot of people who wanted to build their garage or other accessory building closer than their main building which may have been built many years ago back on the lot and so that seems like an obvious candidate to try to fix.

Regular Meeting, February 14, 1996

“You've seen also temporary asphalt plants, in very remote areas of the County for road projects that weren't anywhere near homes and wouldn't have any impact and with proper standards those could be approved without having to go through a sixty day public hearing process. So those are the kinds of things that we tried to build into the new zoning code to accomplish things like that without a hearing.

"We've also eliminated, as much as possible, unnecessary differences between the City's zoning ordinance and the County's code. That means that there may have been some rules that have changed and they've changed in both ways, but only in minor ways. There are still some rules that only apply to the City and some rules that only apply to the County. For instance, the City has a rule that says that boats and RVs can't be parked in front yards in single family districts. The County doesn't have that rule and we weren't proposing to put that rule into the County section of the code at this time so there are going to be some differences still that remain between the City and the County regulations but we've tried to identify clearly where they are in the code. The County has rural home occupations and that doesn't apply to the City, so there will still be some differences.

"There is not an agricultural district that is in the proposed draft of the zoning code at this time. You'll see that there is a place reserved for it and that is because we haven't given up on the possibility of an agricultural zone for the more rural parts of the County. Based on the hearing on December 14, the Planning Commission, people telling us that they had not been involved in that part of the process. They weren't familiar with the agricultural district, they didn't understand how it worked. They weren't sure how it was going to affect them and wanted to hear more about it, we thought it was not right to go ahead with this and so we recommended that the Planning Commission pull it off and they did pull it off, so it's not part of your code.

“We have in meetings since that time though, we've made a number of presentations and a number of discussions to look into this issue further. I think that those, if there is some day a zone, I think it will be a better zone because we've done that. I think that we're getting and continuing to get more input on it as we talk to people and the idea becomes more wide spread. This is not anything different than Butler County, Harvey County, Sumner County have already done. We do think it has merit, but we'll try to keep it on the front burner. If there does seem to be enough support to pursue it, then we'll come back to the Planning Commission in maybe two or three months and ask them to have a separate public hearing and consider that issue alone.

Regular Meeting, February 14, 1996

"The purpose of the meeting this morning is really to take any remaining public comments and I think there are a few people who are here to speak to you this morning. Also, then to answer any questions that you may have about the code remaining. Get your feedback about what, if anything, you think needs to be changed or fixed. We're trying to keep this in track with the City Council and the County Commission so that we do have one unified code and so we don't want either side to be getting off the track. We want to be marching down this road together and I should tell you that the City Council deferred action on this for two weeks at their meeting yesterday. There were a couple of speakers, one speaker had some concerns about the planned unit development concept and how it might apply and how it might be misused in some cases.

"We had another speaker who talked about community unit plans, which are things that are in the City and about the administrative flexibility that is current in the code for community plans and how maybe that should be tightened up or lessened. Because this was sort of last minute, we weren't prepared to respond to all those questions. The Council asked us to review those comments and then come back to them in two weeks. My suggestion would be that you ought to do the same. Defer this item and then we'll be able to come back to you in two weeks and tell you what we've looked at on the City side and what the City Council's reaction was to it. Our hope is still to have a final Ordinance-Resolution draft that we can be bringing to you the first or second week in March. I'll be glad to answer any questions that you have before you want to open up the hearing."

Chairman Winters said, "Okay, thank you. Seeing no questions from the Commissioners at this time, this would be a time to accept public comment on the proposed unified zoning code that has been recommended, so I would open it up to the public. If there is anyone here that would like to speak to this item concerning the zoning code, this would be the time to do it. So I would invite anyone to come forward. Thank you, come ahead. Please give your name and address for the record and you will be limited to five minutes."

Ms. Elizabeth Johnson Bishop said, "I represent Wichita Independent Neighborhoods and our address is 3995 E. Harry. Wichita Independent Neighborhoods is our coalition of approximately 37 neighborhood associations, home owners associations, and other neighborhood related groups. I would like to talk to you today about the proposed zoning code. First of all, I'd like to congratulate Marvin Krout and the Planning Department and the members of the Metropolitan Area Planning Commission on an excellent job.

Regular Meeting, February 14, 1996

“I think this has been a long haul and there's been hours and hours of work put into it and a lot of thought has gone into this proposed zoning code. I think it is an excellent one. It is much more clear and will be a very good guide for future development.

"I would like to explain to you why neighborhoods are interested in land use issues. I think there is probably not too many other areas that have a greater impact on neighborhoods. However, it is one that a neighborhood doesn't generally recognize until a particular change develops close or within their neighborhood. I think that what's been happening in the past very frequently is a neighborhood became focused on what its particular issue was, its particular problem and I would like to share with you the fact that neighborhoods are beginning to talk with one another, partly through the forum that a central coalition like Wichita Independent Neighborhoods provides, also even outside of that. Increasingly they are discovering what the Eagle Editor, Buzz Merritt, likes to refer to as a shared relevance of land use issues. Areas like the Park Homeowners Association is paying attention to what happens in historic mid-town.

“A Brigewood Addition in the County is paying to what happens in Sterling Farms. Auburn Hills Addition is paying attention to what happens in Chisolm Creek. There is increasing awareness that there is much in common among the issues and the problems that these neighborhood associations have with the planning process and they are attempting to go about it in a new way, one that we hope will enhance our sense of community and encourage increased civilized public discourse on the issues.

"Some of those I would like to mention are the time frame for the consideration of planning processes. For instance, right now the time frame is exactly thirty days from the filing of an application until it is heard by the Metropolitan Area Planning Commission. We would ask that you consider encouraging, because I recognize that this is not a policy from the County, but we would ask that you encourage the Metropolitan Area Planning Commission to re-examine that time frame. That often is not enough time for a neighborhood association to receive the notice, to discuss it, to secure further information from the Planning Department and be prepared to feel as if they are not going into the Metropolitan Area Planning Commission or into the CPO meeting if it is a City case, with misunderstanding rather than understanding. So we would ask that at least that be opened up and examined as a possibility for increasing that time frame. This is one thing that is not, as I understand it, specifically within the proposed zoning code, but it is a very relevant issue.

Regular Meeting, February 14, 1996

"Also, neighborhoods are very interested in receiving adequate public notice and receiving it far enough ahead of time to be prepared, as I said. They are very interested in the appeals processes and the protest petition. We would ask that appeals are mentioned within the proposed zoning code, it be made evident within the language, and I understand that Mr. Krout is going to be working...this is one of those issues that he will be readdressing in a couple of weeks, that that appeal process be evident that it can be filed by someone other than the applicant. If there are other aggrieved persons who feel that there will be an impact that an appeal could be filed by them as well. It is so stated in some of the language within the code but it isn't proposed code, but it is not stated that way uniformly.

"We also ask that you retain the protest petition area as the same as the notification area. This may not be exactly relevant within the County, yes it is, because in the County it is 1,000 feet, but frequently if it is reduced to 200 feet, that means that the nearby neighborhood does not even have any standing to file a protest petition, even though they've been notified and told to engage the process.

"We also ask that administrative adjustments be examined carefully so that those are clear and well defined."

Chairman Winters said, "Excuse me, how much more time do you think you need?"

Ms. Johnson-Bishop replied, "Approximately a minute."

Chairman Winters said, "Okay, fine, let's go ahead for one more minute."

Ms. Johnson-Bishop said, "Also, the planned unit development which Marvin also mentioned. Just one last thing that I would like to leave you with. Wichita Independent Neighborhoods would like to look at the issue of land use from a comprehensive fashion. Our mission is to educate and inform. We would like to see developed a citizens land use academy of residents and neighborhood association leaders who are informed of land use processes and the economic development impact thereof, and that a balanced approach is taken that is constructive and goes from the particular cases to the general needs of the entire community. We would like to be part of that process and will probably be back to discuss this with you again at a later date, but we would like mainly to leave you with the thought that we believe overall, the proposed zoning code is excellent and we will continue to monitor it and work with MAPC. Thank you."

Regular Meeting, February 14, 1996

Chairman Winters said, "Thank you. Next speaker."

Mr. Arnold Busenitz, said, "I live on Greenwich Road in the northeast corner of Sedgwick County. I appreciate the opportunity to speak today in behalf of the Unified Zoning Code, particularly in the area of putting the agricultural district back into that code. I thank Mr. Winters for making this time slot available and Commissioner Gwin for being an encouragement in this. Last Monday night, several farmers, let's call them agri-businessmen but farmers for short, got together and discussed the predicament that we see in our County. All of us are land owners, crop farmers, we have livestock, we all farm within a two mile or so radius of where I live. As a group we are dedicated to preserving Sedgwick County's product agricultural environment.

"This County, with the State's largest City, ranks third in harvested acres, which is 250,000 acres and yet every residence built in the County, almost every residence, erodes X number of acres off that 250,000. I say almost every residence because some individuals will lease their land back to a farmer, however it is hard to farm five, ten, fifteen, twenty acre plots. You might say that the farmer is literally seeing the grass pulled out from under his feet. It this steward of the soil is to continue to feed his own family and another 125 or 150 people, it may come to the time when he will have to load his covered wagon and head west. On today's farm, research technology and sound tillage practice are the order of the day. Farmers in this County, I believe, are committed to preserving and improving the environment, yet agriculture in Sedgwick County is an endangered species. Its habitat is shrinking at an increasingly rapid pace and our territory is invaded. For a man desiring to set up a farm for his son to continue in his steps he may have to find a different nesting place.

"Let me summarize what has been said so far. We are in dire need of help. We discussed some possible options at the meeting the other night that could be part of the zoning code. For instance, maybe involve the local township in the decision making process, perhaps doing it township by township, instead of a County wide zone. Have local hearings, information meetings for the proposed development. The problem is that living in the County, moving to the Country is not always like the Country Living magazine portrays it. It is amusing and maybe sad when school groups come to visit our farm, that noses are turned up and they begin to walk carefully where they step and they didn't realize that milk was not created in a store or that sausage comes in different colored wrappers.

Regular Meeting, February 14, 1996

“Perhaps we could cluster the development projects rather than have the unplanned, uncontrolled mix that we are experiencing at this time. I look on Sedgwick County as a well baked cake with the City of Wichita representing the frosting on this cake. That frosting is starting to be mixed into the cake and even though we think it should be better that way, maybe that is now how it was originally intended. How much land can a township give up to a development without upsetting the balance. There could perhaps be a minimum number of acres allowed for each new dwelling or maybe so much frontage road, perhaps a quarter of a mile for instance. Then your drive through the County it would still look like County and the depth of the land behind the residence would be available for farming.

"Agriculture in Sedgwick County is an annual business of \$90,000,000-\$100,000,000 and I am pleased to be a part of it, but we need your help if we want to preserve the productive rural environment that we now have."

Chairman Winters said, "Thank you. How much more time do you need sir?"

Mr. Busenitz said, "Twenty seconds."

Chairman Winters said, "Okay, proceed."

Mr. Busenitz said, "There was considerable length of input at the meeting in December as Mr. Krout mentioned. Mostly I think because it was a surprise. We don't like surprises. I know the Farm Bureau, the Soil Conservation District, and township supervisors, I believe all of them are looking at this more seriously than what it has been looked at and I would just like to say, let's give the farmer the same protection that a man in the City has. Thank you for your time."

Chairman Winters said, "Thank you very much. I think I understand and respect what you said. A lot of it made sense but are you really saying that the ag zoning class would do this or would not do that?"

Mr. Busenitz said, "I believe an ag zoning district would give protection to the farmer. Right now, our land is zoned for five acre dwellings and that's it, rural dwellings, there is not agricultural zoning there."

Regular Meeting, February 14, 1996

Chairman Winters said, "Okay, thank you very much. Commissioner Schroeder has a question sir."

Commissioner Schroeder said, "Well not a question, just a comment. I appreciate you being here today, but I also noticed that those are your two boys sitting out there with you today and I think it is great and I applaud you for bringing them here to watch this process work and I wish more people would have the opportunity to do the same thing because someday if they follow in your foot steps, they are going to be doing the same kinds of things and I just thank you as a citizen for bringing your kids here today to watch the process."

Mr. Busenitz said, "Thank you."

Commissioner Gwin said, "Mr. Busenitz, before you leave, again, thank you for your calls to me and the fact that you did, in fact, choose to come and address us today. Obviously this is an area that as Mr. Krout said is still open for debate, that there seems to be some misunderstanding about what its intent was or what its impact would be and your side of the story is very well expressed and very eloquently put and I appreciate that. I will keep your number handy and as we go forward through this I hope you don't mind if I call on you to get some more questions answered. Thank you."

Mr. Busenitz said, "Alright, thank you."

Chairman Winters said, "Thank you very much. Next speaker."

Commissioner Miller said, "Mr. Chairman I do have a question of Marvin Krout."

Chairman Winters said, "Marvin could you come back for just a moment?"

Commissioner Miller said, "Marvin could you explain to me how the ag zoning district would protect farmers?"

Mr. Krout said, "The draft code had a minimum acre size and the draft had a minimum twenty acre size. Harvey County has a minimum forty acre size, Butler County has a twenty acre and Sumner County has a twenty acre size. The concept is to identify some areas of the County that are prime agricultural and can and ought to remain as part of the agricultural segment of industry in Sedgwick County."

Regular Meeting, February 14, 1996

“By not making it so easily available as it is today, for a five acre lot development. We have all kinds of developments in the County. We have extensions of cities, but we also have this development that happens under the rural residential district which technically permits two acre minimum lots, if you can build with a septic tank. In most parts of the County, the Health Department won't allow that so the effective minimum lot size is five acres. I am sure if you have driven in the County recently, you've seen a lot of five acre new homes of various types placed throughout the County. They are clustered in certain parts of the County more so than others, but throughout the County there's been quit a bit of that kind of development.

“We have a responsibility to try to be sensitive to market demands and to the fact that there are some people that want to live that sort of suburban lifestyle, but the impact that it has, especially if it is in a scattered way is to, number one, drive up the cost of land and make it difficult for farmers to compete and to avoid selling the land for lot development and make it difficult for them to expand their operations and acquire land because of the cost. Secondly, the scattered development of those homes also presents a classic form of land use conflict. You have people who live out there as Mr. Busenitz said, who sometimes don't know everything that there is about a farm, which includes dust and night time operations and odors and spray of pesticides and other operations. I think while farmers want to be good neighbors the more they feel that they're constrained either by law or informally to be good neighbors, the more difficult it is for them to continue on a day by day basis with a viable operation. So those are the main reasons.

"The other reasons that we're interested in this general concept are because at the edges of cities, when this five acre lot development occurs in the path of expected urban growth. It's going to happen where a city is going to be extending water and sewer lines in five or ten or fifteen years. That results in a pattern of development that is going to be very difficult in the future that the city is going to somehow find its way around there or going to have to burrow through those five acre lots and with the affect of annexing these people who moved out to try to get away from the city and now they find that the city is at their door step and is going to be surrounding them, they are faced with costs of assessments for water and sewer that they never necessarily wanted to be a part of. So there is an effect of impacting cities orderly growth in some cases where this is occurring closer to cities.

Regular Meeting, February 14, 1996

“Then lastly, the Planning Department has always had a concern about the potential future fiscal impact for County tax payers of the continued expansion of five acre lot development. There have been a number of fiscal impact studies in other areas that look at what are the costs of providing services versus the revenues that come out of different forms of development and this low density of development in studies as indicated as the most expensive type of development in terms of the ratio of cost to revenues.

“Over time you are going to get more and more demand for services as these acreage start to increase and there are, instead of five people in a square mile, there are twenty or fifty households in that square mile. There are going to be requests for faster fire service, for paved roads, for other services that the County is not now providing to those rural areas and it is going to be very expensive to provide those services compared to the revenues that will come out in taxes with these.

"So for a variety of reasons, it is not only to preserve agriculture as a way of life and as a business that employs several thousand people here in Sedgwick County, but it has all kinds of other impacts too."

Commissioner Miller said, "Thank you. I needed to hear that, thank you."

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

Commissioner Schroeder said, "Mr. Chairman, if you please. Marvin, appreciate you being here today to present this large amount of volume of paper that we have in front of us. I know you have done a lot of work on this, but when I hear that old issue of what the City would like to see the County do in the way of development it almost puts me to sleep. I know that they would like to see us limit our development in such a manner that it fits their 50 by 75 foot lot sizes in the City of Wichita and that they don't like, and it has been quoted by some of the Council members, they don't like this willy nilly development that they call out in the County. But as you said earlier, there are 411,000 people who live in this County and all of them have different ways of how they like to live and I just can't see as a County Commissioner that...I understand the other issues, but when it comes to the City and how they would like to see us develop, I can't see holding County land or unincorporated areas in such a form or fashion that appeals to them so that some time in the future they may annex it.

Regular Meeting, February 14, 1996

"I know it does create some problems for them but nothing is perfect in this world and I can't imagine having a County set up as such that the lot sizes in rural areas are the same size that I may live on where I live. It is a small lot compared to a one acre or a five acre lot, but I think the City Council needs to recognize that we are going to have people who want to live in a rural setting that want to have a five acre lot or a ten, twenty, or thirty, or forty, they want to have the elbow room and it may not fit the design that the City would like to see. I think a lot of their concerns come on the fringes of the City as you just said a little bit ago, but we all know the City keeps growing, they need to expand their tax base in order to keep up with their expenses so that their tax base has to grow and a lot of these people don't want to be absorbed by any city and there are twenty of them in Sedgwick County.

"I think I need to be cognizant of the fact that there are people in this community that want to choose to live a different life style and that is not to have neighbors listening to everything that happens in your home or everything that goes on around your home, they want some peace and they want some privacy. I do understand the other issues of protecting farm land, I think that's important because this is a very agriculturally sound County. We do have a wonderful agricultural community and we hope to keep that in that fashion. But as time goes along and as communities expand and as people move into this community that don't see themselves as city citizens, they see themselves as rural residents, I think I need to provide them with that opportunity to live in the way they want to live and I'm not quite sure if it fits everybody's expectations, but I just can't imagine us living in a world where we live on a certain size piece of land and that's it. All I'm saying is we need to allow those people to live the way they'd like to live."

Mr. Krout said, "I can respond briefly. I don't disagree with you at all, but the point that we tried to make in the Comprehensive Plan is that we have 1,000 square miles to work with here in Sedgwick County and so there are places for all of those different lifestyles and we tried to identify, if you look at the plan, the areas, and we did it in a generalized way, and I think we need to do it in a more detailed way and maybe the idea of working with township by township would offer some opportunities, but in a generalized way we tried to identify, work with all the cities. By the way, the City of Derby was very interested in having some of these kinds of controls and some of the other small cities so it's not just a Wichita issue. But we tried in the plan to identify the areas that the cities are expected to grow in and call those urban growth and urban reserve areas.

Regular Meeting, February 14, 1996

“The areas that we thought were prime agricultural and basically rural and haven't had much of this five acre lot development occur yet and identified those as agricultural. Then that left us with a great deal of land still with its own coding which was suburban. Areas that were not necessarily appropriate to try to preserve agricultural and areas that were beyond any reasonable expectation that the cities were going to be expanding their water and sewer systems into those areas. So we have probably at least 100 square miles identified in the County which has the potential for maybe 10,000 of those five acre lots to locate.”

Commissioner Schroeder said, "You're right and I appreciate that and I'm not arguing with you Marvin. You and I have done a lot together. My concern is that eventually in twenty years we're going to look at the boundaries of the City of Wichita and they'll be much different than they are today and I hate to get to a point where we are pushing these people, these individuals further and further away from the City, because we don't like the way they develop their property or the way they live and I just want to be fair to everybody is all I'm trying to do but I appreciate your comments. Thank you Mr. Chairman."

Chairman Winters said, "Thank you. Is there other public comment and let me remind those here that this is a perfect time to visit with and talk about the agricultural zoning issue but that is not a part of the proposed unified zoning code that we're going to be discussing today, but this is a good time to visit about that. Thank you. Go ahead."

Mr. Chuck Roach said, "I live at 803 Patch Drive, Garden City, Kansas, and I own land in unincorporated Sedgwick County, Kansas. I drove in from Garden City for this meeting. I heard about it and I didn't have much time to prepare but just a few things off the top of my head, concerns that are mine. I am very much opposed to the unified zoning code as drafted because I think it will have a substantial negative impact upon both people who live in the rural areas of the County as well as the City. Throughout this century, a great part of the American Dream has been for people to move out and have something that they can call their own, whether it is inside the City or out. We have many people now who are relegated because of financial circumstances to renting and there is an exodus, as there was an exodus from rural America to the cities during the first part of the century, now there is somewhat of an exodus back into the rural parts.

Regular Meeting, February 14, 1996

“They want what's called the good life, they want to have the five acres, the ten acres, whatever, they want to get away from crime, they want clean air, they want room for the kids to run instead of being in the city. That's what really this is all about. Those concerns by those parents are legitimate, they are very legitimate and I'm not here to say that the concerns of the Metropolitan Area Planning Commission are not legitimate, there are legitimate issues on both sides. I just believe that the unified zoning code is drafted really as a rather heavy handed remedy to a perceived problem. What would happen with this unified zoning code is that it would have the rather negative impact of making the cost of rural development substantially greater thereby precluding people who are on the lower rungs of our economic ladder from coming out from the City and living in the County. There is no doubt about that.

“A regulation comes with a price tag always, every time, whenever you regulate, somebody has got to pay for that and the cost always flows down to the consumer, every time. So what's going to happen if we have a forty acre law that you can't put a residence on anything less than forty acres without replatting and going through all the associated expense, we're going to have people in the middle and upper economic rungs moving out into the County, gobbling up County land faster than two and five acre tracts. They'll be putting one house on forty acres in order to avoid all the red tape and it will leave the cities even with a greater percentage of lower income people than what we have now. You can look and you can see that already happening in this County. So I believe the impact would be quite negative in that regard.

“Also my concern is that if we got to agricultural districts as has been explained, there could very well be a topsy turvy type of impact if we designate prime farm land to stay land whereas the mediocre farm land is good for development, we're going to let people develop on that, what about the man who has good farm land who wants to sell it for development at a much higher cost, isn't he being deprived of a property right? He's lost money. How to you compensate an individual like that? All of a sudden with mediocre farm land, he can sell to a developer and he's got a windfall that he didn't expect. So we're introducing some artificial type of impact into the value of farmland so if this were to be approved, all the farm land in the County would change values. It would have to.

Regular Meeting, February 14, 1996

“So I see the farmers as being negatively impacted and I appreciate what the gentleman farmer, who spoke a few minutes ago, what he said about development and losing the farm land of Sedgwick County and his concern is something that has been going on throughout this century. Cities expand, there's always conflict between farmers and people who live in the cities as the cities expand. There is nothing that is ever going to do away with that conflict. It's always going to exist. Wichita and Sedgwick County is growing in population, there is no doubt about it and we've got to put the people somewhere, it's just how to do it in a fair manner without having a negative impact upon those least able to protect themselves and that is almost always the lower income people.

“So I am very much against it, and I think the need of the American people expressed in the last election was they want less regulation rather than more. People, I think, are tired of defending and justifying their actions to governmental agencies whenever they want to do something and this just represents more regulation, more cost to everyone. So I am just against it and I thank you for your time.”

Chairman Winters said, "Okay, thank you very much. Any other speakers? Anyone else from the public?"

Mr. Greg Stephens said, "My address is 2108 West 60th Street North, and am the President of the Sedgwick County Manufactured Housing Association, which is an organization that represents mobile home and manufactured housing dealers as well as the many mobile home parks and manufactured housing communities in and around Sedgwick County. I want to come out against, and I would hope you would not take lead from the City but listen to the City a little bit in deferring approval of this Unified Planning Code. The first time I saw it was last July, August, somewhere in there and I haven't seen the revised edition. Again, what they want to do is add more regulation and again the tone, the tenor of the population is deregulation and I want to reinforce that. I think it is commendable that the City and the County worked together hand in hand on something that could provide a uniform idea of what we want in order to regulate our residential areas and things of this nature.

“I think it is a commendable thing, but I think in this case that for some reason or another, the City seems to be driving the cart here and the County, which has a good code in effect already, as far as ordinances, as far as building, and things of that nature, I think needs to incorporate more of their ideas into what the Metropolitan Area Planning Commission has already done. I think as an American you have an awesome responsibility.

Regular Meeting, February 14, 1996

"We have to protect individual rights and provide for the freedom of the individual as well as protect the common good of all people at the same time. So it's an awesome responsibility and I think that you all are very good at what you do. Once again, I would ask that you defer approval of this planning code until we have time to inspect it further. I had no knowledge of a meeting on December 14, of the Metropolitan Area Planning Commission. I have many, many people, as well as this gentleman here, Mr. Busenitz, which is a well known farming name in this community. He would like to address the particulars of this particular incidence. Yes, we've got to move ahead in the name of progress but let's not do it at the expense of individual rights and that's all I have to say. Thank you."

Chairman Winters said, "Thank you sir. Are there other speakers?"

Mr. Greg Young said, "I'm from the northwest part of the County and I'd like to thank the County Commission for giving me this opportunity to address this agricultural zoning case. First off, I'd like to say I really enjoy living in Sedgwick County. I've lived here my whole life. The reason why I like to farm and ranch in Sedgwick County is that I am close to a big metropolitan area where this area offers a lot of goods and services. A lot of farmers I know from 80 to 100 miles out, they have to drive all the way to Wichita to get the same services I can get in about twenty minutes.

"My primary concern though with this designated agricultural zoning is that I think it may be an encroachment on our rights. We live in an area where we really don't want property values to decline. The way we do business is if we show that our property values are steadily increasing, we have a net worth that is steadily increasing, we don't need declining property values and I've seen that there could be a lot of questions on this that would come up.

"Also, some other concerns I have, there are a lot of friends my age that went to college, they worked here in town, and they came back out in the rural areas and they built them a house. They bought a small amount of acreage off of their parents and they built them a house out there and they are raising their family out in Sedgwick County. Some of the things that I've heard would probably bring this to an end. I am concerned about regulation. I think this is an era where people want less regulation and I think this might just stifle our rights and it might stifle our property rights even further. The other thing I'd like to say, I'm concerned about something that comes out of the MAPC, I spent all last winter battling rails to trails which was recommended by the MAPC, so I think we need to see a lot more information about this and we need to understand this policy more clearly. Thank you."

Regular Meeting, February 14, 1996

Chairman Winters said, "Thank you. Is there anyone else in the audience who would like to speak to this issue? Anyone else who would like to speak to this issue? Thank you. We'll close the public comment part of this meeting then and proceed with any other discussion. I have a couple of questions for Marvin. Seeing no others, Marvin could you come back please."

Mr. Krout said, "See why we decided to postpone the agricultural zone until next month."

Chairman Winters said, "Marvin, in the City Council deferral yesterday, the first speaker here had five or six issues, was she part of the...in resolving some of those questions or further talking about that, was that part of the Council desire yesterday?"

Mr. Krout said, "I think she covered all the issues that were covered yesterday and that the Council wanted the staff to address."

Chairman Winters said, "Okay. Could you speak to the question about how this zone rewrite will affect various lot sizes for rural residential homes in the County."

Mr. Krout said, "Doesn't change them at all. It doesn't remap any properties in the County to another zone, does not change the minimum lot size requirements or any of the other development standards, for that matter, in the County's residential districts, which are the rural residential district and the suburban residential district. The agricultural zone concept was a proposed new concept. We weren't going to map any areas initially but we're just proposing to put it in the code and then take it out on the road and have these meetings and see where it could be used but we decided that...I think the feeling was that still is a foot in the door and let's not even put it in the code until we have more discussion. So none of the lot sizes or any of the other development standards changed in the County."

Chairman Winters said, "Okay, so if you live on a piece of property now that can sustain a two acre lot size for a house or a five acre or twenty acre, that's not being changed with this rewrite."

Mr. Krout said, "Correct."

Regular Meeting, February 14, 1996

Chairman Winters said, "Okay, thank you. Again, there are scheduled some additional meetings concerning the ag zoning issue that are going to continue out through the next several months, is that correct? You are really going to try to visit with as many concerned citizens about whether this is going to come back or whether this is going to go away?"

Mr. Krout said, "Yes, we've been doing that. I've met at the annual township officials meeting at the Conservation District annual dinner. Tomorrow evening I am presenting to the Farm Bureau's annual dinner. We've had ongoing discussions with a group of representative farm interests hosted by the Conservation District and maybe the idea of going out by invitation, township by township, and talking about it in more detail would be a good idea, too."

Chairman Winters said, "I appreciate your department's response to the concern from the rural and ag committee that they weren't aware and informed and you retracted that and are going about the process of talking about it in much more detail with them. So I appreciate your withdrawing that at this time until we all get better informed about it. One other thing Commissioners, I do for the record want to say that we have received correspondence from a Karen Rutherford concerning this issue and Marvin I am going to forward that to you, that you may look at that as we continue to think about...well, depending upon what our action is here in the next few minutes. Commissioners, you've heard the discussion?"

MOTION

Commissioner Schroeder moved to delay this item for two weeks for further review, to February 28, 1996.

Commissioner Miller seconded the Motion.

Chairman Winters said, "We have a Motion and a second that we defer this item for two weeks, is there any discussion on this Motion?"

Commissioner Schroeder said, "What date would that be?"

Mr. Krout said, "I think it's the 28th."

Commissioner Schroeder said, "The 28th of February? Okay, thank you."

Regular Meeting, February 14, 1996

Chairman Winters said, "Okay, thank you. Would it be our intention to take public comment again at that time, I suppose it probably would."

Commissioner Gwin said, "It would I think because if there had been amendments or those kinds of things and I guess I want clarification. You don't expect to have the issue of agricultural zoning, yes or no, resolved by the 28th do you?"

Mr. Krout said, "No."

Commissioner Gwin said, "I didn't think so."

Chairman Winters said, "Anyone is certainly always welcome to come and speak when we have an issue like this. I would anticipate, well I know that on the 28th we will not be addressing the ag zoning issue. So for those of you who were here today, we appreciate your comments on that issue. You can use your own judgement about coming on the 28th, but again on the 28th ag zoning will not be a part of the zone change that we will be deciding to amend or not to amend. Is that correct Marvin?"

Mr. Krout said, "Yes."

Chairman Winters said, "Do you have any questions?"

Mr. Krout said, "No, I was just looking for the manufactured housing representative. If he hasn't left yet, I'd like to speak with him."

Commissioner Gwin said, "I think he's gone, but I think I know where you can find him."

Mr. Krout said, "I know a couple of people from that organization."

Commissioner Gwin said, "There's someone back there acknowledging too, maybe he can get you in touch with him."

Chairman Winters said, "Okay Commissioners, we have a Motion is there any further discussion on the Motion to defer this for two weeks? If not, Madam Clerk call the vote please."

Regular Meeting, February 14, 1996

VOTE

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

Chairman Winters said, "Thank you very much. The next item is the filing fee issue."

2. CASE NUMBER DR 95-26 - MAPD FILING FEES.

Mr. Krout said, "I will tell you that you could defer that item too. The City Council actually went ahead and approved it on first reading, which means that when the final zoning code would come back to them that they then put the piece on second reading and they could make adjustments if they needed to make adjustments at that time. You don't with your Resolutions have first and second readings so you might just defer this item too. I can briefly discuss what those are about or save that for another time."

MOTION

Commissioner Gwin moved to defer this item two weeks to February 28, 1996.

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Regular Meeting, February 14, 1996

Chairman Winters said, "Thanks Marvin. Next item please."

DEFERRED ITEM

E. PROFESSIONAL SERVICES AGREEMENT WITH PREFERRED MEDICAL ASSOCIATES, INC. TO PROVIDE A FULL LINE OF MEDICAL SERVICES TO THE SEDGWICK COUNTY ADULT LOCAL DETENTION FACILITY.

Mr. Lyman Reese, Major, Sheriff's Department, greeted the Commissioners and said, "The contract you have before you is a three year contract. We've tried to design it in conjunction with the construction and addition to our facility. The expiring contract was for three years, 1993 through 1995. It was designed on a basis of about 400 inmates, the care of the 400 inmates. As you will notice, the contract today has an increase in the cost of it. Currently, as we're speaking today, I checked this morning, the medical section is responsible for about 752 inmates, so that is a big number for the increase in the cost.

"The cost increase is basically for personnel to care for these inmates that we are required to care for. I would like to thank Mr. Buchanan and especially Debbie Donaldson for their part in the negotiations with the people we contract with, the medical people. Through their efforts, or through Debbie's efforts, we were able to acquire a 30% discount on medical bills in the future which I think will hopefully show a large benefit to this. I believe we have all talked about this quite a bit. I would be happy to answer any questions that you might have at this point."

Chairman Winters said, "Commissioner Schroeder."

Commissioner Schroeder said, "Mr. Chairman, if you please. Lyman thank you for presenting this today. What was the total increase again for the new contract? I mean obviously the new contract has an increase right in the cost? Do you have that separated out?"

Major Reese said, "I think for 1996 it is \$643,000."

Commissioner Schroeder said, "\$643,000."

Regular Meeting, February 14, 1996

Major Reese said, "Yes sir."

Commissioner Schroeder said, "If it is my understanding, is there a short fall of funding for this? If we do, where is it going to come from, where are we going to get the money, et cetera? Have we been working on that, do we have any solutions to that?"

Mr. William P. Buchanan, County Manager, said, "Mr. Chairman, I'd like to respond to Commissioner Schroeder. We have budgeted money for an increase. We didn't expect this kind of an increase, so we are concerned about how much money there is in the budget and whether enough will be available. Remember this contract is really driven by two things, how many people are in the system and how sick they are. So, it is too early to tell if we are in a difficult financial situation or a real problem.

"We have the number of cases and the number of bills that we have had in the past, that the cost will exceed what we've budgeted to this point and we will attempt to find solutions. This department has \$8,000,000 or \$9,000,000 budget, they may have the ability to save some money in other areas that could help off set. The County runs a big budget, so we will have to solve this problem. In other words, I don't have a concrete answer."

Commissioner Schroeder said, "Okay, we don't know where we..."

Mr. Buchanan said, "We're not going to take any of David Spears' money."

Commissioner Schroeder said, "So we didn't plan for this increase in the '96 budget, so we'll find it somewhere else."

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

Commissioner Schroeder said, "Okay."

Major Reese said, "We've instituted a couple of things to follow up with Mr. Buchanan. The inmate code program and the 30% reduction on bills we're hoping will save us some money and also will reduce the number of sick calls et cetera, that we'll have to deal with which will be a cost savings. That is a new program, it has been in place for about 35 to 40 days and it is tough to project that out to see where we're going to be."

Regular Meeting, February 14, 1996

Commissioner Schroeder said, "Okay, thank you. Thank you Mr. Chairman."

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

Commissioner Gwin said, "Just a question Mr. Manager, as I am looking at the contract and I want to thank Debbie for her part in it, but in paragraph 16 where it talks about, it is page 4 of the contract, page 88 of our back up. It states that if a detainee or a patient has to be treated in a hospital environment that they go to Via Christi Regional Medical Center and the cost of such hospital services will be paid by the County, in addition to the cost of expenses set out in the agreement, however, the clinic will ensure that those costs and expenses will be reduced by 20% from the standard hospital rates. I am assuming that we need to change that to 30 unless this is a different circumstance."

Major Reese said, "It's been changed, I just checked on that."

Commissioner Gwin said, "Okay, thank you. My back up had not been corrected, thank you very much."

Commissioner Schroeder said, "Good idea."

Commissioner Gwin said, "Thank you, never mind."

Chairman Winters said, "Anything else Commissioner Gwin? Commissioner Miller."

Commissioner Miller said, "Lyman, I'm not sure if we mentioned that there would be an extension of daily coverage in the terms of medical staff also. Having prior to the new contract being formed and signed that's going to be cost factored in also."

Major Reese said, "Currently it is covered five days a week, about twelve hours a day. We need to expand that and under this contract it will be a progressive expansion. During 1996 we will expand to seven days a week, sixteen hours a day, an eight hour call and in 1997, we will expand that to a twenty-four hour service with a triage physician in the actual booking area. That particular position will save us from an officer's expense of taking an inmate to the hospital, having them evaluated by a medical person and returned."

Regular Meeting, February 14, 1996

“That all takes a lot of time to do and once we introduce that triage position in the booking, that will again be a cost savings and by 1997 we will be a twenty-four hour triage and medical service. The contract extends into 1998. The 1998 cost is just a cost of living.”

Commissioner Gwin said, "Thank you. Mr. Manager follow up on what Commissioner Schroeder had asked and that is where are we going to find the funds in order to actually arise to this occasion, and it is a needed occasion first of all, I support it, but just as any other budget, it is usually not real cloudy where the pot of gold is hiding or where you can go to. So do you have some idea?"

Mr. Buchanan said, "Yes, there are two easy solutions and I'm not prepared to recommend either one yet. The Sheriff's Department detention facility traditionally has used 96% to 97% of the budget that they were given. Sometimes it is less than that. We need to take a look to see whether there will be funds available out of that money, that is saved in that budget, to use for this function. If that fails to be the case or it is not possible, we do have ability to amend the budget to add some more cash to it. We would be limiting our cash resources, giving us less flexibility to do some other things, but that is what it is for.

“So there are two concrete ways in which we could solve that problem, neither one of which I'm prepared to recommend today because I think the first method, using the current budget, the current is always preferable to amending the budget.”

Commissioner Miller said, "Certainly, thank you."

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

Commissioner Schroeder said, "Mr. Chairman, if you please. Bill, that detention facility budget, how much is it, about \$8-\$9-\$10,000,000, something in there roughly?"

Mr. Buchanan said, "About \$8,000,000."

Commissioner Schroeder said, "Eight million? Okay. Now if we're going to approve this item today and we've certified that the funds are available, what does that mean then, that we're just going to find them or we have them ear marked or put aside? What does that mean if funds are certified for this meeting for this item?"

Regular Meeting, February 14, 1996

Commissioner Gwin said, "It looks like they're just certified for the first year."

Mr. Buchanan said, "It's certified, we can do that because under this scenario, again, this is like buying uniforms. You know that they are going to cost \$100 apiece, and we get to choose whether we're going to buy 10 uniforms or a 1,000 uniforms, but obviously that number is a lot different. We don't know at this point how much this service is going to be used and therefore, we can go ahead and certify. What we do know that under some other circumstances, the cost may be higher than what we budgeted. Major Reese is absolutely correct, because we've instituted pay as you go, or a \$10 fee for prisoners to use the medical facilities, that will have an affect on how much is used, how much drugs are dispensed, and what we can't control is how many serious illnesses."

Commissioner Schroeder said, "So what it is saying though is that we plan on paying for this one way or another when we say we certify the funds."

Mr. Buchanan said, "Yes."

Commissioner Schroeder said, "Alright, it doesn't necessarily mean that we've got any particular department or place targeted for that."

Mr. Buchanan said, "Right."

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

Chairman Winters said, "Thank you. Commissioners, you've heard the report from Lyman Reese and the discussion, what's the will of the Board?"

MOTION

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

Commissioner Miller seconded the Motion.

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

Regular Meeting, February 14, 1996

VOTE

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

Chairman Winters said, "Thank you very much Lyman."

Major Reese said, "Thank you."

Chairman Winters said, "Next item please."

NEW BUSINESS

F. EXTENSION AGREEMENT WITH THE SCIENCE CENTER, INC. REGARDING FUNDING.

Mr. William P. Buchanan, County Manager, said, "You have before you an extension of an agreement that we have entered into with the Science Center Board. This extends the agreement for six months. We are receiving information from Mr. Frick and the Treasurer and other staff folk for the Science Center Board on their financing needs over the next several years. We have a commitment, the Board of County Commissioners committed to spend \$20,000,000 on this project. We need to see when the timing of those expenditures will be necessary and for what purposes they are going to spend it. So we need to see a little more detailed financing plan than we have seen in the past and apparently they are still working on that. The reason that is, is because when we borrow the money, if we proceed rather than to dribble out a couple million dollars a year, if we borrow the money to fund the project, to construct it and that's the intent I think we wanted to, then those monies can't be used for a lot of things. They can be used for bricks and mortar and architects, but they can't be used for on-going costs.

Regular Meeting, February 14, 1996

“So we need to see how that is going to happen and we need to make sure that everybody understands each other. I think a six month extension makes sense. In that time period, we can put the details together in sufficient form to figure out when we need to participate, at what level do we need to borrow the money, this year or next, or '98 or '99, when and have some assurance that the money will be there to complete the construction and open the building. So, I would recommend that we extend this contract for six month.”

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

Commissioner Schroeder said, "Mr. Chairman, if you please. Mr. Manager are you suggesting that maybe some of the funding that has been supplied to the Science Center Board is not being used the way we originally agreed to?"

Mr. Buchanan said, "Oh no, absolutely not. I think what Sedgwick County has done is assisted in the program and process early on to get them staffed, to get some of the planning done that may not have been covered by the bonding and we did this without borrowing the money and that money could be used for all sorts of functions. I think this is a remarkable job that Sedgwick County has done in providing those funds for the start up costs in this program in process. All I am suggesting is that once you do borrow the money, it limits one's flexibility of how it can be used. As if you were going to do some remodeling on your house.

“Under some circumstances when you borrow the money, you take them the bill and the bank pays for the shingles and for the lap siding and for the carpeting, that is one set of circumstances and that is pretty much how laws in Kansas and municipal laws are about borrowing money. They just don't give you a check and so we can go buy new Sheriff’s cars and pay for medical costs and those things. You need to spend it on the project and for very specific reasons. So, we need to just make sure we all understand that very carefully so that organization is not hurt in their ability to deliver the project, which is a building and that we protect our money.”

Commissioner Schroeder said, "Okay. Another question. What do we have budgeted for this calendar year, '96?"

Regular Meeting, February 14, 1996

Mr. Buchanan said, "This calendar year I think we have 1.7 million dollars budgeted. This extension of the contract would be in excess of \$600,000, almost \$700,000 between now and June 30. We have enough money budgeted to cover this, twice as much as this contract."

Commissioner Schroeder said, "Okay, with the 1.7 million, and the additional six to seven thousand, we have..."

Mr. Buchanan said, "Let me explain this one more time. We have approximately 1.2 million dollars budgeted. They have asked for about \$700,000, about half of it. So we have that covered."

Commissioner Schroeder said, "I believe you. Thank you. Thank you Mr. Chairman."

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

Commissioner Gwin said, "Mr. Buchanan, I think it makes a great deal of sense and certainly wouldn't trouble the Board, since I serve on it, to make sure that the County has access to, among other things, the fund raising expectations, the financial plans and other numbers that the Board is aware of to be shared with the County so that the County can in fact ensure the taxpayers that we are watching and we are aware of what is going on. In an answer to a local media type, I told that person that I felt that a Board who had given so much of their own money financially and their time and energy personally that the Board wants an extraordinary facility, and are guarding it and protecting it as we all would our own children, to ensure that it is done right and that they do in fact honor the commitment of the tax payers of Sedgwick County through the Sedgwick County Commission.

"So I have no problem with asking for additional information. I think that is fine and I'm sure that it will be forth coming and that way everyone will have I think a real good comfort level. I have also asked for Mr. Frick and Mr. Softee to try to set up appointments with the other four Commissioners to bring them up to date as to the design and planning and those kinds of things in the not too distant future. So that should be coming around too."

Regular Meeting, February 14, 1996

Mr. Buchanan said, "Mr. Chairman, Commissioner Gwin, please don't misunderstand the statements that I made is that the Science Board has given us all the information that we've requested plus some more. What we're asking for now is new and different and so that we can both plan together how money is going to be spent over the next several years and how our own self interest will be protected, because there are two clearly separately distinct interests, to make sure that all fits together."

Commissioner Gwin said, "I understand that and I think the Board is very amiable to that on-going partnership."

Mr. Buchanan said, "Sure for \$20,000,000 I'd be amiable to anybody."

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

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

Commissioner Miller said, "I just have a technicality and this may rest with our Counselor, Mr. Plummer, but under this extension agreement, number one, it says that the term, the said agreement is hereby extended from January 1, 1996, through June 30, 1996, said agreement shall automatically renew for additional periods of six months each unless prior to any such renewal date the same shall be terminated or modified by the parties. Does that mean that this is self renewing from this point on, that this will not come in front of us for any review? Mr. Counselor, did you say basically?"

Mr. Stephen Plummer, County Counselor, said, "Basically yes. That doesn't mean that you can't bring it back if you want to, you can terminate it or do anything you want to with it, but barring that, it would roll over for six months at a time."

Commissioner Miller said, "Okay, was there anything you wanted to add?"

Mr. Buchanan said, "Yes, Commissioner, it is our intent, after this request, to spend \$700,000, to not spend any more money until we absolutely understand how this bonding and how the use of the monies are all going to fit together. Mr. Frick understands that, it is our intention to extend this for this period and it would be our hope to come back with maybe a brand new agreement that lays out how we are going to deal with this from this point forward."

Regular Meeting, February 14, 1996

Commissioner Miller said, "Thank you."

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

MOTION

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

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

G. CERTIFICATE OF SUBSTANTIAL COMPLETION WITH KEY CONSTRUCTION ON THE FORENSIC SCIENCE CENTER.

Mr. Deb Evenson, Senior Accountant, Accounting Department, greeted the Commissioners and said, "What you have before you is a Certificate of Substantial Completion for the Forensic Science Center. We took possession of the center on December 20, and autopsies began on the 22nd. Phil Rippee has added this property for insurance purposes to the County's list of properties and I ask that you approve it and authorize the Chairman to sign."

Regular Meeting, February 14, 1996

MOTION

Commissioner Miller moved to approve the Certificate of Substantial Completion and authorize the Chairman to sign.

Commissioner Gwin seconded the Motion.

Chairman Winters said, "We have a Motion and a second, any discussion on the Motion? I would say this is a project that we are glad to see completed. I was at a Public Building Commission meeting and that Commission had high praise for our staff, for Deb Evenson, Darren Muci, and others who were involved to a big extent in this project. You all did a good job and we appreciate your work. We've got a Motion and a second, any other discussion? Call the vote please."

VOTE

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

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

H. RECOMMENDATION TO STATE BOARD OF TAX APPEALS THAT A FURTHER TAX REFUND BE GRANTED IN THE MATTER OF THE APPLICATION OF CARLOS A. MORGAN FOR RELIEF FROM A TAX GRIEVANCE IN SEDGWICK COUNTY, KANSAS..

Mr. Andy Kenyon, Business Client Coordinator, Appraiser's Officer, greeted the Commissioners and said, "This is a refund for taxes paid for a boat that was over valued by the Appraiser's Office for years 1990 and '91. For 1990 the refund would be \$77.43, for '91 it would be \$83.14, totally \$160.57. We recommend that you approve this action."

Regular Meeting, February 14, 1996

Chairman Winters said, "Okay, thank you very much. Andy, even though these are small dollars, the reason that the Board of County Commissioners hears issues like this is why?"

Mr. Kenyon said, "Because the State Board of Tax Appeals does not have jurisdiction until the County Commission Board rules on the refund. They can only rule for, at this point through 1992."

Chairman Winters said, "So if it is older than three years then they need our concurrence to do that."

Mr. Kenyon said, "Yes."

Chairman Winters said, "Okay, thank you very much. Commissioners?"

MOTION

Commissioner Gwin moved to make a recommendation for a further tax refund.

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

Regular Meeting, February 14, 1996

I. BUREAU OF COMPREHENSIVE COMMUNITY CARE.

- 1. AGREEMENT WITH CEREBRAL PALSY RESEARCH FOUNDATION OF KANSAS, INC. TO PROVIDE DAY, RESIDENTIAL AND PERSONAL ASSISTANCE SERVICES, ADMISSIONS, SERVICE COORDINATION AND ADULT LIFE SKILLS TRAINING.**
- 2. AGREEMENT WITH STEPS INC. TO PROVIDE DEVELOPMENTALLY DISABLED ADULTS ASSISTANCE WITH HOUSING, JOBS, TRANSPORTATION, DAILY LIVING SKILLS, FAMILY ASSISTANCE, CASE MANAGEMENT OR CONNECTIONS TO OTHER COMMUNITY SERVICES.**
- 7. AFFILIATION AGREEMENTS (SIX).**
 - KANSAS ELKS TRAINING CENTER FOR THE HANDICAPPED, INC.**
 - RAINBOWS UNITED, INC.**
 - THE ARC OF SEDGWICK COUNTY**
 - STARKEY INCORPORATED**
 - GOODWILL EASTER SEAL SOCIETY OF KANSAS, INC.**
 - CATHOLIC SOCIAL SERVICES, INC.**

Chairman Winters said, "Commissioners, before we get started, in visiting with Debbie about this issue, Items I-1 and I-2 are affiliation agreements, similar to Item I-7, so if it is acceptable with you, we'll take Item I-1; I-2, and I-7 altogether and Debbie can talk about all those at once and we'll do one Motion on them."

Ms. Deborah Donaldson, Director, Bureau of Comprehensive Community Care, greeted the Commissioners and said, "These are the affiliation agreements which we have traditionally had with these organizations. It has been previously the mental retardation aspect of the services that we provide and it is now more commonly used as developmental disabilities."

Regular Meeting, February 14, 1996

“The organizations that are involved are the Cerebral Palsy Research Foundation, STEPS, Pennington, Inc., the Kansas Elks Training Center for the Handicapped, Rainbows United, the Arc of Sedgwick County, Starkey, Inc., Goodwills Easter Society of Kansas, Inc., and Catholic Social Services.

“We contract with these agencies to provide a variety of services for individuals that are developmentally disabled and also through this affiliation it allows them to bill Medicaid through a waiver program to receive reimbursement for the services they provide. I would be glad to answer any questions.”

Chairman Winters said, "These are all agencies that we've done business with in the past and these are extensions or additions to those agreements?"

Ms. Donaldson said, "That is correct. The only exception would be Catholic Social Services. We have done business with them in the past, but the funding has been on the physical disability side. We are doing the affiliation with them even though we don't have dollars tied to it, so that they will be able to receive the reimbursement through the Home and Community Based waiver program."

Chairman Winters said, "Okay, thank you. Commissioners, if there are any of those you'd like to talk about in detail I'm sure Ms. Donaldson could do that, but seeing no questions, what's the will of the Board?"

MOTION

Commissioner Gwin moved to approve the Agreements on Item I-1; I-2, and I-7 and authorize the Chairman to sign.

Commissioner Schroeder seconded the Motion.

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

Regular Meeting, February 14, 1996

VOTE

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

Chairman Winters said, "Thank you very much. Now, let's go to Item I-3.

3. CONTRACT AMENDMENT WITH SOCIAL AND REHABILITATION SERVICES/MENTAL HEALTH AND RETARDATION SERVICES TO PROVIDE CLARIFICATION OF THE DUTIES AND RESPONSIBILITIES OF THE COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION AND KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES, COMMISSION OF MENTAL HEALTH AND RETARDATION SERVICES.

Ms. Donaldson said, "Commissioners, as you are aware, there have been a number of changes since the first of the year and where previously we were the Community Mental Retardation Organization we are now the Community Developmental Disability Organization and this is more than just change of semantics, this is a change that means that we have a much stronger role in terms of the data collection throughout the County, in terms of quality assurance, and also in terms of being the single point of entry and screening into programs and the State Hospital and the nursing facilities involved with developmental disabilities. This particular amendment is an amendment to a contract that was previously passed but several of the organizations had gone to mediation and there were some relatively minor changes that were proposed and we are requesting your approval on that amendment. Be glad to answer any questions."

Chairman Winters said, "Alright, thank you. Any questions?"

Regular Meeting, February 14, 1996

MOTION

Commissioner Schroeder moved to approve the Contract Amendment 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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

4. CONTRACT WITH WICHITA GUIDANCE CENTER TO PROVIDE ATTENDANT CARE TO SEVERELY EMOTIONALLY-DISTURBED CHILDREN.

Ms. Donaldson said, "This particular contract is for attendant care which has been a very critical program for our children and families we serve. This is a renewal of that contract and it is funded through the Federal grant that we have received. I'd be glad to answer any questions."

Chairman Winters said, "Okay, any questions Commissioners?"

Regular Meeting, February 14, 1996

MOTION

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

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Next item."

5. CONTRACT WITH MENTAL HEALTH ASSOCIATION OF SOUTH CENTRAL KANSAS TO PROVIDE CHILDREN'S RESPITE CARE/EMERGENCY RESPITE CARE.

Ms. Donaldson said, "This contract again is a renewal and has been a very critical program for children and families. This is a program that really gives families a break at times, because the children that we serve often are not amenable to traditional babysitting kinds of programs and these are specially trained folks who provide that kind of care. Plus when there is a crisis, it also provides care for the children during that time. I would be glad to answer any questions."

Chairman Winters said, "Okay, thank you. Commissioners, are there questions? What's the will of the Board?"

Regular Meeting, February 14, 1996

MOTION

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

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

6. CONTRACT WITH USD #259 TO PROVIDE SERVICES TO FAMILIES THROUGH A PRIMARY PREVENTION PROGRAM DESIGNED TO MAXIMIZE CHILDREN'S OVERALL DEVELOPMENT DURING THE FIRST FIVE YEARS OF LIFE.

Ms. Donaldson said, "This contract is the Parents as Teachers Program that we have where we provide funding for the school system to hire a couple of individuals who work with at risk families and we identify those families. They are typically folks where we have certain at risk factors and we are concerned that if we don't deal with those early, then later in life we'll be seeing the children as very emotionally disturbed and require a wide array of services. Be glad to answer any questions."

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

Regular Meeting, February 14, 1996

Commissioner Miller said, "I don't have any questions but probably some clarification on this Debbie and we did talk about it. To me this is a very, well I don't know that it is unique, but it certainly is a very targeted type of service that we're providing here, can you elaborate on that for the public's sake."

Ms. Donaldson said, "Well it is unique in terms of so often we deal with problems after they manifest themselves. Here, hopefully, we can look at risk factors and get involved early and hopefully keep things from evolving to where they might otherwise. Obviously, we're going to look at risk factors like very young single parents, where there has been some history of sexual or physical abuse in the family, certainly, those types of areas."

Commissioner Miller said, "The other thing though, if you know the program 'Parents as Teachers First' so you are training the parents along with the child, but our funding here targets a population that is not just the traditional, it is the population that as you said is on the fringe edge of risk that has those high risk factors looming that could cause some real problems towards the older years of the child's life. So I just thought it is unique and I guess that is a good word for it. Thank you Mr. Chairman."

Chairman Winters said, "Thank you Commissioner. Any other questions of Debbie? If not, what's the will of the Board?"

MOTION

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

Commissioner Miller seconded the Motion.

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

Regular Meeting, February 14, 1996

VOTE

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

Chairman Winters said, "Thank you. We've already handled item seven, so call the next item please."

8. APPLICATIONS FOR SPECIAL LIQUOR TAX FUNDS (2) TO BE SUBMITTED TO THE WICHITA/SEDGWICK COUNTY ALCOHOL AND DRUG ABUSE ADVISORY BOARD.

- **FUNDING FOR THE COMMUNITY CARE WOMEN'S ALCOHOLISM TREATMENT SERVICES PROGRAM IN THE AMOUNT OF \$101,561.**
- **FUNDING FOR THE ADDICTION TREATMENT SERVICES PROGRAM IN THE AMOUNT OF \$108,760.**

Ms. Donaldson said, "This is our application for funds from liquor tax dollars for our Addiction Treatment Services program in our Women's Alcoholism Treatment Services. This year we're asking for some additional funds for alcohol treatment services, we're asking for additional funds for clinical social worker, I'm sorry, yes that's correct, no wait...women's alcohol and treatment services, I'm sorry, we're asking for additional funds for a clinical social worker and addiction treatment services. We're asking for additional funds to more fully fund the positions that we have. Be glad to answer any questions."

Regular Meeting, February 14, 1996

MOTION

Commissioner Schroeder moved to approve the Applications (2) 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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

J. KANSAS COLISEUM MONTHLY REPORT.

Mr. Jarold Harrison, Assistant County Manager, said, "I'm not John Nath, Mr. Nath did not run away, he has had a couple of weeks in the building and had a chance to observe the operations and he is quietly putting together his list of ideas and suggestions. Today, he is half way back home where he came from to move his family to Wichita. Mr. Rush is involved with the Kansas Sport Boat and Travel Show move into the building up there, so I am here to do the report.

"January was a busy month for the Coliseum. It is a little behind the pace we set for last year, which again I will remind you was a record year. We did 47 performances, 31 events and had 78,256 people in attendance and revenues of \$157,000. That is slightly below where we were last year, but we are also one event less in the county that we had the previous year. That also reflects the reduction in ticket sales for Select-A-Seat which their revenues are \$30,805 compared to \$36,000 for the previous year.

Regular Meeting, February 14, 1996

“The cold weather, the inclement weather we had in January also had an impact on our attendance like it did on just about everything in this community. We are currently in the middle of what has been considered the busiest month in the building, February traditionally is a month in which we have every day booked and that continues to be the case. We've hosted Sesame Street, we hosted the National Professional Soccer League All Star Championship game, we are currently hosting the Kansas Sport Boat and Travel Show and immediately on the heels of that we turn around to do the State High School Wrestling Tournament. So it is one event to the next this month and so it will be a very busy month. Don't really have anything else unless you have specific questions.”

Chairman Winters said, "Okay, thank you Jerry. Are there any questions?"

MOTION

Commissioner Schroeder moved to receive and file.

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Chairman Winters said, "Thank you very much Jerry."

Mr. Harrison said, "Thank you."

Regular Meeting, February 14, 1996

K. BUREAU OF PUBLIC SERVICES.

1. AGREEMENT FOR TRAFFIC SIGNAL MAINTENANCE WITH KANSAS DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNALS AT SIX LOCATIONS.

Mr. Mark Borst, Deputy Director, Bureau of Public Services, greeted the Commissioners and said, "It is clear to me we've all been here too long this morning."

Commissioner Schroeder said, "Yeah, get us out of here will you?"

Mr. Borst said, "I only have one item today, so you're lucky. The agreement before you today is a renewal of a previous agreement which expired at the end of last year. This traffic signal maintenance agreement will have KDOT paying Sedgwick County an annual fee of \$385.15 per intersection for the six intersections that are listed in the agreement and this will be for specified preventative maintenance and six hours of overtime maintenance as well. We will in addition receive any additional reimbursement for non-scheduled maintenance or any parts or equipment that we need to purchase to maintain these signals.

"The annual fees are calculated based on our electricians wages including benefits and so we're not making anything, we're just getting back exactly our cost for this and we may add additional signals in the future as they come up on the State system and as we negotiate the fee for that. So I would recommend that you approve the Agreement and authorize the Chairman to sign."

MOTION

Commissioner Miller 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.

Regular Meeting, February 14, 1996

VOTE

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

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

2. AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION TO SECURE APPROVAL BY THE FEDERAL HIGHWAY ADMINISTRATION OF A SAFETY PROJECT FOR CONSTRUCTION OF LEFT-TURN LANES AND TRAFFIC SIGNALS AT THE INTERSECTION OF 143RD STREET EAST AND U.S. 54 (KELLOGG). DISTRICTS #1 AND #5.

Mr. David Spears, Director, Bureau of Public Services, said, "Item K-2 is approval of an agreement between Sedgwick County and the Kansas Department of Transportation regarding the construction of left turn lanes and traffic signal installation at the intersection of 143rd Street East and U.S. 54 highway, designated as I-74 in the Capital Improvement Program. This is a surface transportation safety project and the agreement stipulates that the percentage of participation for each party, Sedgwick County's share would be 5% of construction cost and 5% of inspection. I would recommend that you approve the Agreement and authorize the Chairman to sign."

Chairman Winters said, "Thank you very much."

MOTION

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

Commissioner Miller seconded the Motion.

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

Regular Meeting, February 14, 1996

VOTE

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

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

3. KDOT FORM 1303, "RIGHT OF WAY CLEARANCE AND UTILITY ARRANGEMENTS," FOR RELOCATION OF PAWNEE AVENUE BETWEEN WOODLAWN AND OLIVER. DISTRICT #5.

Mr. Spears said, "Item K-3 is approval of KDOT form 1303 for the relocation of Pawnee Avenue between Woodlawn and Oliver, designated as R-15 in the Capital Improvement Program. This form states that all rights-of-way have been acquired and all utility arrangements have been made. Federal funds will pay for 80% of this project and it will let this May. I recommend that you approve 1303 and authorize the Chairman to sign."

MOTION

Commissioner Miller moved to approve the Form 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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Regular Meeting, February 14, 1996

Chairman Winters said, "Next item please."

4. CERTIFICATION OF REAL PROPERTY ACQUISITION PROCEDURES FOR RELOCATION OF PAWNEE AVENUE BETWEEN WOODLAWN AND OLIVER. DISTRICT #5.

Mr. Spears said, "Item K-4 is approval of the Certification of Real Property Acquisition Procedures for the same project mentioned in the previous item. It certifies that Sedgwick County did follow federal guidelines when rights-of-way were procured for the project. Recommend you approve the Certification and authorize the Chairman to sign. I might mention that Cessna did donate all of the right-of-way that we needed for the project."

Chairman Winters said, "Thank you. Very good. Commissioners you heard the report, what's the will of the Board?"

MOTION

Commissioner Schroeder moved to approve the Certification of Real Property Acquisition Procedures 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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

Regular Meeting, February 14, 1996

L. REPORT OF THE BOARD OF BIDS AND CONTRACTS' FEBRUARY 8, 1996 REGULAR MEETING.

Mr. Darren Muci, Director, Purchasing Department, greeted the Commissioners and said, "You have before you the minutes from the February 8 meeting of the Board of Bids and Contracts, there are seven items for your consideration this morning.

**(1) HOTMIX OVERLAYS (R-181) - BUREAU/PUBLIC SERVICES
FUNDING: SALES TAX**

"Item one, hotmix overlays, project R-181, Bureau of Public Services. It is recommended to accept the low bid of Asphalt Construction Company for \$144,265.

**(2) CONSULTANT SERVICES (SKILL DEVELOPMENT) - APPRAISER
FUNDING: APPRAISER**

"Item two, consultant services for skill development for the Appraiser. It is recommended to accept the only quotation for professional services of Training Choices for \$13,100.

**(3) CONSULTANT SERVICES (LAND VALUATION) - APPRAISER
FUNDING: APPRAISER**

"Item three, consultant services for land valuation services for the Sedgwick County Appraiser. It is recommended to accept the only quotation for professional services of Steiner Cama Consulting for \$13,200.

**(4) CALCIUM CHLORIDE - BUREAU/PUBLIC SERVICES
FUNDING: BUREAU/PUBLIC SERVICES**

"Item four, calcium chloride for the Bureau of Public Services. It is recommended to accept the low total bid of Scotwood Industries for \$11,300.

Regular Meeting, February 14, 1996

**(5) XEROX MAINTENANCE CONTRACT - INFORMATION SERVICES
FUNDING: INFORMATION SERVICES**

"Item five, Xerox maintenance contract for Information Services. This is an amount for the 1996 fiscal year for the three models of printers that you see noted. This is a bit of an increase over last year to reflect purchase of additional equipment, \$37,120.

**(6) SIRENS - EMERGENCY MANAGEMENT
FUNDING: 1996 CAPITAL PROJECT**

"Item six, sirens for Emergency Management. It is recommended to accept the only bid of received of Federal Signal Corporation in care of Danko Emergency Equipment for \$20,522.

**(7) 15 PASSENGER VANS - MOTOR POOL
FUNDING: MOTOR POOL**

"Item seven, 15 passenger vans for the Central Motor Pool, and these vans are for the Sheriffs Department. It was moved to accept the low bid of Quality Chevrolet with trade-in for \$23,163.90.

ITEMS NOT REQUIRING BOCC ACTION

**(8) FOUR WHEEL DRIVE LOADER - MOTOR POOL
FUNDING: MOTOR POOL**

"There is one item that does not require action at this time and that is a four wheel drive loader for the Central Motor Pool. Proposals were received from five vendors and they are being reviewed. I recommend that you approve the recommendations as presented by the Board of Bids and Contracts."

Regular Meeting, February 14, 1996

MOTION

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

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

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

CONSENT AGENDA

M. CONSENT AGENDA.

1. Utility and Highway Permit Agreements.
 - a. Peoples Natural Gas is submitting application requesting permission to bore across 55th St South between West St and Hoover Road. Waco Township. Utility Permit No. 006-96. Road No. 632-23. District #2.
 - b. KG&E, A Western Resources Co. is submitting application requesting permission to lay 1,435 feet of gas main on the north side of Central just east of Greenwich Road and on the east side of Greenwich Road north of Central. Minneha Township. Utility Permit No. 007-96. Road Nos. 835-O and 618-34. District #1.

Regular Meeting, February 14, 1996

- c. KG&E, A Western Resources Co. is submitting application requesting permission to install one pole on the west side of Woodlawn approximately 530 feet south of 85th Street North. Grant Township. Utility Permit No. 008-96. Road No. 829-F. District #4.
- d. KG&E, A Western Resources Co. is submitting this application requesting permission to make an overhead crossing of 167th Street West approximately 1,950 feet north of 61st Street North. Union Township. Utility Permit No. 009-96. Road No. 799-H. District #3.

2. Right-of-Way Agreements.

The following tracts of land have been granted by Easement for Right-of-Way at no cost to the County. These Easements were requested by the Director, Bureau of Public Services, prior to the approval of platting exemptions.

- a. Road Number 799-H, Owner: David E. Faber, located in the Southeast Quarter of Section 9, Township 26 South, Range 2 West, more specifically located on the west side of 167th Street West and north of 61st Street North. Union Township. District #3.
- b. Road Number 793-Y, Owners: James F. Roach and Cheryl K. Roach, located in the Northwest Quarter of Section 6, Township 29 South, Range 2 West, more specifically located on the east side of 215th St. West and south of 71st St. South. Ninnescah Township. District #3.
- c. Road Number 636-13, Owners: James F. Roach and Cheryl K. Roach, located in the Northwest Quarter of Section 6, Township 29 South, Range 2 West, more specifically located on the south side of 71st St. South and east of 215th St. West. Ninnescah Township. District #3.

Regular Meeting, February 14, 1996

3. Floodway Reserve Easement.

The following tract of land was granted by Floodway Reserve Easement at no cost to the County. This Easement was requested by the Director, Bureau of Public Services, prior to the approval of platting exemptions.

Owner: David E. Faber, located in the Southeast Quarter of Section 9, Township 26 South, Range 2 West, more specifically located west of 167th Street West and north of 61st Street North. Union Township. District #3.

4. Right-of-Way Instruments.

- a. One Easement for Right-of-Way for Sedgwick County Project Nos. 624-14 and 797-R; Pawnee between 183rd and 199th Streets West and 183rd St. West between Pawnee and U.S. 54. CIP #R-228. District #3.
- b. Six Easements for Right-of-Way and eight Temporary Construction Easements for Sedgwick County Project No. 624-30; Pawnee Relocation between Woodlawn and Oliver. CIP #R-15. District #5.
- c. Two Easements for Right-of-Way for Sedgwick County Project No. 817-G through N½ J; Meridian from the north city limits of Wichita to the south city limits of Valley Center. CIP #R-169. District #4.

5. Section 8 Housing Assistance Payment Contracts.

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
C96010	\$216.00		Wayne Striegel
V96011	\$312.00		Lloyd Trupe
V96009	\$300.00	5	John Van Winkle

Regular Meeting, February 14, 1996

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V95047	\$282.00	\$150.00
C94022	\$500.00	\$515.00
C94024	\$380.00	\$390.00
C8724002	\$443.00	\$443.00
V95049	\$271.00	\$300.00
V95051	\$345.00	\$345.00
C862003	\$261.00	\$257.00
V93024	\$229.00	\$ 36.00
BV93018	\$292.00	\$279.00
C861010	\$213.00	\$213.00
V93009	\$373.00	\$258.00
C861001	\$190.00	\$215.00
V95067	\$463.00	\$ 0.00

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

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960072	Economic Development	Transfer
960073	Economic Development	Supplemental Appropriation
960074	Emergency Medical Svc.	Transfer
960075	Court Trustee Operations	Transfer
960076	Corrections	Transfer
960077	Sheriff	Supplemental Appropriation

Regular Meeting, February 14, 1996

Budget Adjustment Requests (continued).

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
960078	Sheriff	Supplemental Appropriation
960079	Housing	Supplemental Appropriation
960080	Housing Authority	
	HUD - Voucher	Supplemental Appropriation
960081	CDDO Grant	
	Community Care	Supplemental Appropriation
960082	Information Services	Supplemental Appropriation
960083	Register of Deeds	Supplemental Appropriation
960084	Capital Projects	Supplemental Appropriation
960085	1995 Series A	
	Bond Issue	Supplemental Appropriation
960086	1995 Series A	
	Bond Issue	Transfer
960087	Public Bldg. Commission	
	Bond and Interest	Supplemental Appropriation

Mr. William P. Buchanan, County Manager, said, "Commissioners, you have the consent agenda before you and I would recommend you approve it as it is presented."

MOTION

Commissioner Gwin moved to approve the consent agenda as presented.

Commissioner Miller seconded the Motion.

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

Regular Meeting, February 14, 1996

VOTE

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

EXECUTIVE SESSION

N. OTHER

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

MOTION

Commissioner Miller moved that the Board of County Commissioners recess into Executive Session for 15 minutes to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending claims and litigation, legal advice and personnel matters of non-elected personnel and that the Board of County Commissioners should return from Executive Session no sooner than 12:15.

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	Absent
Commissioner Melody C. Miller	Aye
Commissioner Mark F. Schroeder	Aye
Chairman Thomas G. Winters	Aye

Regular Meeting, February 14, 1996

The Board of Sedgwick County Commissioners returned from Executive Session at 12:27 p.m.

Chairman Winters said, "Let the record show that are now back in session and that no binding action was taken while in Executive Session. Is there any other business to come before this Board?"

Mr. Steven Plummer, County Counselor, said, "We have a tax matter in front of us, it is a tax liability owed by XYZ Corporation."

Commissioner Schroeder said, "Is that a real name?"

Mr. Plummer said, "Yes, XYZ Corporation is presently in bankruptcy and they owe us \$91,000 in taxes. I am recommending that we compromise that in the amount of \$72,582.21, which we are allowed to do under the bankruptcy law and also under State law. That represents a payment of the full tax owed on the property and interest at the rate of 4%. I recommend that we accept that compromise in the amount of \$72,582.21."

MOTION

Commissioner Schroeder moved to accept the compromise by XZY Corporation for tax liability owed to Sedgwick County in the amount of \$72,582.21.

Commissioner Miller seconded the Motion.

Chairman Winters said, "We have a Motion and a second. Mr. Plummer, let me understand it right--that what we are doing is recommending this to the Board of Tax Appeals that the State Board of Tax Appeals will be the actual people that decide whether this is the proper thing to do?"

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

Chairman Winters said, "Thank you. Any other discussion? Clerk, call the vote,"

Regular Meeting, February 14, 1996

VOTE

Commissioner Betsy Gwin	Aye
Commissioner Paul W. Hancock	Absent
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? This meeting is adjourned."

O. ADJOURNMENT

Regular Meeting, February 14, 1996

There being no other business to come before the Board, the Meeting was adjourned at 12:30 p.m.

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

THOMAS G. WINTERS, Chairman
Third District

MELODY C. MILLER, Chair 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