

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

### **REGULAR MEETING**

**AUGUST 19, 1998**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:10 A.M., Wednesday, August 19, 1998, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Mark F. Schroeder; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Thomas G. Winters; Commissioner Melody C. Miller; Mr. Daryl Gardner, County Controller, Bureau of Finance; Mr. Rich Euson, County Counselor; Mr. Jarold D. Harrison, Assistant County Manager; Mr. David C. Spears, Director, Bureau of Public Works; Mr. Darren Muci, Director, Purchasing Department; Mr. Bob Harrison, Vice President, Economic Development; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. Mark Masterson, Director, Department of Corrections; Mr. Philip Rippee, Risk Manager; Mr. John Du Vall, Director of Operations, COMCARE; Ms. Stephanie Knebel, Project Manager, Capital Projects Department; Mr. John Nath, Director, Kansas Coliseum; Mr. Bill Meek, Register of Deeds; Mr. Kenneth A. Keen, Director, Information Services; Pr Mr. Fred Ervin, Director, Public Relations; and Ms. Lisa Davis, Deputy County Clerk.

#### **GUESTS**

Mr. Gary Wiley, Professional Engineering Consultants.

#### **INVOCATION**

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

#### **FLAG SALUTE**

#### **ROLL CALL**

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

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**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

**Mr. Daryl Gardner**, County Controller, greeted the Commissioners and said, "I certify that there are funds available for those items that we have identified on today's Agenda requiring the expenditures of funds. A listing of these items was provided to you previously. If you have any questions, I'd be glad to answer them."

**Chairman Schroeder** said, "Thank you, Daryl. Any questions? I see none. Thank you. Before we go to the next item, the Board of County Commissioners wish to extend to Norman Whistler's family their deep regret for the loss of Norman today, who I understand was killed in an accident while working, I believe, for the County. We just want to wish the best to his family, and that we hope that the community understands that even though these people may not be in the emergency services field, sometimes their jobs are dangerous, which that was proven today. On behalf of the Board of County Commissioners, we want to extend our regrets to Norman's family. Thank you. Next item, please."

**PRESENTATION**

**A. WICHITA AREA CHAMBER OF COMMERCE REPORT FOR SECOND QUARTER 1998.**

**Mr. Bob Harrison**, Vice President of Economic Development, Wichita Area Chamber of Commerce, greeted the Commissioners and said, "Hopefully you can see this. This is our second quarter report on economic development from the Chamber. I want to cover a summary of the economic development contacts we have, the details of that information has been sent to the Commissioners each month, who made the calls and what the details were. Talk a little bit about the types of prospects, look at some recent expansions, locations, comment on the business growth committee and then some observations from the second quarter."

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### **SLIDE PRESENTATION**

“This is a wide body foil so it is going to be a little hard to read. At the top of the document is the prospect assistance that we have given for the months of April through June. The top is out of state prospects. Total, we have had 68 inquiries.

“The first number, the 3-5-3-11, are actually ones that we have gotten from the Department of Commerce and Housing, have requested information. The ones on the next line, the 49, were either site consultants or companies outside of the area calling in and asking for information. The last item is some of the follow up calls that we continue to work on for outside people looking at the possibility of relocating here. On the bottom are local contacts. Those are companies that are here in Wichita and Sedgwick County right now. Our business growth committee is the BGC, has made 55 calls. We’ve been working on ongoing projects of expansion on six of them. Then we have been working with some other people, talking about local economic development. Those are the numbers for the second quarter, which are quite a bit higher than the first quarter, as far as the out of state. The first quarter is 47, and 68 this time. As far as local contact, we had 45 the first quarter, we have 98 the second quarter.

“Just some information on some of the types or prospects we’re looking at. We had eight people here in town that we’re working with, we are looking at starting a new business. We have worked with them and worked with the new business development people out at WSU, trying to get them established. I think I mentioned once before, we’re getting a lot more of site consultants that are calling in and asking for information about the area. It is very confidential. They will not tell us who their clients are, but they gather information and they actually, sort of, jump through all the hoops on the early end of it before we get to know who the real prospect is.

“We’ve had 17 manufacturers, distributors, or warehouse clients that showed interest in the second quarter, that we sent information to. We continue to get a lot of requests and information for call centers. The five insurance tele-centers are almost like a call center. That would be a 1-800, call in and ask questions type of gathering information. We had three hotel developments, three different developers that are looking at establishing three more hotels in the area and two apartment complexes. That is just a quick look at some of the things that are coming across our desks.

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“On recent expansions and relocations, and this is just in the second quarter, these are companies that are expanding, moving here, or adding employees. I’m not going to go through each one of them. With the current news that we’ve all read in the last couple of days, I will point out that Ameri-Serv is the MIS arm of the company called Ameri-Serv. The company’s headquarters are in Dallas. In the month of June, they made the decision to move all their MIS and all their data-processing and computer related work to Wichita. They are established up on 37th Street North. They are going to be bringing somewhere in the neighborhood of 35 or 40 employees from Dallas to the Wichita area. They look to be growing that operation somewhere in the neighborhood of adding another 100 to 110 people over the next four years. So there are some people who see the advantages and like the advantages of this area.

“Some of the other ones, Cessna broke ground on a \$38,000,000 expansion out at the airport. J.R. Metals is adding 80,000 square feet to their plant and improving their plant. MIS Automation is a company out of New Jersey, he is moving his company here. They make induction heaters. It is a highly technical welding system, and he will be employing around 15 new employees here in the area. You saw an article the other day about the Old Town Hotel that is going up in the Old Town area. Royal Caribbean, the call center, Nations Bank and the Spiegel combined have announced that they are going to be hiring somewhere in the neighborhood of 1,200 to 1,300 more employees. Things are going very well in this area.

“The business growth committee, it is comprised of about 80 volunteers who meet once a month. The volunteers will then go out and survey different companies, asking them what barriers, and what do they see that concerns them about growth and how to expand their company. We do a cluster type interview every other month. The month of April we had the construction industry. We had two speakers, Tom Dondlinger and Charlie Schultz from Eby Construction, talked to our volunteers and then our volunteers went out and surveyed the construction industry during the month of April and part of May. Then in the May meeting, we went over the results of the survey. Last month, in June, the last month of the quarter, we did the architectural industry. I had Dennis Smith from the Law Kingdom come and talk to our people and then this month we’ll go over their survey results.

“Second quarter observations and then I’ll open it to questions. I mentioned that the surveys or prospect activity increased 60% from the first quarter to the second quarter. I know a lot of these are somewhat loss leaders that they send through the state and they ask for a lot of information and may not have any intentions of actually coming here, but I think in the second quarter we have a lot of good quality requests and we’re continuing to work with those people right now, and hopefully, in the next month or so we’ll have some very significant announcements in that area.

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“We increased our local contacts by over 100%. We had 98 local contacts. This is not including the Chamber ambassadors that call on Chamber members. We ask them the same questions, as far as barriers, and what they see could hurt them from expanding. That number would triple with the calls the ambassadors have made.

“The business construction industry said business and architectural industry is extremely good. Both of those industries stated that they do have problems with the labor force, as far as finding people, and we’ve got a task force working with the construction industry to try to figure out how we educate people. One of their concerns is that they need to have a better image of construction and try to get the younger people interested in going into the construction industry and that it’s a viable and long term career.

“The other thing that comes up on our surveys in air service. We’re trying to address that. I don’t know how we can do it, but I don’t think this area’s air service is getting... It’s getting a bad rap. I don’t think it is as bad as some people think, for the size of our population, but we’re working on that issue. That is a summary of the second quarter activities, and a lot of things are happening. I’ll open to questions.”

**Chairman Schroeder** said, “Thank you, Bob. I know there are some questions up here. I want to say, first, that I appreciate the review and giving us the information of what you see going on in our community and what you think is going to happen in the future. I have to say, first hand, I have been a part of this air service issue for a lot of years, and I also have flown in and out of Wichita and Kansas City. I don’t know if it is so much that the air service isn’t a good air service out of Wichita, but it is expensive. I know that my family and I flew to California and we saved \$600 by driving to Kansas City. That may not be a lot of money to some people, but it was to me. I think that probably is just as much a problem as anything, is the cost to take a flight straight out of Wichita to your destination, as opposed to going to Kansas City or Oklahoma City. I don’t know how you address that. That is a tough one, the air service is here. I think for a lot of us it is probably the cost to use direct flights out of Wichita. I think Wichita has done a pretty good job, and so has the airport, in trying to maintain some hubs here and provide pretty good air service. I just wanted to give you a little bit of feed back from a personnel perspective.”

**Mr. Harrison** said, “I appreciate that. I know exactly what you’re talking about. It is the expense. We keep trying to get some of the other airlines to come here and have a hub here. We just need to increase our population just a little bit more.”

**Chairman Schroeder** said, “We’ll figure out how we can do that.”

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**Mr. Harrison** said, "That would help on our finding labor to work. We're trying to address that and figure out how we can try to improve that."

**Chairman Schroeder** said, "I appreciate that. I know you'll keep up on that. Commissioner Winters."

**Commissioner Winters** said, "Thank you. Bob, you mentioned the prospects. The number jumped up and there are probably a lot of them weren't seriously considering Wichita, Sedgwick County, but don't you think it is important that somebody contact each and every one of those, and do you respond to each of those?"

**Mr. Harrison** said, "Yes, we respond to every one of them. What we try to do is get an understanding, especially when they are coming from the Department of Commerce and Housing, how many the Department of Commerce and Housing are sending out to other communities in Kansas and try to get a feel for how many other states these site consultants have contacted. We respond to every one of them. We try to put our best foot forward and all the information they could want, and more, from our research department."

**Commissioner Winters** said, "Good. I think that is one of the really principle reasons I was supportive of being involved with the Chamber on this issue. I think somebody needs to respond to each and every inquiry, no matter where it comes from. I appreciate your efforts in that, even though I know a lot of times you feel like it is a wasted effort. Someday, you come across one of those that really works out, or someday when we're not in quite as good of economic times as we are now, we'll really be emphasizing that issue and that side of economic development more. You can't stop doing it now."

**Mr. Harrison** said, "You're absolutely right. What I'm doing, because of the industry switch to me is, I'm trying to get better acquainted with site location consultants. Those people seem to be the key. One good news, I don't know how many people remember Dave Porter. Dave Porter has just been hired by the State of Kansas and the Department of Commerce and Housing. His job is to work with site consultants. He is in North Carolina and he is presently going to stay there, but I think we've got somebody in our back pocket who is really going to help the Wichita area."

**Commissioner Winters** said, "Very good. Thank you."

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

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**Commissioner Miller** said, "Thank you, Mr. Chairman. Bob, regarding the call centers, I am just interested to know what is so appealing about the City of Wichita that we're expanding to the tune, if I was listening, of approximately 1,200 new jobs that will spread across the Spiegel, Nations Bank, and Royal Caribbean. What is it about Wichita?"

**Mr. Harrison** said, "Melody, that's a tough one. I think I know a little bit. I think they really like the work ethics that they have in the Midwest. They do like the time zone that we're in, because they can cover the east coast all the way to the west coast. I am not an example of it, most people in Wichita have sort of a neutral voice. I still have my Texas twang. That's very important when you're talking to people over the phone, because the only impression they have is a voice. So they like the Midwestern, for lack of another term, a lack of an accent. So it is very pleasant to talk to them. We have a lot of support.

"They like to come in to where there is multiple universities, where there is a military base, where there is other, like Boeing or large employer where they can maybe pull off the second income earner in the family. Their jobs are 24 hours a day, 7 days a week, so it is very flexible for a couple who has a family where one works one shift and the one work the other shift. They are impressed that we have McConnell here. They are impressed with the different universities we have here."

**Commissioner Miller** said, "It sounds as though they've developed a profile for the typical, or most optimum employee, and we fit that."

**Mr. Harrison** said, "We fit that, very well. We have a very sophisticated communication systems here. A bunch of redundancy from Southwest Bell and Multimedia that they choose from. These call centers will not go down. If something goes wrong with their telephone line, there is redundancy to keep them up and running. Good questions."

**Commissioner Miller** said, "Just interested. Thanks."

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

**Commissioner Gwin** said, "Thank you, Mr. Chairman. Bob, back to air service, because it seems to be something that shows up on every survey we take, particularly the business community, as to one of their concerns. I served on the Airport Authority just briefly, but certainly understand that those folks, and the airport director, have a big challenge. It appears to me that our challenge is to be able to find a discount, or no frills, airline that can compete with the big guys. That is nothing to do with the big guys, because I fly on their airplanes, too. It seems to me that that's where we have a problem that some of the other cities that Mark alluded to don't. They do have discount and no frill carriers that are able to stay in and hang in with the big guys.

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“Obviously, I know we’ll continue to look for that, or other options, to lower the price of flying in and out of Wichita, but Mark shared a story and I’ll share the same thing. Earlier this year, when I went to Washington, I, at the last minute decided I was going to fly to see some friends who lived in Pennsylvania. I thought, well, I’m going to be back there, I’ll just take this little short junket, at the last minute, and flying out of Washington, as big a center as that would be, this should cost me nothing. Well, I was wrong. It was just as pricey to fly last minute out of Washington D.C. as it would have been to fly out of Wichita. As it ended up, I rented a car and drove.

“So, we are not the only ones who are saddled with the price of last minute costs. I share Mark’s concerns, too, though. If you know you’re going on a trip, and you can plan it ahead of time, and work with your travel agent or others, we know there are less expensive places to fly out of. It seems like we have a ‘chicken or the egg’ argument here that we need more people flying in and out of here to be able to attract a no frills or discount carriers, and yet, the prices are so high that it is hard for people to do that on a regular basis. You, and whoever else who is working on that problem, I commend you and encourage you to continue to work on that.”

**Mr. Harrison** said, “It really is a challenge. On the other light, and especially on the news that you’ve read the last couple of days, we experience that, and I experience the same thing on last minute it is fairly high priced. Some of our larger companies here have contracts with the carriers. For example, Rent-A-Center, if one of their employees had to leave this afternoon to go somewhere, they’re not paying that \$1,100 price. They have a discounted contract with the major carriers, where they get a fairly decent ticket price. I don’t think that was the issue. I think a little bit of that issue was the larger Dallas airport, maybe they can get there and fly somewhere with one less connection. I told Mr. Talley I bet him a dollar to a donut that if one of his people in northern Plano drove out of their driveway and I drove out of my driveway at the same time, I bet him I could get to the Dallas-Fort Worth Airport and be at the next terminal hub to go wherever this guy from Plano was going and probably beat him there. When you take the commute time and a remote parking outside you have to wait on buses. My time would be a lot more productive, because when I was on that airplane I’d be doing work. While they are driving their car, they’re watching out for the traffic. I think there is some issues here that we need to really work on and make sure that people understand it.”

**Commissioner Gwin** said, “I appreciate that. As I said, this keeps coming up. I still wouldn’t trade living here for any place else that I know of. I know it is one of the best places in the country.”

**Mr. Harrison** said, “I agree with you. I think I mentioned once before that I’ve lived in a lot of places before we settled here. As a transplant, we’re settled here and we like it.”



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**Chairman Schroeder** said, "Great, thank you, Bob. I see no other questions. I appreciate your report today on the second quarter. We look forward to the next one. Keep up the good work. Appreciate it. Thank you. Commissioners, entertain a motion to receive and file."

**MOTION**

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

**Chairman Schroeder** said, "Thank you again, Bob. Next item, please."

**PLANNING DEPARTMENT**

**B. METROPOLITAN AREA PLANNING DEPARTMENT (MAPD).**

**1. CASE NUMBER V-2091 - REQUEST TO VACATE UTILITY EASEMENT LOCATED NORTH OF 13TH STREET NORTH AND EAST OF 143RD STREET EAST.**

**Mr. Marvin Krout**, Director, Metropolitan Planning Department, said, "I would like to take you on a free trip around the County this morning. This is an advertised public hearing, a vacation request. These are three lots in the Savannah at Castle Rock 7th Addition. These lots were platted with a 20 foot rear yard utility easement, which is typical. I think in this case, the sewer is actually in the street right-of-way and not along the rear yard access. The request is to reduce the easement to ten feet along the rear yard."

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“The applicant intends to, must have the flexibility to install swimming pools in the rear of these lots and needs the setback flexibility to be able to do that. This issue went to the utility advisory committee, and subdivision committee of the Planning Commission, the County Engineer, and the private utilities in this case have no objection. The utilities are in place and all in the western portion of this easement, and the access is available also through that reserve. They had no objections. The Planning Commission has recommended that you approve this vacation case. I’ll try to answer any questions you may have.”

**Chairman Schroeder** said, “Thank you, Marvin. Discussion on this item? If not, we’ll open the Commission meeting to public hearing. Anybody who would like to be heard on this item please come forward. Public hearing for Item B-1. Is there anybody in the audience who would like to be heard on this item? It not, we’ll close the public hearing. Since we don’t have a quorum, Marvin, can we go on to the next one, and we’ll come back and vote on this one. Mr. Counselor, how can we do that?”

**Mr. Richard Euson**, County Counselor, said, “You have closed the public hearing?”

**Chairman Schroeder** said, “Yes.”

**Mr. Euson** said, “I would recommend . . .”

**Chairman Schroeder** said, “Shall we find this person? Let me go find her. Okay, discussion on this item?”

### **MOTION**

Commissioner Gwin moved to approve the Vacation Order and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

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

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**VOTE**

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

**Chairman Schroeder** said, "Thank you. Next item, please."

- 2. CASE NUMBER CU-484 - CONDITIONAL USE PERMIT TO ALLOW SAND AND GRAVEL EXTRACTION ON PROPERTY GENERALLY LOCATED 1/4 MILE NORTH OF 53RD STREET NORTH ON THE EAST SIDE OF TYLER.**

**SLIDE PRESENTATION**

**Mr. Krout** said, "This tract is 76 acres on the east side of Tyler and north of 53rd Street. It is zoned Rural Residential. The applicant is requesting a conditional use for a sand and gravel extraction operation. Here is the aerial photograph. You can see that there is an existing conditional use on sand and gravel extraction operation that is in operation. Here is another pit in this area. This is where there has been substantial activity of this kind in the past. There are some scattered homes along 53rd Street and up Tyler Road. There is a farm house up in this area. It is protected by a hedge row, and I think you can see that on the slide in here. The request is to develop that site for a sand pit operation. This is a drawing that shows the intended configuration, a elongated U-shape lake and eventually there would be the possibility, if they obtain subdivisional approval, and zoning approval, of obtaining lots that would be about one acre in size, that would back up to that lake. The intention is for each of the legs of that U to be developed in stages. There would be set backs that would be established in the operational plan on the north and the south of the area. There is a standard set back for stockpile of material of 100 feet from a right-of-way and 50 feet from any property line.

"The intended operation and it is partly due to the configuration of these lakes not being very wide, the operation can be completed in a relatively short time. So the conditions of approval include a five year time frame for the construction. There is also a 7:00 p.m. to 6:00 a.m. period within which no pumping would be done on this tract.

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“The staff recommended approval, subject to a number of conditions that are typical for sand pit operations like this. They include the limitations on stockpiling, the fencing around the area, the staging requirements, re-vegetation requirements, the five-year maximum timing restrictions. This is a drawing that shows how the development would look after lots were platted and developed on that property. One of the inadvertent conditions of approval in the staff report was also for the equus beds management district and any conditions that they might apply to this tract. This is in the equus beds management district, for those to also apply to this case. Those usually have to do with drainage consideration.

“The staff generally does not include that as a general condition. We want to retain the flexibility for lakes like this to be able to be used for drainage and retention purposes. That is not what the equus beds manager has, over time, been very interested in, but based on monitoring of ground water, the Health Department and Planning Department feel that that is still an appropriate use of sand pits in the future like this. So we told the Planning Commission, during this process, that that was inadvertent, and we didn’t recommended that the equus bed condition be part of this.

“The Maize Planning Commission voted for approval. Their vote was unanimous, six to zero. I don’t believe there was any opposition at the Maize Planning Commission meeting. They did include the equus bed condition, but the Planning Commission did omit it in their recommendation. We did have an attorney representing the property owner to the south, which, as you saw, was an active sand pit area. You’ll see some slides that show that also, but they do intend to develop that, at some point, for lots. It is a much deeper lake and probably, it has a time period of 20 years to extend, and they are only about five years into that, so that operation is probably going to continue even after this operation is completed. They did express two concerns, one was the proximity of stock piling. They would like 100 feet, instead of 50 feet, along the south property line. The second condition was, they were concerned about the condition of Tyler Road. Tyler Road would be the access to this operation and Tyler Road’s an unpaved road at this point.

“The Planning Commission’s recommendation included Tyler Road, and the requirement to maintain all the drive surfaces and maintain status. So this property owner will be responsible for grating Tyler Road and maintaining it as a driveable surface during the period of this operation. They’ve agreed to do that. The 50 feet, versus 100 feet, on the south side, I think the consideration of the Planning Commission and staff was that this is after all a sand pit operator. He has a 50 foot requirement on his property, and in fact, his operation shows most of this area is covered by the lake, and is not proposed for lots. So the Planning Commission stuck with the 50 feet as recommended by staff.

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“We did have protest petitions that were filed. One is by the farmer to the north, and I think there are maybe two or three property owners in this area. Then this sand pit operator to the south, the owner of that property also filed a protest. The area of those protests constitutes well over 20% of the area within the 1,000 foot ring of this 76 acre property, and therefore, will require four votes of the County Commission in order to approve this request.

“We’re looking across the site. We’re looking from Tyler road, looking east across the site, a wheat field today. Looking north on Tyler Road with the site on your right. Mostly agricultural area, as you see. Now we’re looking on Tyler Road south and west across the site. In the background you can see the sand pit operation that is existing to the south of the tract in question. This is that operation, currently, to the south of this request. Again, we’re looking south and west and you can see the plant operation in the background. This is looking across Tyler Road to the west, another farm field. I wish you could see the color, it is really wonderful on these slides.”

**Chairman Schroeder** said, “It’s not blue?”

**Mr. Krout** said, “It’s not blue, it’s wavy golden wheat. It’s wonderful. We’re looking now back south on Tyler Road. Again, don’t pay any attention to our arrows, our planners can’t figure out which way is north. This is the operational plan for the tract to the south. As you can see, he does have some lots that are planned around the southern leg, along Tyler Road. Maybe he expects that he’d be selling lots, and he was concerned about the access on Tyler Road with the maintenance, and that is why the attorney was there at the Planning Commission meeting. I think I’ll leave the aerial photograph on, and ask if you have any questions.”

**Chairman Schroeder** said, “Commissioner Miller.”

**Commissioner Miller** said, “Thank you, Mr. Chairman. I have a couple of questions. One would be a verification of the time line for pumping. If I understood you, you said five years is what the MAPC placed in their recommendation, correct?”

**Mr. Krout** said, “Correct.”

**Commissioner Miller** said, “Can they come back, they, the owners that are pumping, come back and request an extension, or would they have to file for another conditional use permit, if they have not done everything that they feel needs to be done with that particular site.”

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**Mr. Krout** said, "The requirement is that they would file for an extension. They would have to go through the public hearing process and provide notification to the surrounding owners, just as they did."

**Commissioner Miller** said, "They would have to go through the same process."

**Mr. Krout** said, "Yes."

**Commissioner Miller** said, "Okay. Then regarding the actual road, Tyler Road, that is adjacent, it is the road that anyone would have to drive down in order to enter into the current sand pit operation that is going on, the property south of this requester and then the requested property also. That is currently being maintained by the township?"

**Mr. Krout** said, "Township road."

**Commissioner Miller** said, "What has been the request of the property owners by the MAPC is that they would indeed take over maintaining it?"

**Mr. Krout** said, "This owner would supplement that township grating and make sure it is always a driveable surface, based on limitation of township funds. We do usually look for these sand pits to have their access off of paved roads, so this is a little bit unusual. I think there are residents that are up the street, and townships are somewhat strapped financially, in terms of doing extra maintenance because of this extra impact. So the idea was that they would be responsible for the supplemental maintenance."

**Commissioner Miller** said, "Right. That's where my concerns would lie, would be with the added amount of traffic that is going to potentially come up and down that road. With it being a gravel road, and typically it is going to be, sand pits are going to have a paved road in front of them, that maintenance is going to be a concern. I would guess that that road is going to have be maintained a little bit differently than the simple traffic that is going up and down it now. I need some consence, or someone to tell me, that indeed we are going to be able to ensure that that road will be properly maintained."

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**Mr. Krout** said, "Well, the applicant's agent is here to console with you and this is a condition of the conditional use, which means that the County Code Enforcement Officer can enforce this condition, along with all the other conditions of the case, and if there are violations, he will provide notification to that owner. If there are serious continuing violations, and Tyler Road really is not maintained, then the ultimate ability is to be able to terminate the operation. County Code Enforcement has that ability under the conditional use."

**Commissioner Miller** said, "What would be the process? How quickly could that happen?"

**Mr. Krout** said, "I think they would first try to get compliance, and if that didn't occur, then he would notify the owner that the use of the property should cease, and it should be immediate after that. If it doesn't, then that's a violation too. The owner has a right to appeal and try to present the facts of the case as he sees them, before the Board to restate the conditional use. He has the authority to require that it be ceased."

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

**Mr. Gary Wiley**, Professional Engineering Consultants, said, "I'm representing the applicant today."

**Commissioner Miller** said, "My question, Gary, to you is, I need to be assured that indeed this viable road will be properly maintained because of the increase in traffic, understanding that typically a sand pit operation is going to have a paved road, that they are going to be exiting and entering in on, and this is a gravel road."

**Mr. Wiley** said, "That's correct."

**Commissioner Miller** said, "And there is potential, there is some talk of development adjacent to the requester's property. I just have some real questions about whether or not that road can be maintained."

**Mr. Wiley** said, "As Marvin indicated, it was a condition, and is a condition, of approval of the conditional use. At the time of the Planning Commission hearing, we did not have a contract firm, but the owners, the applicants here today have a contract with Troy Faucette, owner of Quick Sand, who is presently at 4920 N. Meridian. He will be the operator of this particular plant. It is to his benefit to make sure that everything is maintained, so that he can continue his operation at this location. He took the contract because it was going to be lucrative to him. It was a business deal, and really, it worked for both sides."

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“We do have an operator that is experienced, that can take care of the operation of the sand plant for the owners, be in and out in a much shorter period of time. As Marvin indicated, the north lake will be the first to be pumped. It will only be pumped to about 15 foot in depth. We will be in and out of there in two years according to the contract and hopefully the operation will be completed in four. We did ask for five, just in case there was an additional year needed. I don’t know what else I can do, Commissioner, to guarantee anything any further. I’m confident in the owners, as well as the proposed operator for the plant site.”

**Commissioner Miller** said, “And understanding that according to Code Enforcement, that that is our stick, to be able to step up and say . . . and whose call is it? Is it Sedgwick County’s call?”

**Mr. Wiley** said, “They can, but the neighbors themselves can get a hold of Code Enforcement and go from there. It will be Mr. Wilsey’s responsibility to see that something is looked into. By the way, we are in agreement with all the conditions of approval. I wanted you to know that. If there is any other questions, I’d be happy to answer.”

**Commissioner Miller** said, “Thank you. Mr. Chairman, and maybe it is not appropriate at this time, but I am going to be supportive of this. I needed to make sure that I understood that the responsibilities of both parties, in terms of maintaining that road, that is the requester, who is responsible for maintaining it, and then there are responsibilities for the protestors, if indeed they feel it is not being properly maintained, they can appeal to the Board and to the Code Enforcement to assure that that occurs. That was my only problem with it. Thank you.”

**Chairman Schroeder** said, “Appreciate that. Is there anybody here today, other than the contractors or owners, who would like to speak to the Commission on this item? I know it is not a public hearing, but is there anybody here today who would like to speak to us? I guess there is no one. Commissioners, further discussion on this item?”

### MOTION

Commissioner Gwin moved to adopt the findings of fact of the Metropolitan Area Planning Commission (MAPC) and approve the Conditional Use Permit subject to the recommended conditions; adopt the Resolution and authorize the Chairman to sign.

Commissioner Miller seconded the Motion.

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



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### VOTE

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

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

**Commissioner Winters** said, "Marvin, since we're now using a digital projector instead of a slide projector, is your staff taking these pictures with a digital camera or the old slide cameras?"

**Mr. Krout** said, "Now we're taking them with a slide camera. Our problem is we're not set up at the Planning Commission room with the digital equipment. We have placed that order in our budget for next year. So we intend to convert next year. The City Council Chamber, that's another problem, the City Council Chamber is not, they've been working for years toward doing what you've done, converting to digital. So we're going to have a little bit of a problem until everybody converts. Our intention is to do that. I don't think the problem is the 35mm, I think the problem is the resolution of the projector with some of these aerial photographs. I think if we did digital, we would still have some problems with the resolution."

**Commissioner Winters** said, "I just wondered if you staff could carry two cameras, or we could borrow a camera from the Appraiser's Office. The Appraiser uses digital equipment, and just try on one round, and when you go to Planning use your slide projector, but when you come over here have the digital and be prepared. Those cameras are not very expensive."

**Mr. Krout** said, "The cameras for doing the field work are not expensive. We have acquired a separate digital camera for doing the map work, and that does require a more expensive camera. We do have the funding for the field camera, and we can experiment with that. It is going to be difficult to be juggling back and forth between the two systems until we can equip the Planning Commission hearing room and the City Council Chambers, but we'll experiment."

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

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**Chairman Schroeder** said, "Thank you. You might want to check with Fred, later. We've talked about this. If there is a problem with this camera, it needs to be replaced. I don't know why we have a problem with that, but if there is, we need to replace it. We will help you in that end, too. Thank you. Next item."

**3. CASE NUMBER SCZ-0765 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "OW" OFFICE WAREHOUSE ON FIVE ACRES OF PROPERTY LOCATED APPROXIMATELY ½ MILE SOUTH OF 55TH STREET SOUTH AND EAST OF K-15 HIGHWAY.**

**Mr. Krout** said, "This is in the area north of Derby. This is K-15 on the map, and this is mid-mile, in between 55th and 63rd Street. This tract has frontage on the east frontage road of K-15. It is a U-shaped tract. If you can see the legs of the U also have frontage on Oliver, as Oliver comes south, and eventually comes close to, and ends near K-15. This tract is 5 acres in size in its entirety. The current zoning is Rural Residential. You can see that there is limited commercial zoning here and there is commercial zoning here, so the area to the south, along the K-15 frontage, is zoned and has commercial development. If you were to drive further south along K-15, you'd see that it is very commercialized. There is open storage, in addition to a self-storage use, on this site. Apparently the open storage is a non-conforming use predating the zoning. But from this point to the north, the area is residential in character. Along Oliver there are homes spaced out in suburban style on the west side of the road. The east side of Oliver is empty. Even up to the north in this area on K-15 frontage, there is a home to the north and there is some more residential property further to the north. These boxes are the airport overlay district zones, and this area is in the flight path of McConnell, and is in about the third tier, which is fairly far away from the airport, but it is still under some land use restrictions and still in an area where we try not to have concentrations of people too near the runways.

"The request is for the Office Warehouse district. An office warehouse district would permit self-storage and would permit other types of office and warehouse and non-retail commercial service type uses. In this case, the applicant has in mind to build a self-storage facility, like the one that is further to the south. The staff felt that supporting some type of commercial zoning, and the self-storage use in particular, was appropriate for the K-15 frontage. We see this area that is in transition and is going to continue to redevelop over time. But at this point, the residential along Oliver seem very stable. There is a house that would be especially impacted, if the commercial development was to wrap around that house. That house is here. There is a house here on the applicant's property, and a house here, and I think his intention was to clear this property and move into this property, so that at least one of the residential properties was going to be reserved.

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“The staff’s recommendation was basically to cut the office warehouse zoning, at least for now, right at that line, which is 230 feet east of Oliver. So there would continue to be residential frontage along Oliver, but the frontage along K-15 would be developed for the self-storage use. The case went to Derby’s Planning Commission, because this is in Derby’s zoning area of influence. Derby’s Planning Commission, after adding some conditions to the protective overlay that were recommended by staff, voted six to zero to recommend approval. The staff had recommended some standards that are typically in the office and limited commercial district for office, for self-storage uses, to be applied to this case also. That had to do with screening and landscaping and some kind of lighting controls, because of the proximity of residential uses. The main addition of the Derby Planning Commission was they didn’t want to see outside storage as part of this use. I think they have a history of seeing some very unsightly site storage along K-15, and they wanted it to be for a self-storage use, and not for other potential commercial or warehouse uses, that are permitted in the office warehouse districts. This would be limited to just the self-storage, use for indoors only, and would have the other conditions that were recommended by staff.

“The applicant, there were residents at the Derby Planning Commission and at the MAPC meeting who did express some opposition to this case. The resident to the north was at the Derby Planning Commission along with this resident. This resident was also at the MAPC meeting. They expressed concerns about the change in the nature of land uses. Also expressed concerns about drainage. The drainage concerns, as the Planning staff and the Derby Planning staff indicated, the drainage concerns are issues that should be resolved at the platting stage. The Derby Planning Commission specifically asked in this case, even though Derby is responsible for the approval of a plat, they asked for the County Public Works Department to assist them in reviewing the drainage plans when they come through for this site, to make sure these nearby residents were not going to have a worsened situation as a result of this development from a drainage standpoint.

“The Derby Planning Commission and the MAPC both voted unanimously to recommend approval, subject to the conditions that are listed in your staff report, including that limitation on use that is in Derby, that was recommended by the Derby Planning Commission. The applicant was asked at the MAPC meeting whether or not he could live with all these conditions, and his indication was yes, he could. So he said that he would be willing to live with those conditions, and on that basis, the Planning Commission voted to approve this case.

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“Let me walk you through some slides of the area. This is the site that we’re talking about, and you can see that this is U-shaped and goes around this home that you’ll see in a picture later on. This is K-15 frontage and this is the Oliver frontage. This is the self-storage buildings that are on the site, and this is the open self-storage area that is to the north and the area that is zoned limited commercial. We’re looking from the K-15 frontage, there is a mobile home that is on the site, visible from K-15. It is for sale. It is not being occupied right now. There are also concerns that were expressed by some of these residents about the maintenance of this property, and the fact that there was some open storage on that use. But with regard to the zoning, that really is a separate issue. We’re looking north on K-15 frontage, and there is a residential property to the north on the frontage road from the site that is immediately to the right. Again, looking at K-15 across the site. The railroad tracks, the Burlington-Northern tracks that parallel K-15, and open land beyond that to the west. Now we’re looking south on K-15 frontage, and the commercial area begins down the road from this point.

“Now we’re looking at the Oliver frontage. This is the south part of the residential lawn of that home that would be surrounded by the original request. As recommended by the Planning Commission, though, the land on either side of those two legs would be, we would cut this off at the legs and it would be the K-15 frontage only that would be developed with the warehouse use. This is the home that is on the site. We’re looking now at the property north of that residential property, and so this is part of the residential property that the Planning Commission has recommended be retained in residential use along Oliver. This is looking south down Oliver, the residential lots on the east, and open land on the west. I’m sorry, this is the west, we’re looking south and this is the east with the open land. Again, looking south down Oliver, towards the east, and across the street, open land on the east side of Oliver. This is looking north on Oliver, and again, the residential character on the west side of the street and open land on the other side. Back to the aerial photograph and the zoning map. I’ll try to answer any questions that you have.”

**Chairman Schroeder** said, “Marvin, a quick one. The lines that we see running kind of diagonal there. Is that the protective overlay?”

**Mr. Krout** said, “Yes, that is the airport overlay district. This is District 2. There is a District 1 closest to the airport, a District 2, which has some intermediate restrictions, and District 3, which is the least set of restrictions.”

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

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**Commissioner Winters** said, "Just a quick question. Marvin, am I clear that the configuration is not as it is drawn on that map and as we have it, but the south line does not go clear to Oliver?"

**Mr. Krout** said, "Right. The Planning Commission recommendation, and the Derby Planning Commission, would be to cut off these legs and just zone from this point, the rear of that residential property, from that point to the west."

**Commissioner Winters** said, "So that is what we'll be talking about today."

**Mr. Krout** said, "About 2½ to 3 acres. You can override that recommendation, but it would require four votes to override the Planning Commission's recommendation."

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

**Chairman Schroeder** said, "Thank you. Any other questions? Is there anybody here today who would like to speak to this item, although it is not a public hearing? Seeing no one, we'll limit discussion to bench and staff."

**MOTION**

Commissioner Gwin moved to adopt the findings of fact of the MAPC and approve the zone change subject to the additional provisions of a Protective Overlay District and subject to platting within one year; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication until compliance has been met on all conditions.

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

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

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- 4. CASE NUMBER SCZ-0766 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "SF-20" SINGLE-FAMILY RESIDENTIAL ON 30 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF HYDRAULIC AND SOUTH OF 63RD STREET SOUTH, IMMEDIATELY NORTH OF THE WICHITA-VALLEY CENTER FLOOD CONTROL DITCH.**

**SLIDE PRESENTATION**

**Mr. Krout** said, "Just for reference, this is the Flood Control Ditch. This is the turnpike on the left, and this is Hydraulic on the right. This is the 30 acre tract in question. Current zoning is 'RR', Rural Residential, which only permits two acre lots, if you can do septic tanks. The Single Family 20 category, which is being requested, would permit one acre lots. That is the pattern that was already approved for zoning and has been developing in the Pine Bay Estates area just across the street from this tract, across Hydraulic. So this request is consistent with the surrounding developing area, also consistent with the Comprehensive Plan, which calls for this area to be developed in a suburban fashion. This case went to the Haysville Planning Commission, and both Haysville Planning Commission and the MAPC voted unanimously to recommend approval, subject to platting. There was no opposition at either of those two public hearings. I'd be glad to answer any questions you have."

**Chairman Schroeder** said, "Thank you, Marvin. Discussion on this item? Also on this item, I'd like to offer anybody from the public, that would like to be heard on this item, to please come forward, although it is not a public hearing. Anybody in the audience? If not, we'll limit discussion to bench and staff. Commissioners?"

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

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**VOTE**

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

**Chairman Schroeder** said, “Thank you, Marvin. Appreciate the presentations today. Next item, please.”

**NEW BUSINESS**

**C. PRESENTATION OUTLINING THE STRATEGIC PLANNING PROCESS AND PROGRESS OF COMMUNITY PLANNING FOR JUVENILE JUSTICE REFORM IN SEDGWICK COUNTY.**

**Chairman Schroeder** said, “Thank you, Mark, for being here. Commissioner Winters.”

**Commissioner Winters** said, “Yes, before Mark begins his presentation, I’d like to give just a little bit of a lead in. In the fall of last year, Albert Murray, the Commissioner of Juvenile Justice in Topeka, appointed me to be the convener in Sedgwick County of a local planning team to work on our juvenile justice efforts here in Sedgwick County and Judicial District 18. Working with an executive committee, we selected Dr. Keith Williamson from WSU, who is associated with the Elliott School of Communication, as the facilitator for this community planning team, and also engaged WSU’s Center for Urban Studies to help in preparing our final document and plan.

“This community planning team of 21 members has been working diligently since early this year, meeting twice a month. Commissioner Miller has been fully engaged in that and in fact has been leading a group of them, as a group of taking account of all of our resources and assessment of community functions. Her group has been meeting probably more than anybody else, and she is certainly been leading that effort. We’re coming up to a bench mark, a time in the end of August, and then as we go into September and October, we’re going to shift into a new focus of bringing this plan together. I thought that, in an effort to keep the Board of County Commissioners, the community and staff, fully informed about what the community is doing, it was time that Mark come and report about the progress of what Juvenile Justice Planning is about here in Sedgwick County.

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“With that, that is the purpose of Mark’s outline. In October and certainly by the end of November, the community planning team will be back to the Board of County Commissioners with a plan. We certainly want to keep you informed and need your input all along the process. With that, I’ll turn it over to Mark.”

**Mr. Mark Masterson**, Director, Department of Corrections, and member of the planning team representing Juvenile Community Corrections, greeted the Commissioners and said, “Could I bring forward copies of the slides I’ll be presenting.

#### **SLIDE PRESENTATION**

“I anticipate the presentation will take about 15 minutes, so I’ll be happy to answer any questions along the way if you’d like. I’d like to begin with some background to explain why we’re engaged in this planning process. Juvenile justice has become a serious issue in the nineties in Kansas and across the nation. Here, as in many states, the issue has been studied by the legislature, and new initiatives have begun to change the ways we deal with juvenile offenders. The new ways of doing business are labeled Juvenile Justice Reform. The factors driving the reform initiatives are a growth in serious and violent juvenile crime, the need to protect public safety, a need for stronger sanctions to hold offenders accountable and a recognition of the need for a balanced and comprehensive approach, with strategies addressing prevention, intervention, and graduated sanctions, and the linkages between those different types of interventions.

“The legislature, in about 1993 and ‘94, began to study this issue and to develop their vision. The vision was a balanced approach, a new way to work with offenders, with public safety being number one, holding offenders accountable, being a focus, and along with holding offenders accountable, the recognition that having programming to develop their competencies, to help them get back on the right track, and have it be one touch with the system, was part of the vision, and for the first time to embrace in the law regarding juvenile offenders, and in the code a commitment to prevention. An ongoing commitment to prevention, looking 10 to 15 years down the road. What can we do now, and along the way, to take steps to try to address this problem of juvenile crime with a long term view?



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“The vision includes a new way to plan and administer community based juvenile justice services. The vision is based on the knowledge that the ultimate solutions to crime lie in strengthening families, education, and community. That effective strategies can best be developed through local collaboration tailored to local needs. That in this manner, community norms and priorities are embraced in the plans. Public and private partnerships can be strengthened on the local level, and that decision making at the local level with responsibility, authority, and resources, would be part of the vision to contribute to a community centered approach.

“The final part of the vision, to make this happen, is a vision of a new state and local partnership, which decentralizes decision making, shares authority between the state and the local government, promotes local innovation, and local program development and management. Once the vision was decided, the legislature enacted laws to implement the new system. In the 1996 session, House Bill 2900, and in the ‘97 session, House Substitute for Senate Bill 69 were enacted, which combined about a couple hundred pages worth of changes in legislation, that combined to form the Juvenile Justice Reform Act.

“The impacts of the Act are that it amended and strengthened the Juvenile Justice Code, created a Juvenile Justice Authority, a new state agency focused on juvenile offenders exclusively and tasked with implementing reform by July 1, 1999. It mandated a local planning process for the new system with an emphasis on community based programs and prevention.

“Community planning began on a state level on July 1, 1997, when the new state agency, the Juvenile Justice Authority came on line. The first steps involved selecting a planning team model and they selected the ‘Communities That Care’ model, which is a model that has been endorsed by the federal government, Department of Justice, Office of Juvenile Delinquency Prevention. It is taking place in, I think, 44 states are involved in this planning process. They designed and launched the process state-wide in November of ‘97. The process is being carried out across Kansas by judicial district, which in our judicial district, the 18th, is the same boundaries as Sedgwick County. In some of the other districts, where you have multiple counties, this task is much more complicated, as you get down to talking about govern and structure, and which county is going to be the lead county in coordinating the Juvenile Justice Program. Selected a convener and facilitator, as Commissioner Winters spoke to before, and the planning team was formed, trained, and began meeting in the end of March of ‘98.

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“The planning team members represent broad segments of the Sedgwick County community, including community groups, service providers, and local government. We have 22 members on our planning team. The team meets twice monthly, the second and fourth Fridays from 8:00 to 10:00 a.m. at 635 N. Main. The first part of that meeting is for public comment. If the public is interested in information that is going to be happening in those meetings, Agendas are available at the Commission office, as well as Minutes from previous meetings that can be obtained.

“The team was organized into five working committees, which include many more community representatives that meet frequently to complete the planning task. The data research committee is chaired by the president of the Regional Prevention Center, Mary Beth Hughes Palm. The resource assessment committee is chaired by Commissioner Miller and it is focused on completing the assessment of available resources and identifying the gaps in prevention, intervention, and graduated sanctions, which is a big job. The performance evaluation and outcomes committee. In Sedgwick County, we’re very committee to outcomes in our prevention programs and our delinquency programs and the chair of that committed is Dr. Quint Thurman, who has expertise from Wichita State University. The media and community mobilization committee is chaired by the presiding judge at the Juvenile Department, Judge James Burgess. The funding and operation committee is chaired by Dr. Delores Craig, from Wichita State.

“The primary task of the team is to implement the Juvenile Justice Reform Act in our community by developing a strategy for the Juvenile Justice Program that meets the needs of this district. The results of planning will be the creation of a five year plan that provides services that range from prevention to secure incarceration and after care.

“One of the first tasks after organizing was to develop a shared vision, and that vision is captured in this statement. ‘We envision Sedgwick County as a community of strong families, in which children can develop in a safe and healthy manner to live productive lives.’ All of our efforts, when we start getting out of focus on our tasks, we go back to the vision and check ourselves to make sure we’re on track.

“The time line for planning is presented in this chart. The completion of the comprehensive assessment is the task that we’re busy with right now. Within two weeks, the 31st of August, we have a written comprehensive plan that assesses the risk factors predictive of juvenile crime, protective factors, that buffer those risks, and current programs in Sedgwick County that’s due to the State of Kansas.

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“By October 31, we are on track to complete a written strategic plan for the continuum of services that identifies and prioritizes the needs, recommends necessary programs, funding sources, and administrative structure to coordinate juvenile justice services in our district. We expect to be back to present that plan for your consideration and approval on November 18, so that we can meet the deadline for submission to the state by the end of November.

“Once we’ve submitted this broad five year plan, the Juvenile Justice Authority will take the plans from across the state, analyze them, and announce available funding for the criteria and available funding for fiscal year 2000. We will then be tasked with going back and preparing grant applications, prioritizing and focusing our efforts and strategies for the first year of the plan and submit those in a grant application, which will be due to JJA by March 1. We expect the funds to be awarded the end of June.

“Elements of the plan will include really three plans, a prevention plan which targeted prevention services, an intervention plan which would cover juvenile intake and assessment, juvenile detention, and immediate intervention programs like diversion, then graduated sanction plans that cover probation, intensive probation, out of home placements, and the various services. The focus, again, is five years. We will identify our priorities and then stagger implementation plans over that period of time.

“Systems issues, the potential systems that will be impacted by this plan potentially, are juvenile justice, social service, health services, education, law enforcement, and laws and policies. Representatives from all of these sectors are members of the community planning team, and many people who work in this area are part of the committees who are working very hard to develop the assessment at this stage.

“Focusing on the prevention area for a moment. One of the major tasks the team has had to accomplish has been to look at the prevention resources available and to look at the risk factor data that was developed on 19 risk factors and analyze it and make a decision down to three risks factors on which to focus our prevention plan. Those risks factors, we looked at 19 factors and those factors came down to family management, early and persistent antisocial behavior, and a lack of commitment to school. The progressive the team has made is, at this point, we have about wrapped up the assessment of what we currently have, and we will begin the actual planning process from this point forward through October. Within those prevention plan broad risk factors, we’re looking at indicators in that area of the rate of children in foster care, the rate of children in out-of-home placement as indication of the needs for family management.

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“Early and persistent anti-social behavior, the indicator that really caught us was the school suspension rate in elementary school, in grades K through 5, which has grown from about 20 per 1,000 in the 1992-93 school year, to about 53 per 1,000 the last school year. That, to us, is very alarming, and we’re focusing in on that to access what kind of strategies could be developed to impact that. There is probably a very high correlation in the individuals who fall into that category of getting suspended that end up costing a lot of money along the way in correction services as juveniles and adults. If we could do something earlier to stop that, with a prevention effort, it will pay off for all of us in the community. Then the lack of commitment to school, the high school drop out rate in this district and the high school graduation rate.

“The next steps for the planning team are to develop and write the plans to go out and inform the community to raise awareness about these risk factors, about the planning process that we are engaged in and to solicit input to come up with strategies to include in our plan to address these factors. Now we know what we want to focus on. Now we need to pull people together focusing on these areas to help us come up with the strategies and to look at ways we can link resources. The decision that will be coming up, as I said, in November, we’ll be bringing this strategic plan back for your consideration and approval. That concludes my presentation, and if there’s any questions, I’d be happy to try to answer them.”

**Chairman Schroeder** said, “Thank you, Mark. Great presentation. Appreciate the time and effort you put into this process. There are some questions. Commissioner Gwin.”

**Commissioner Gwin** said, “Thank you, Mr. Chairman. Mark, I don’t know whether you need to answer this, or whether Commissioner Miller or Commissioner Winters would care to, but I think these are questions that have occurred to me that may occur to the public, and would like some clarification.

“First of all, any program that emphasizes a community centered approach is a program of merit and certainly deserving consideration. But as a representative of local taxpayers, how optimistic are we or is the planning team that funding will be available from the state and/or what are your expectations that local tax dollars will also need to be used? I don’t know where you are. Who wants that hot potato?”

**Commissioner Miller** said, “I’m going to yield to Mark Masterson.”

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**Mr. Masterson** said, "We had three days of training last week, the first day with the Juvenile Justice Authority leaders and of course this was a very hot question. Future legislative action, the upcoming session, will determine how much money is going to be dedicated, in this first year round, for the plans. What would be said at this point was that we can expect the same level of support that is there for this year as a starting point. Then we have required components that must be funded, and it is complicated, because July 1 we have a matrix that is going to come on that is going to reduce the number of offenders that qualify to go to Juvenile Correctional Facilities and require that those come under our plan that aren't presently. So that will have a financial impact, as well as the required areas, which include the juvenile field services, the juvenile purchase of service funds to pay for those services, juvenile detention, and juvenile intake and assessment.

"I anticipate that the funds that the County has been contributing to the Juvenile Justice Program will need to continue. I think that we'll all need to advocate, in the upcoming legislative process, for enhanced funding. With the growth that we've had, what's going to be difficult is the prevention area."

**Commissioner Gwin** said, "I appreciate that, and I appreciate there is no clear answer to that, yet. Obviously, that would be one that most of us would be interested in. Also, one of the other things that kind of jumped out was on your priority risk factors slide. I guess I'm shocked to think about suspension rates for grades K through 5 and growing at that rate. That kind of got me. The other thing you talked about was an indicator on high school drop out rates and high school graduation rates. Do we have any information on truancy in middle schools? Are those records as well kept as, say, high school graduation rates? My sense is when you're talking about a commitment to school, the lack of commitment to school, that that doesn't just occur in high school, but would occur in middle school or even earlier. Are there numbers available for middle school truanies or those kinds of things? Are those out there?"

**Mr. Masterson** said, "Yes, they're out there, and there are currently initiatives underway addressing truancy. Whether it is enough or not, this falls right into the intervention section, which we've labeled 'immediate intervention programs.' In the planning process that we go out now, that will be an area to look at very closely, and the District Attorney's Office will be very involved in that part of the plan development, as that really falls in their area. What do they need? How do we need to beef this up? Certainly, suspending in elementary school leads right into truancy in middle school and lack of commitment to school, and when you get to 9th grade, to drop outs and a lower graduation rate. We really want to coordinate our focus to impact on all of these areas."

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**Commissioner Gwin** said, "I appreciate it. I would think as the public learns, more certainly they will have more questions. I want to commend you, my colleagues, Commissioner Miller and Commissioner Winters, and this community planning team for their hard work to date. This is an important issue. I think we all recognize that. The fact that we do get to come up with some solutions at the local level is one I think that is very encouraging for the success of these programs. Again, my compliments to you and to my colleagues for their hard work to date. Thank you. Thank you, Mr. Chairman."

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

**Commissioner Winters** said, "I'd just make a quick response, I guess, and conclusion. I was just going to follow up on the funding. I think this is an issue that even the community mobilization is going to be important. If we can obtain the support of our community in trying to deal with juvenile justice issues, I think they can help us solidify the partnership with the State of Kansas in making them think this is an important issue to this whole community. I've visited with a legislator in Topeka yesterday, and he indicated that he wasn't sure who the big constituency was going to be that would push for this. I said well certainly Boards of County Commissioners. He said yes, but they're just on the funding issue. So I think it will be important, that we proceed with community mobilization on this issue to try to really come up with some new ways to look at juvenile crime. As Mark mentioned, this current legislation that we're working under is the first time the words prevention have ever been in the state statutes. I think we can be pleased that we're maybe one step ahead in that we've made a commitment to prevention in the past, and now if we can redefine and redirect those funds to make sure they're doing the very best, I think we may be a step ahead, but it is still a long process. Thank you."

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

**Commissioner Miller** said, "First of all, I need to be able to tip my hat to Commissioner Winters, because as a convener you may think that is not a difficult position to be in, but it is one that, as I've gone through this process, it is one that requires of the convener to have the insightfulness to know key people to put in key places. Commissioner Winters, you've been able to do that. That is definitely going to be beneficial in the total process here. I also need to be able to commend, particularly Mark Masterson, and there are many others, and since Mark is giving the presentation. It also takes individuals that are knowledgeable of this issue, individuals that have a handle on how it is we as a community need to be able to approach, and attempt to solve, some deficit areas that we have in our community."

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“Now, to once again get back to Commissioner Gwin’s question of funding. I think that I need to be able to be as open as possible and to state early on and say that yes, this is going to be placed squarely, not solely, but squarely upon the shoulders of local communities. That is clear to us that, particularly from the perspective of prevention funding. We are basically going to build a tool that is stoked and laden in prevention. That’s wonderful. It’s never been done before. It needs to be done, and it is a positive and proactive way to approach this issue of juvenile crime and juvenile justice services. But at the same time, we are going to be the driving force that is expected to fund it. I’m not solely talking about Sedgwick County Board of County Commissioners, but I’m also talking about the community.

“That brings me to the larger issue that surrounds us and that is community mobilization. Just as Commissioner Winters was saying, it is totally vital and important for us to be able to mobilize our community. I’m taking this brief moment, because it is kind of like a teaser to the community to let you know that we’re going to ask you to step up to the plate. That we’re going to ask everyone within our community to focus in on these priority risk factors that we have identified, that we want everyone to be able to own, and say that yes, we do agree with that. But not only to recognize it, but to step up to the plate and bat and actually step forward and do the things that communities need to do in order to strengthen themselves. Within the vision, the first statement says ultimate solutions lies in families, education, and communities. So, that just tells the community that you are very, very key and important part of this challenge in front of us. I just needed to be able to say that.”

**Chairman Schroeder** said, “Okay, thank you. Any other questions or comments? Again Mark, thank you. Appreciate both you and the Commissioners, Commissioner Winters and Commissioner Miller, for working so diligently on this. I hope that in this mobilization as we are calling it, that we try to mobilize those families, those parents of some of those children that are a key to the success of this program. When I say key, the ones that we get to. I think it is so very important that somehow we get into those homes where those problems occur. This just doesn’t occur at school obviously. This doesn’t just start at school, the learning curve isn’t just at school. Somewhere in the home process. It is somewhere within the family structure. I think you’ve got a tough job ahead of you, but I think it can be done if, like you say, you mobilize the community and get people aware of what kinds of things can cause problems with kids. I’m really excited about this process and what you and Tom have done. Keep up the good work, really appreciate it. Thank you again, Mark. Commissioners, I’d entertain a motion to receive and file.”

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**MOTION**

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

**Chairman Schroeder** said, "Thank you. Thanks again, Mark. It's been suggested we take about a five or ten minute break."

**The Board of Sedgwick County Commissioners recessed at 10:35 a.m. and returned at 10:50 a.m.**

**Chairman Schroeder** said, "We're back in session. Madam Clerk, next item, please."

**D. DEPARTMENT OF RISK MANAGEMENT.**

**1. RESOLUTION ADOPTING REVISIONS TO THE SEDGWICK COUNTY SAFETY AND LOSS PREVENTION POLICY, AND REPEALING SEDGWICK COUNTY RESOLUTION NUMBER 200-1994.**

**Mr. Phil Rippee**, Risk Manager, said, "With respect to item D-1, the Board of County Commissioners adopted a formal safety and loss prevention policy for Sedgwick County employees on October 11, 1989. We officially revised this policy on November 16, 1994. Adoption of this Resolution today will correct some minor administrative details and add two safety issues, move two areas of concern to the fleet vehicle operation and usage policy. These four areas are listed separately in your back-up. My recommended action would be to adopt the Resolution. Be glad to try and answer any questions you might have about this."



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**Chairman Schroeder** said, "Thank you. Phil, would you give us a quick overview of those four areas, just briefly."

**Mr. Rippee** said, "Sure. Section 8 of the present policy addressed vehicle and equipment operation, and this has been deleted and put under the fleet vehicle operation and usage policy, which is in Legal now being reviewed. We felt that there should be two policies which delineated the operational use of the vehicle and our standard comprehensive safety policy. This section deals with employees operating County vehicles and/or motorized equipment and it outlines the requirements for operating these vehicles and procedures for reporting any incidences and accidents which may occur. That is the one section that we moved over to the usage policy.

"Another section, Section 9, addresses operation of privately owned vehicles. There are numerous employees employed in different departments that use and operate their own vehicles in the operation of official duties, and this section outlines the requirements and procedures for operating these vehicles. Basically, we've had this in the policy, and I spoke to this in many departments, but we need this in writing, in a policy somewhere, so they can refer to this and know what they have to maintain in a way of insurance and that type of thing.

"Section 7 of the new policy, as a new section, this is something that we had looked at before, because it became necessary to ensure the County employees were not unnecessarily billed for ambulance transportation and emergency room charges for minor injuries that occurred here at work. We've had a couple of incidences where people really didn't know what to do in case somebody had an injury happen to them at work, and the County Manager authorized us to send out a memorandum to all employees, and we just included this memorandum in the new policy to put it in an official place. The verbiage contained in that memorandum is basically incorporated into the safety and loss prevention policy.

"The last area dealt with Section 10 of the new policy, is the result of a survey that we conducted on first aid kits throughout the workplace, and the final decision was determined that all Sedgwick County work sites and County owned vehicles would be required to maintain a proper first aid kit. This section of the policy incorporates that requirement. Basically, that is a quick overview of everything that we did to change in the policy."

**Chairman Schroeder** said, "Very good, thank you, Phil. Discussion on this item?"

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**MOTION**

Commissioner Gwin moved to adopt the Resolution.

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

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

**2. AGREEMENT WITH EMPLOYERS UNITY, INC. TO PROVIDE UNEMPLOYMENT CLAIMS MANAGEMENT AND CONSULTATION.**

**Mr. Rippee** said, "With respect to item D-2, Employers Unity has represented Sedgwick County as an official agent of record for all unemployment claims filed by prior employees since August of 1987. We have went out for quotes on this service at least twice, and we've never been able to find a company that would represent us any better or at a cost savings that Employers Unity has done. Their duties consist of protesting contestable claims, appealing unfavorable determinations, and representing Sedgwick County at hearings through the services of a duly Kansas licensed and insured attorney at law. In addition, they annually determine the best method of financing unemployment coverage. During 96-97 period, and those are from 1 July to 30 June periods, they saved us \$153,000. During 1997 - 1998, they saved us \$168,000. Overall, since we've employed Employers Unity, they've saved us \$1,746,000 in unemployment costs, and my recommended action would be to approve the Agreement and authorize the Chairman to sign."

**Chairman Schroeder** said, "The annual cost of this is?"

**Mr. Rippee** said, "It is approximately, I think it is around \$5,000."

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**Chairman Schroeder** said, "Money well spent. Thank you. Commissioners, discussion on this item? If not, 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 Thomas G. Winters	Aye
Commissioner Melody C. Miller	Aye
Chairman Mark F. Schroeder	Aye

**Chairman Schroeder** said, "Thank you, Phil. Next item, please."

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

**1. CONTRACT WITH PROJECT INDEPENDENCE TO PROVIDE AN EMPLOYED PERSONS SUPPORT GROUP TO INCREASE JOB RETENTION AMONG PERSONS WITH MENTAL ILLNESS.**

**Mr. John Du Vall**, COMCARE, greeted the Commissioners and said, "This Contract is a renewal of a contract we have with Project Independence to provide services to adults with severe and persistent mental illness. Specifically this contract supports a drop-in center with social activities and support groups for individuals who are employed. This is part of our overall effort in COMCARE for support employment services to increase job retention among individuals with mental illness. The total amount of the contract is \$57,190. Request your approval and authorize the Chairman to sign."

**Chairman Schroeder** said, "Thank you John. Discussion on this item? If not, what's the will of the Board?"

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**MOTION**

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

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

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

**2. CONTRACT WITH VIA CHRISTI REGIONAL MEDICAL CENTER, INC.,  
ST. JOSEPH CAMPUS TO PROVIDE SHORT-TERM CRISIS  
STABILIZATION BEDS FOR ADOLESCENTS.**

**Mr. Du Vall** said, "We have struck an agreement, and this is actually a renewal of the agreement, we have with Via-Christi. There are specifically some times when we need a very short stay with an in-patient unit. Via-Christi has agreed to provide us with inpatient beds for adolescents at a daily rate of \$380. We don't exceed 14 days for each particular stay. I would request your approval of this Contract, which is a renewal, and authorize the Chairman to sign."  
the Chairman to sign.

**MOTION**

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

Commissioner Winters seconded the Motion.

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

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**VOTE**

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

**Chairman Schroeder** said, "Thank you. Next item, please."

**F. CONTRACT MODIFICATION NUMBER ONE WITH SHIELDS ELECTRICON FOR WORK AT THE JUVENILE DETENTION FACILITY. CIP PROJECT #1997 PB352.**

**Ms. Stephanie Knebel**, Project Manager, Capital Projects Department, greeted the Commissioners and said, "This Agenda item requests your approval for a contract modification of \$3,440. The primary focus of this project is to install an internal intercom system as well as exterior cameras to the Juvenile Detention Facility. I request your approval and am available for questions."

**Chairman Schroeder** said, "Thank you, Stephanie. Questions? If not, what's the will of the Board?"

**MOTION**

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

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**Chairman Schroeder** said, "Thank you, Stephanie. Next item, please."

### **G. INFORMATION SERVICES.**

#### **1. PROPOSED PERSONNEL RETENTION LUMP SUM PAYMENT PLAN.**

**Mr. Kenneth A. Keen**, Director, Information Services, greeted the Commissioners and said, "For your consideration this morning, we have proposed a plan that would help our department to retain technical people. I do have additional copies of the plan that was given to you, if you need to refer to one of those. Perhaps the best way to sum up some of the problems we've been having was a two colored full page ad from the Wichita Eagle this past Sunday, where one of our local aircraft firms is busy recruiting information services and information technology people. Of the last six people that we have lost, five have gone to that firm, and of the last eight, six have gone to that firm. So we are facing a problem that we need to look at and address.

"Out of 31 positions that we are looking at in one of the groups, 16 individuals have left our department over the last two years. So exit interviews with these individuals have brought out that we really have a salary issue, and that was confirmed last December by a study conducted by Wichita State in the local area. The graph of that was in the materials that have been given to you. There have been a number of things that we've tried to do to address this issue, through both recruitment and retaining staff by increasing our training opportunities. Clearly though, the problem has been nailed down as one of a salary issue.

"Specially, the plan groups, the effected individuals, into two groups. One is a technical staff in the range of 19 through range 24, where primarily the heaviest turnover has occurred. These individuals would receive the largest of the individual amounts of \$2,800 apiece. Group 2 consists of just the two ranges of range 25 and range 26. Those individuals are vulnerable, because they're capable of performing the same work, and they have time and efforts invested in the County, and a lot of experience with the County's applications. They're trainers for the other groups. Losing them hurts the ability for us to train new staff as they're hired. Certainly, in a lot of ways, they've born the brunt of the staff turnover, as they've had to reprioritize and reschedule, and pick up some of that work load. That group would receive \$1,500 individually. The cost of the plan works out to be \$101,800, plus about \$13,000 in benefits. The direct salary costs would be paid from the Information Services budget through salary savings. There is the potential that we will need a similar plan next year and possibly even into the year 2000.

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“The funds would be paid to the individuals as a lump sum on the next to the last pay period of the year, and they would of course be subject to normal withholding. Those two groups would be the only two groups in the department eligible for the program. New hires would get something of a hiring bonus at the same time, by being a prorated plan. It is a market driven technology staff retention plan. That’s been the emphasis from the beginning, and throughout the thing, that we are reacting to our local market. I certainly recommend the adoption of the Plan and would be happy to try to address any questions.”

**Chairman Schroeder** said, “Thank you, Ken. Ken, I will say that if you asked me about this a couple of years ago I would have said absolutely not. But I understand, after looking at this list of where these people have gone, Betsy and I were looking, and one of them had a 47% increase in salary by moving on into the private sector. That doesn’t mean that we’re paying that low. That just means that that person found a better job. But obviously this industry, itself, when it comes to computers and information systems, is one that is really driving the market. We are losing some good people, and they’re moving on, and doing some wonderful things, but we need to retain and maintain some good people here, because you have a very difficult task. You’re the one that has a complaint list a mile long when things don’t get done as soon as they need to be done. I appreciate the efforts that you and Bob Rogers have put into establishing this way of trying to entice our people to stay with us and allow us to be the best we can possibly be, internally, for our departments. This is one that was very difficult for me, but you’ve brought me along in it. I feel comfortable, at this point. It is something that I hope we don’t have to do very often. As you said, we may be doing this again next year and the year after, depending upon how the market situation sits. Anyway, appreciate the hard work that you put into this. I know there are other questions up here. Commissioner Gwin.”

**Commissioner Gwin** said, “Thank you, Mr. Chairman. I, too, am going to be supportive, Ken, and like Mark, with some hesitancy or even, kind of, the sense of ‘oh, drat’. We’ve got to do that. I think before we think about extending the program, we probably ought to look at the salaries that we pay and how competitive they are to the private sector. We can’t meet them. I mean, in most cases, we can’t. But if we’re so far off that we’re losing people, Mark gave an example of 47%, but there are most of them who left for greater than a 20% increase in salary, and that’s a big step. It is pretty appealing, I would suppose, if someone is looking to make a change. I’m going to support your request this time. I would suggest that you, and personnel, and others continue to look at our pay scale, though, and see how competitive, or not, we are with the private sector out there. If it is an ongoing problem, we may have to look at some of those adjustments. Thank you, for the information.”

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**Chairman Schroeder** said, "Thank you, Commissioner. Any other questions or comments? If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to approve the proposed Plan.

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

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

**2. RECLASSIFICATIONS.**

- ! SYSTEMS ANALYST/PROGRAMMER, RANGE 21, TO PROGRAMMER, RANGE 20**
- ! PRODUCT SUPPORT ANALYST III, RANGE 21, TO PRODUCT SUPPORT ANALYST II, RANGE 20**
- ! PRODUCT SUPPORT ANALYST III, RANGE 21, TO PROGRAMMER, RANGE 20**
- ! SYSTEMS ANALYST/PROGRAMMER (THREE POSITIONS), RANGE 21, TO SYSTEMS ANALYST, RANGE 22**
- ! SYSTEMS ANALYST/PROGRAMMER, RANGE 21, TO SENIOR SYSTEMS ANALYST, RANGE 24**



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**Mr. Keen** said, "As part of working with our staff in trying to determine what some of these issues were, they reported to me that one of the problems is we've got people at three ranges really, range 20, 21, and 22, and they're saying that one of the issues is there isn't enough difference between those to make a promotion worthwhile on anything but paper. It basically takes them down one range and back a step. So, in looking at this and visiting with personnel and trying to work through some things that we could do, we have seven positions that are a range 21. So we're basically taking three of those positions and moving them down to range 20. Three more of those positions and moving those up to range 22, so that the 21 position level essentially goes away, and there is a more meaningful promotion for those. Then the seventh position is going from a 21 to a 24, so that we can have a little more promotion growth in that area. That is basically the plan that is there that addresses those seven positions. I would recommend its approval as well."

**Chairman Schroeder** said, "Thank you Ken. Discussion on this item? If not, what's the will of the Board?"

**Commissioner Miller** said, "I do have discussion, briefly, Mr. Chairman. Ken, in eliminating that one range, 21, in terms of monetary benefits, those individuals who are being down graded to the 20, which is three. Is that three individuals?"

**Mr. Keen** said, "There are three jobs. Nobody is at a range 21, losing money."

**Commissioner Miller** said, "Excellent. That's all I needed to clarify."

**Mr. Keen** said, "We have some of those positions that are under filled at a range 20, so they just moved down. Nobody is losing money."

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

**Chairman Schroeder** said, "Other questions or comments? If not, what's the will of the Board?"

### **MOTION**

Commissioner Gwin moved to approve the reclassifications.

Commissioner Miller seconded the Motion.

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

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**VOTE**

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

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

**H. ADJUSTMENT TO THE REGISTER OF DEEDS STAFFING TABLE TO CHANGE ONE OFFICE ASSISTANT POSITION, RANGE 12, FROM TEMPORARY TO PERMANENT FULL-TIME.**

**Mr. Bill Meek**, Register of Deeds, greeted the Commissioners and said, "What we're requesting, at this time, is to change from a temporary staff person to a full time. If you remember, this person is funded until the year of December of 1999. What we're requesting at this time is that we be able to give this person health benefits. During the initial application process, we only had two applicants apply for this job. The person we hired is in the job and doing an outstanding job and working very hard, coming to work every day. We would like to offer the benefits."

**Chairman Schroeder** said, "Okay, thank you, Bill. Discussion on this item? If not, what's the will of the Board?"

**MOTION**

Commissioner Winters moved to approve the adjustment to the Register of Deeds Staffing Table.

Commissioner Gwin seconded the Motion.

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

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**VOTE**

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

**Chairman Schroeder** said, "Thank you. Next item, please."

**I. KANSAS COLISEUM.**

**1. ADDITION OF ONE MARKETING MANAGER POSITION, RANGE 23, TO THE KANSAS COLISEUM STAFFING TABLE.**

**Mr. John Nath**, Director, Kansas Coliseum, greeted the Commissioners and said, "The item before you to add the marketing manager, is a position that is approved in the 1999 budget. However, we have sufficient revenues, so far this year, and projecting out through the end of the year, we have sufficient revenues to more than take care of what the salary would be to add this position early. As you know, we have a couple of initiatives out right now, including our sponsorship program, which this position will be attending to. We also have a new signage outdoor entry gate signage program, which we're going through a zoning change to get approval with. We had our first meeting at Park City on Monday. It was approved. That person will also be taking care of that, plus as the in-house agency. If there are any questions, I'd be happy to answer them."

**Chairman Schroeder** said, "Thank you, John. Discussion? If not, what's the will of the Board? I'm sorry, Commissioner Gwin."

**Commissioner Gwin** said, "John, when would you hire and when would this position come on board?"

**Mr. Nath** said, "We would love to hire somebody approximately in the middle of September. The timing is very good, since our season really starts in the beginning of October, and it would be a really good time to get somebody on board to get the feel of how the business works."

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

**Chairman Schroeder** said, "Thank you. Any other questions or comments?"

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**MOTION**

Commissioner Gwin moved to approve the addition to the Kansas Coliseum Staffing Table.

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

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

**2. KANSAS COLISEUM MONTHLY REPORT.**

**Mr. Nath** said, "For the month of July, we had 5 events, 11 performances, and an attendance of 5722 people. Obviously, the slowest, quietest month of the year for us. Revenues were \$35,000. However, for the total for the year, we're over \$1,200,000, so far, and that is 9% ahead of last year's record pace. We've experienced some significant changes in the revenue picture of Select-A-Seat however. The Coliseum may be slow and quiet. We've been able to do some other things to generate revenue that is off-property. The two big examples, the reason why Select-A-Seat is up 49% over the same period of last year, is because we're selling more tickets to off site events through the system. Namely, the Kansas State Fair, who modified their ticketing selling procedures. They used to go on sale early, by mail. This year they went out through the system which really drove a lot more of the business to the telephones, and the outlets. Plus, we've picked up Sandstone Amphitheater. We're selling tickets to all the concerts up in Kansas City. That is a direct reflection on that increase of \$9,000 in revenue. That is all service charges. That's the dollars at the outlets, and the two dollars over the phones. It does add up.

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“Our web site is up and running. It is still under construction, still pretty rudimentary, but it looks really good. IS did a good job on setting it up. We’re starting to get requests for event information, which is what we want to do, expand out mailing list. We get about two or three a day. Working out real well with no publicity. We have not had the final approval, yet, from the Internet gods to change the domain from Select-A-Seat in Cincinnati, to Select-A-Seat here in Sedgwick County. As soon as we get that, we’ll have our ticketing web site up and, hopefully, we’ll be able to sell tickets to all these other events.”

**Chairman Schroeder** said, “Once you get this web site up and running, do you think you’ll have more than the three requests you get from Betsy?”

**Commissioner Gwin** said, “For wrestling?”

**Mr. Nath** said, “She is a wrestling fan, you know.”

**Chairman Schroeder** said, “Okay. Anything else?”

**Mr. Nath** said, “If you have any questions, I’d be glad to answer them.”

**Chairman Schroeder** said, “Great. Any questions? If not, what’s the will of the Board?”

**MOTION**

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

**Chairman Schroeder** said, “Thank you, John. Next item, please.”

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**J. BUREAU OF PUBLIC SERVICES.**

- 1. AGREEMENT WITH FARMLAND INDUSTRIES, INC. FOR RELOCATION OF A PIPE LINE IN CONNECTION WITH SEDGWICK COUNTY PROJECT NO. 616-32, 33, W ½ 34; 13TH STREET NORTH BETWEEN THE WICHITA CITY LIMITS AND K-96. CIP #R-225. DISTRICT #1.**

**Mr. David C. Spears, P.E.**, Director/County Engineer, greeted the Commissioners and said, “Item J-1 is an Agreement with Farmland Industries to relocate a crude oil pipe line, in connection with the road improvement project on 13th Street North, between the Wichita city limits and K-96. The line is located in a private easement. The relocation cost will not exceed \$55,000. 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.

**VOTE**

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

**Chairman Schroeder** said, “Thank you. Next item.”

**Regular Meeting, August 19, 1998**

**2. RESOLUTION AUTHORIZING TEMPORARY TRAFFIC MEASURES ON EAST THIRTEENTH STREET ON OCTOBER 10, 1998 FOR THE RAYTHEON AIRCRAFT EMPLOYEE FALL FESTIVAL.**

**Mr. Spears** said, "Item J-2 is a Resolution which closes 13th Street North, between Webb Road and Greenwich Road, on Saturday, October 10, 1998 between 6:00 a.m. and 11:59 p.m. This is a request by Raytheon, so they can hold their Employee Fall Festival."

**Chairman Schroeder** said, "Thank you, David. Discussion on this item? If not, what's the will of the Board?"

**MOTION**

Commissioner Gwin moved to adopt the Resolution.

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

**Chairman Schroeder** said, "Thank you, David. Next item, please."

**Regular Meeting, August 19, 1998**

**K. REPORT OF THE BOARD OF BIDS AND CONTRACTS' AUGUST 13, 1998  
REGULAR MEETING.**

**Mr. Darren Muci**, Director, Purchasing Department, greeted the Commissioners and said, "You have minutes from the August 13 meeting of the Board of Bids and Contracts. There are seven items for consideration.

**(1) CERTIFIED MAILERS - SHERIFF'S DEPARTMENT  
FUNDING: SHERIFF**

"Item one, certified mailers for the Sheriff's Department. It was recommended to accept the sole source bid of Ferrarelli, Inc. That amount is \$12,522.50.

**(2) PERSONAL COMPUTER HARDWARE & SOFTWARE - BUREAU/PUBLIC  
WORKS  
FUNDING: BUREAU/PUBLIC WORKS**

"Item two, personal computer hardware and software for the Bureau of Public Works for their network. It was recommended to accept the low bid of only bid of Gateway 2000 to match existing equipment. That amount is \$67,849.

**(3) DISTRIBUTED PRINTING SYSTEM REPLACEMENT - INFORMATION  
SERVICES  
FUNDING: INFORMATION SERVICES**

"Item three is distributed printing system replacement for Information Services. It was recommended to accept the only proposal received of American PrintWare. That amount is \$28,725.

**(4) SANITARY SEWER IMPROVEMENTS - BUREAU/PUBLIC WORKS  
FUNDING: SPECIAL ASSESSMENT**

"Item four, sanitary sewer improvements for the Bureau of Public Works, special assessment, Tara Falls Addition, Phase 1. It was recommended to accept the low bid of Nowak Construction. That amount is \$211,728.



**Regular Meeting, August 19, 1998**

**(5) STREET & DRAINAGE IMPROVEMENTS - BUREAU/PUBLIC WORKS  
FUNDING: SPECIAL ASSESSMENT**

“Item five, street and drainage improvements for the Bureau of Public Works, Wood River 2nd Addition, Phase 2. It was recommended to reject all bids.

**(6) PAVING IMPROVEMENTS - BUREAU/PUBLIC WORKS  
FUNDING: SPECIAL ASSESSMENT**

“Item six, paving improvements for Bureau of Public Works for Hydraulic Drive. It was also recommended to reject all bids.

**(7) SANITARY SEWER IMPROVEMENTS - BUREAU/PUBLIC WORKS  
FUNDING: SPECIAL ASSESSMENT**

“Item seven, sanitary sewer improvements for the Bureau of Public Works for the Davis’Crestland Addition. It was also recommended to reject all bids.

**ITEMS NOT REQUIRING BOCC ACTION**

**(8) SANITARY SEWER IMPROVEMENTS - PUBLIC WORKS  
FUNDING: SPECIAL ASSESSMENT**

**(9) BLUE LINE SERVICES - VARIOUS DEPARTMENTS  
FUNDING: VARIOUS DEPARTMENTS**

“There are two items that do not require action at this particular time, they are being reviewed. Sanitary sewer improvements for the Bureau of Public Works for the Estates at Shadybrook and blue line services for various departments, spearheaded by Public Works and Capital Projects. Those bids are being reviewed. I will be happy to take questions and recommend approval of the minutes provided by the Board of Bids and Contracts.”

**Chairman Schroeder** said, “Thank you, Darren. Discussion on this item? If not, what’s the will of the Board?”

**Commissioner Miller** said, “I do have discussion? It is just not too typical, at least not during my time here, to see three, are they all sanitary sewer? No, they’re not. But I’m regarding number 5, number 6, number 7. What’s going on?”

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**Mr. Spears** said, "These have been let over a period of time, probably within the last six months. They weren't all let on one day. What happens is when the bid comes in over the engineer's estimate, these are all special assessment projects. So we go back to the owners and see if they want to redo the petition and bring that before this Board for the higher amount. In some cases they do and in some cases they don't. When they don't want to do it, we reject the bids."

**Commissioner Miller** said, "So all three of these said no."

**Mr. Spears** said, "They did not want to."

**Chairman Schroeder** said, "Dave, is there a reason that our engineer's estimate was under?"

**Mr. Spears** said, "All of these estimates aren't done by our staff. They're done by the consultant that does the plans for the developer. Many times, this is an item of discussion we've had for years, many times an owner puts in a petition with the lower amount, and see, a lot of this is based on his letter of credit that he also has to submit. So the lower the engineer's estimate, the lower the letter of credit and sometimes they're not realistic. That's what we see. So it is a long process, but it is market driven and when the price comes in over the estimate we go back, as I said before."

**Commissioner Miller** said, "So the process ends then, until they want to do it. Okay."

**Chairman Schroeder** said, "Well, Dave, let me ask you, for instance, if you recall, Fairway Meadows in my district. What was that, where the engineer's estimate was lower than the actual and we asked if they wanted to go ahead with the project and the neighborhood said no. Did we do that or did another?"

**Mr. Spears** said, "They said what?"

**Chairman Schroeder** said, "They didn't want to do it after they found out it was higher."

**Mr. Spears** said, "You don't mean Fairway Meadows, you mean Town and Country."

**Chairman Schroeder** said, "I'm sorry, Town and Country. What was the issue there?"

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**Mr. Spears** said, "Same issue. In that case though, I don't believe there would have been a letter of credit, because it wasn't a new development. But, the people were told based upon the consultant's price of what it would be, what their price per lot would be, and when the bid came in over that, and it was higher, we went back to the people, sent them all a letter and said you're assessment will now be this, as opposed to what was originally thought, and do you want to repetition, do you want to do the project. They said they could not get over 50%, that's what you have to have."

**Chairman Schroeder** said, "That's probably more difficult in smaller developments with fewer people to pay for the project, and that has a greater impact."

**Mr. Spears** said, "Usually it is not a problem where it is not developed yet, and there are no houses yet, and you have one person who owns the land, and he makes the decision if he wants to go ahead or stop."

**Chairman Schroeder** said, "Interesting."

**Commissioner Gwin** said, "Do you expect to see these back in pretty short order? Did you get any indication from the developers?"

**Mr. Spears** said, "It varies. They seem to pop up again in a few years, most of them do. It is something that usually the people do want to do, and they just have to take that step and go on with it. If there is enough pressure in the neighborhood, they'll usually do it later on."

**Chairman Schroeder** said, "After the ruts and the mud holes appear, then they remember why they petitioned it to have it done. Okay, very good. Thank you, David. Other discussion on this item? If not, what's the will of the Board?"

### 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.

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**VOTE**

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

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

**CONSENT AGENDA**

**L. CONSENT AGENDA.**

**1. 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 Works, as a condition of receiving a Platting Exemption on an unplatted tract.

Owners: Gerald L. Dunnegan and Erma L. Dunnegan, located in the Southwest Quarter of Section 22, Township 29 South, Range 1 West, more specifically located north of 103rd Street South and east of 71st Street West (Ridge Road). Ohio Township. District #2.

**2. Section 8 Housing Assistance Payment Contracts.**

<u>Contract Number</u>	<u>Rent Subsidy</u>	<u>District Number</u>	<u>Landlord</u>
V98037	\$123.00	5	Dave and Linda Betthausen
V98038	\$186.00		Doris Kellogg

**Regular Meeting, August 19, 1998**

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

<u>Contract Number</u>	<u>Old Amount</u>	<u>New Amount</u>
V97049	\$262.00	\$207.00
V94063	\$210.00	\$242.00
V97059	\$318.00	\$174.00
V95115	\$325.00	\$325.00
C94094	\$181.00	\$206.00
C98014	\$239.00	\$258.00
V95007	\$525.00	\$247.00
V97010	\$421.00	\$308.00

- 4. Plats.**

Approved by the Bureau of Public Works. The County Treasurer has certified that taxes for the year 1997 and prior years are paid for the following plats:

Valley Estates 2nd Addition  
Becker Addition

- 5. Consideration of the Check Register of August 14, 1998.**

- 6. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980389	District Court	Transfer
980390	Special H/W Equipment Fund	Transfer
980391	Risk Management Reserve Fund	Supplemental Appropriation
980392	Temporary Notes Series 1997-1	Supplemental Appropriation

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<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
980393	Temporary Notes Series 1998-1	Supplemental Appropriation
980394	Temporary Notes Series 1998-1	Transfer
980395	Series B, 1998 Bonds	Supplemental Appropriation
980396	Temporary Notes Series 1998-2	Supplemental Appropriation

**Mr. Jarold D. Harrison**, Assistant County Manager, greeted the Commissioners and said, "I would recommend your approval of the Consent Agenda as presented."

**Chairman Schroeder** said, "Thank you, Jerry. Discussion? If not, what's the will of the Board?"

**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.

**VOTE**

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

**Chairman Schroeder** said, "Thank you. Any other business to come before this Board? If not, we stand adjourned."

**N. ADJOURNMENT**

**Regular Meeting, August 19, 1998**

There being no other business to come before the Board, the Meeting was adjourned at 11:21 a.m.

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

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

\_\_\_\_\_  
**PAUL W. HANCOCK**, Chairman Pro Tem  
Second District

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

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

\_\_\_\_\_  
**MELODY C. MILLER**, Commissioner  
Fourth District

ATTEST:

\_\_\_\_\_  
**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1998