

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

### **REGULAR MEETING**

**JULY 23, 1997**

The Regular Meeting of the Board of County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., Wednesday, July 23, 1997, in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Thomas G. Winters; with the following present: Chairman Pro Tem Paul W. Hancock; Commissioner Betsy Gwin; Commissioner Melody C. Miller; Commissioner Mark F. Schroeder; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Ms. Becky Allen-Bouska, Director, Bureau of Finance; Mr. Marvin Krout, Director, Metropolitan Area Planning Department; Mr. John DuVall, Director of Operations, COMCARE; Mr. David C. Spears, Director, Bureau of Public Services; Mr. Glen Wiltse, Director, Code Enforcement; Mr. Darren Muci, Director, Purchasing Department; Mr. Fred Ervin, Director, Public Relations; and Ms. Linda M. Leggett, Deputy County Clerk.

### **GUESTS**

Ms. Earnestine Freeman, Proclamation  
Mr. Donald Trembleton, Public Relations Director, Aviation Council  
Mr. Duane Sanders, Representative, County Reservation District  
Ms. Debbie Sisco, President, Oaklawn Sunview Neighborhood Association  
Mr. Dale Bukaty, Advisory Council, County Commission on Aging  
Ms. Nancy Berriman  
Mr. John Leslie, 5111 East 21st Street, Wichita, Kansas  
Ms. Dee Williams, 621 North Derby, Derby, Kansas  
Ms. Jeanice Thomas, 1116 West Murdock, Wichita, Kansas  
Mr. Milt Pollitt, 6510 East 14th Street, Wichita, Kansas  
Mr. Tom Bishop, 3033 West 2nd, Wichita, Kansas  
Ms. Yolanda B. Williams, PO Box 48893, Wichita, Kansas  
Mr. Dwight Allen, 1102 South Hillside, Wichita, Kansas  
Mr. Andy Bias, 1631 East 17th, Wichita, Kansas  
Mr. Fred E. Tosh, 8308 Limerick, Wichita, Kansas  
Ms. Bobbye J. Humphrey, 8406 East Harry, Wichita, Kansas  
Mr. Karl Peterjohn, 11328 West Texas, Wichita, Kansas  
Ms. Pat Beyer, 9130 Suncrest, Wichita, Kansas  
Mr. John Ortiz, Executive Director, Mid-American All Indian Center  
Ms. Frances Jackson, 2120 East 13th Street, Wichita, Kansas

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Mr. Dave Bayouth, 8426 Huntington, Wichita, Kansas  
Mr. Greg Stevens, 2108 West 60th Street North, Wichita, Kansas  
Mr. Scott Vanderhoofven, 9003 Windwood, Wichita, Kansas  
Mr. Dean Patterson, 10850 North Rock Road, Valley Center, Kansas  
Mr. Hank Blase, 2302 North Hoop, Wichita, Kansas  
Mr. William Chestnut, 4400 North 127th Street East, Wichita, Kansas  
Ms. Carol Bloodworth, 107 Washington, Cheney, Kansas  
Mr. Bruce Bergmann, 8401 South Meridian, Wichita, Kansas  
Mr. Kent Zogleman, 39400 West 7th Street South, Cheney, Kansas

#### **INVOCATION**

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

#### **FLAG SALUTE**

#### **ROLL CALL**

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

#### **CONSIDERATION OF MINUTES: Regular Meeting, June 25, 1997**

The Clerk reported that all Commissioners were present at the Regular Meeting of June 25, 1997.

**Chairman Winters** said, "Commissioners, you've had an opportunity to review the Minutes, what's the will of the Board?"

#### **MOTION**

Commissioner Hancock moved to adopt the Minutes of June 25, 1997, as presented.

Commissioner Miller seconded the Motion.

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

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**VOTE**

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

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

**CERTIFICATION AS TO THE AVAILABILITY OF FUNDS**

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

**Chairman Winters** said, "Thank you. I see no questions Becky. Next item."

**PROCLAMATIONS**

**A. PROCLAMATIONS.**

**1. PROCLAMATION DECLARING JULY 26, 1997 AS "W.I.N - WOMEN IN THE N.A.A.C.P. DAY."**

**Chairman Winters** said, "Commissioners, we have a couple of Proclamations this morning. I'd like to read the first one for your consideration."

**PROCLAMATION**

**WHEREAS**, the Wichita Branch of Women In the N.A.A.C.P., or W.I.N., works toward the quality and justice for every citizen; and

**WHEREAS**, W.I.N. recently sponsored a day honoring the personal and professional achievements of Women in Wichita from every walk of life; and

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**WHEREAS**, in recognition of volunteers who devote countless hours of community service W.I.N. will honor 1997 recipients Charles and Gloria McAfee and Eugene and Jewel Anderson; and

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim Saturday, July 26, 1997, as

**“W.I.N. - WOMEN IN THE N.A.A.C.P. DAY”**

in Wichita and Sedgwick County and recognize Charles and Gloria McAfee and Eugene and Jewel Anderson in their tireless volunteerism and their support in W.I.N. community efforts.

“Commissioners, that is the Proclamation, what’s the will of the Board?”

**MOTION**

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

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Today we do have Earnestine Freeman here. Would you please come forward to accept this Proclamation? If you’d like to make a couple of comments, that would certainly be fine.”

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**Ms. Ernestine Freeman** said, "We'd like to thank you on behalf of W.I.N. Dorothy Nixon is our President. The function is Saturday night at Beech Activity Center. It is at 7:00 and tickets are \$15. I have enough for the Commission. We'd like to invite you all there. Thank you."

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

**2. PROCLAMATION DECLARING JULY 26, 1997 THROUGH SEPTEMBER 7, 1997 AS "MODEL AVIATION DAYS."**

**Chairman Winters** said, "Commissioners, I have a second Proclamation this morning."

**PROCLAMATION**

**WHEREAS**, four clubs of the Model Airplane Council of Sedgwick County are holding a series of events for all types of model aircraft; and

**WHEREAS**, these clubs have 200 members dedicated to the furtherance of model airplane activities in Sedgwick County and surrounding areas; and

**WHEREAS**, these events, as listed, are presented by the members of these groups for the education, entertainment and enjoyment of the citizens of Sedgwick County

July	26-27	Chisholm Trail R/C Club
August	1- 3	Wichita Radio Control Club
August	9-10	Wichihawks Model Airplane Club
August	15-16	Wichita Radio Control Club
August	16-17	Wichita Historical Aircraft Modelers
September	6- 7	Wichita Radio Control Club

**NOW THEREFORE BE IT RESOLVED**, that I, Tom Winters, Chairman of the Board of Sedgwick County Commissioners, do hereby proclaim July 26, 1997, through September 7, 1997, as

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**“MODEL AVIATION DAYS”**

in Sedgwick County, and encourage all citizens to support the Model Airplane Council of Sedgwick County.

“Commissioners, that’s the Proclamation, what’s the will of the Board?”

**MOTION**

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

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “We do have Donald Trembleton here today to accept this Proclamation. If he is here, would he please come forward? Sir, if you’d like to make a couple of comments, that would be fine.”

**Mr. Donald Trembleton** said, “As the Director of Public Relations for the Aviation Council, I just want to thank the Commissioners for their continuing support, especially our activities at Lake Afton Park, which is the most beautiful model aviation facility in the State of Kansas. We invite you all out to witness any of the events that we have scheduled there during the month of August and September. Thank you very much.”

**Chairman Winters** said, “Thank you sir. Next item.”

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### **PUBLIC HEARING**

#### **B. PUBLIC HEARING REGARDING THE 1998 COUNTY BUDGET.**

**Mr. William P. Buchanan**, County Manager, greeted the Commissioners and said, "This is the second series of public hearings regarding the County's budget for 1998. Before we hear from the public, I thought it might be helpful to review just a couple of items very quickly.

#### **SLIDE PRESENTATION**

"As you recall, there has been some concern about how much taxes would go up and rather we should collect taxes early or extend them over a period of time. So I wanted to begin here. Here are the years listed. Here is the average house, the house that is the median for Sedgwick County, is a house that is valued at \$67,200. We take that times the residential ratio of .115 and get the assessed valuation of \$7,728. If we take that times the proposed increase, what we proposed on June 25, we will see that for that house the taxes will go up \$28.62. If we carry that \$28.62 over to 1999, because we are assuming that operation costs and the cost of debt, interest and principal on the jail, would cause that to stay the same, neither one would be expected to go down and \$28.62 the following year, because we would continue the tax and into 2001, \$28.62, a homeowner would pay in those four years \$114.28. If, as we suggested under Option B, collected half a mill this year and 4.9 next year, you'll see as it extends across it would be \$117.59. In Option C, no tax increase this year and then of course in 1999 and you can see what happens in 2000, would be \$120.56. The mathematics work no matter which number you use here. It is cheaper for individuals who tend to stay and live in Sedgwick County longer than four years to begin paying now rather than later.

"The highlights of the 1998 budget, if you recall, the annual jail operating cost of five mills, cost to run the new jail will be an increase of five mills. We previously projected over a two year period that if we continue to do business as normal, we would have a 7.5 mill increase. We recommended a single increase of 3.7 mill and no mill increase in 1999 and by doing business differently, by cutting some positions, by rethinking how we provide services, we believe we can provide the same level of services and do it for 3.7 mills. Recently, we had revised assessed valuation numbers.

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“As you know, the recommended budget comes out in June 25, in that process, Gerald Frantz’s office starts narrowing and getting more comfortable with the assessed valuations. That will continue through August 6, and continue in fact through November. What we have now is a pretty high level of comfort with some new numbers that would reduce the mill recommendation to 3.11 mills. That includes community policing. That is a service that has been added. The Sheriff and I have had a chance to meet and the Sheriff brought a very good solution to the table that made all the sense in the world and that community policing process is in the budget for 1998. We didn’t increase expenditures, nor did we raise the mill levy.

“The issue before you today on the next item after the public hearing, the next item on the agenda, is the recommended budget and just let me review this to keep this in mind of what has happened. On June 25, we recommended \$171,000,000 of expenditures. The assessed valuation level at that time, we expected an increase of the mill levy to be at 3.177 or 3.7 mill increase. Because of the new assessed valuations, we had assumed 2.5% increase, we believe we are very comfortable at 4.47% increase, which includes a significant increase in assessed valuation, which has caused the need to reduce the mill levy to 3.11 or a 31.17 mill for Sedgwick County properties. So that is where we are today and at this point if there are no questions Mr. Chairman, it would be appropriate to hear from the public.”

**Chairman Winters** said, “Thank you Mr. Buchanan. I see no questions from the Commissioners at this time. We will open the public hearing and take comment from anyone who wishes to address the County Commission on our 1998 Budget. Anyone who would like to address the Commission on the 1998 Budget, please come forward. Give your name and address for the record. We’re going to try to limit our comments to five minutes.”

**Mr. Duane Sanders**, Route 1, Valley Center, said, “Good morning. Thank you Commissioner Winters and fellow Commissioners. From Gobbler’s Knob, I bring you greetings. I am here this morning representing the Sedgwick County Conservation District. I think you have been made aware of the City Green program. There are computer programs that are available. In Kansas, 55 of them have been issued. Sedgwick County and Riley County each have one. To use this program, we have to have a computer. They say those computers cost \$10,000. I’m not going to go into too much of this. I’ve got materials. Would some of the staff please distribute this information that I have here please? There are about three different sets there, if you would give them one of each please.



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“I want to thank the Commission for the budget that you have allowed us over the years and remind you that since 1993 we have not had a budget increase. Inflation has been eating into our program, therefore, we feel that we have been less productive than we could have been had we had raises like a great many people had. I think that you have been told before and I will remind you again that our budget of \$88,888 will generate from the State and the federal government an additional \$800,000. I don't know of any other program or place where you could put money where you almost get ten back for every dollar invested. Seems like a pretty good investment to me, but I'm not on the bench.

“The City Green program is a grant from the National Association of Conservation Districts. There were only 55 grants made in the United States. I thought it was Kansas, but it was in the United States, and Kansas got two of them, Riley County and Sedgwick County. If we don't have the computer, I suppose some other County will get this program, I don't know about that. But that is the way we feel about it. The City Green will do for Sedgwick County, enable us to predict with computer accuracy the benefits of vegetation, trees, grass, and other land cover. It will also give us the impact of storm water runoff from hard surfaces, like streets, parking lots, and driveways, and what not. This program will benefit the Metropolitan Area Planning Department and the Bureau of Public Services in determining alternatives for storm water when addressing new development areas. It can also be used to determine how trees or vegetation can alleviate existing flood and erosion problem areas. Basically, what we are asking for is your consideration to increase our budget \$10,000, so that we can purchase this computer program. If you will read the brochure, the brightly colored one, it will give you an idea of the benefit of trees and of grass and reduction of carbon in the air, the elimination of runoff. Conservation is about that sort of thing and that is what we are charged to do and we can't do it without your help. Thank you.”

**Chairman Winters** said, “Commissioner Hancock has a question or comment.”

**Commissioner Hancock** said, “Do you have to buy the software?”

**Mr. Sanders** said, “No, this is the software we can have if we get the computer to run it with.”

**Commissioner Hancock** said, “Okay, that's all I need to know.”

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**Mr. Sanders** said, "It just won't do us any good without a computer. We don't have one."

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

**Ms. Debbie Sisco**, President, Oaklawn-Sunview Neighborhood Association, 3000 Jonquil, greeted the Commissioners and said, "As representatives from the Oaklawn-Sunview area, we would like to ask you to keep the funding for the Community Policing program in the budget for next year. We, as a community, have formed a real relationship with the Sheriff's Department for the very first time. We know the person behind the badge. We have a friend that we can talk to about problems in our neighborhood. We have an ally in the battle to reclaim our community. We, as a community, have daily contact with our Deputy. The Deputies come to the Neighborhood Association meetings. They go into the schools so they know the families. They meet monthly with leaders in the community. They get out of their cars to walk the streets of Oaklawn. They know the residents. Always before, if we, as a neighborhood, had graffiti on the fence, it would not be painted over. Now, in partnership with the community, we see that any and all graffiti is removed. Cars that do not run would sit in the streets for months. Now we have the cars removed. Vacant houses are being checked on a routine basis. If there is a 911 call made to a family with a history of domestic violence, there is a follow up call made by one of the community policing to make sure that everything does stay safe at that house. If they suspect gang activity, they help that family see that not only the gang member is in danger.

"Their job covers a wide range of challenges. We are a very diverse community. When the recent tragedy happened in the Oaklawn area, we felt the pain of the Sheriff Department. When the recent crime stats came out, we shared their joy as a team. Last year at Halloween we shared the fun in providing a safe place for the kids of Oaklawn to trick-or-treat. We shared many things with the five Deputies that work in our community, tears, price, hope, and laughter. The greatest gift that we share is the respect that we feel for each other. Both residents and Deputies have a very special talent that they bring to the table. We open a line of communication. When we as a community are able to share ideas openly and honestly, that is when you see a neighborhood blossom. We feel that they are a part of the Oaklawn community. Please join us in supporting our community police officers. Thank you."

**Chairman Winters** said, "Thank you very much. We appreciate you being here. Next speaker."

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**Ms. Dale Bukaty** said, "I'm on the Advisory Council for the County Commission on Aging. The address is 1202 N. Shefford. I'm here today to respectfully request your close consideration of the budget as it was presented to you. We represent and advocate for the low income, frail, elderly, who quite frankly are at a point in their lives where they can't do anything for themselves. We're looking at life sustaining services that will enable these people to stay in their own homes rather than the alternative of going to a nursing home, which in the long run will cost the taxpayer even more.

"The members of the Advisory Council, the staff of the Department on Aging, and the providers themselves, have taken it upon themselves as their responsibility to develop further cost effectiveness evaluations. We have formed a special committee to accomplish this task. The number of volunteers we have in our network and as I started numbering in the thousands, but as I reviewed some of the statistics, it is in the tens of thousands, work together for this common mutual goal that we are all trying to achieve. That is the providing of services to these socially and economically isolated citizens at the lowest possible cost to the taxpayer.

"Outcomes are sometimes difficult to measure, often times with the services that we provide it is more what we've avoided, but there are providers here today that will share with you some of the specific outcomes of their particular program. We are particularly proud of a pilot program that was started here in Wichita just two years ago under the direction of Senior Services, called Neighborhood Connection. Neighborhood Connection just recently received an award from the National Council of Counties. We are very proud of that. It is actually just a group of volunteers within neighborhoods helping others who are in need, just people helping people.

"The mill levy funding that you have approved greatly enables our providers to seek matching funds from other income sources. Mill levy funding provides a great leveraging tool for them. It is success breeding success. I thank you for the opportunity of coming here today and presenting this to you and hope that you will give careful consideration to the budget. Thank you."

**Chairman Winters** said, "Thank you. We appreciate you bringing this information. The Advisory Councils are very important to us, so we are pleased that you come and represent them. Thank you very much. Next speaker."

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**Ms. Nancy Berriman**, 202 S. Ashley Park, said, "I'm the Chair of the Board of Directors at Senior Services. I am also the Associate Dean of the Barton School of Business at Wichita State University. I am appearing you before this morning to request reinstatement of budget for the Northeast Senior Center. In order to operate this facility at its most optimum level of service and satisfy the public perception, that this facility is an important community resource, we ask that the County Commissioners restore \$16,500 of requested funds to be applied to providing the array of services that will be available at the Northeast Senior Center. The northeast senior community has been underserved because the previous facility could not accommodate the potential service population. The new Northeast Senior Resource Center at 2121 East 21st, which opened as you know in June, has more than double the space and is already experiencing an increase in participants.

"Although several of our programs will be funded at lower levels than requested in 1998, we do understand the need for economy in local government and are only requesting that you consider increasing the allocation for the Northeast Senior Center. The Center was budgeted for \$53,000 from Sedgwick County in 1997 and the 1998 request of \$80,000 was intended to cover the increased cost of providing a single facility a, senior resource center with access to all types of services. This is a new concept in Sedgwick County and one that could result in an improved response to community needs and an increase in use because of the array of services available.

"The Northeast Senior Resource Facility will house Sedgwick County Department on Aging's staff as well as representatives of other agencies and institutions that provide services in the northeast community. The Board of Directors and staff of Senior Services, Inc., consider themselves to be partners with the Sedgwick County Commission and the Sedgwick County Department on Aging in building the best possible array of services and programs for older residents and their families. We will continue to commit to augment County operating funds with private funds for special equipment and activities. We believe that we can continue to raise private funds that would otherwise be available for these programs. Together we can offer a strong and productive program. Thank you for your consideration of our request."

**Chairman Winters** said, "Thank you. Appreciate your being here. I had a couple of people contact me about the senior services in the Northeast Center, so I'm going to look at this very carefully. Thank you very much. Next speaker."

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**Mr. John Leslie** greeted the Commissioners and said, "I represent the Cerebral Palsy Research Foundation of Kansas, better known by the acronym of CPRF. Due to some miscommunication between our staff and staff of the Sedgwick County Office on Physical Disabilities, an amount of \$25,500 was cut from our budget associated with the fiscal mill levy activity. This is over and above the 2% that was recommended by the County Manager across the board. We're not questioning that, but we are respectfully requesting that you consider the restoration of the \$25,500. This will impact our program in two ways. Number one, approximately \$10,000 of the money has been allocated to our transportation department. We serve people who are primarily wheelchair users and who need accessible transportation. If this cut is sustained, it will impact a significant number of people with physical disabilities who live in Sedgwick County and it will affect their ability to buy the goods and partake of the services of this community. The second amount, \$15,500, is allocated to our posture seating program. We provide specialized seating system to infants and toddlers in order to prevent muscular skeletal deformities when they become young people and adults. Really, it is preventative. We spend the money on the front end of people's lives to try to prevent spending money toward the rear-end, if you will, of people's lives.

"We applaud your support over the years. We acknowledge it and we appreciate it and we respectfully request that you seriously consider the restoration of \$25,500 to our fiscal mill levy budget. Thank you."

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

**Ms. Dee Williams** said, "I am the Director of the Derby Senior Activity Center, the address is 621 N. Derby. I am here this morning to talk to you about some of the outcomes of free services that are offered at the Derby Senior Center through the volunteer efforts there. We have many volunteers that plan and coordinate programs. For example, in home service, volunteers are used to help many seniors who require help of some kind or another, anywhere from transportation to just sitting there with them if they are ill. We have helped over 30 people in this last year just through volunteerism.

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“Also, we have an outreach program. We have one called ‘Are you all right today’, it is a phone calling reassurance program. We call people on a daily basis, shut-ins that may need that phone call to make sure they are okay. To date, we have helped 22 and are calling people currently. Also, we have home bound transportation to go pick up people who do not drive and come to the senior center and that is all with volunteers. We also have an equipment loan program at the senior center that people are able to check out walkers, wheel chairs, and such, also with volunteers.

“We have many clinics. Foot clinic has gone over real well. We do not have any foot doctors in Derby, so this is really helpful to many people. We have a massage clinic for our arthritic patients and also a hearing clinic. Of course, we also have a job board at the senior center that many seniors can come and take jobs off of. This is all handled by volunteers.

“I also have a triad board, we call it SALT, Seniors and Law mend together, where we are currently working and will be working with Judge Singleton on a program to get community service people into senior’s homes to help them do different jobs around their homes, minor repairs or minor chores. I thank you for this opportunity and I would ask for your consideration in our Aging Budget. Thank you.”

**Chairman Winters** said, “Thank you Ms. Williams, we appreciate you being here. Commissioner Miller.”

**Commissioner Miller** said, “Ms. Williams, did you tie your request to a dollar amount or just a general request of services?”

**Ms. William** said, “I am asking for a general request of services. My point was to try to help you understand how many opportunities we are giving seniors free and ask for you to continue your support.”

**Commissioner Miller** said, “Thank you. I needed to be clear on that. Thank you.”

**Chairman Winters** said, “Thank you. Next speaker please.”

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**Ms. Jeanice Thomas** said, "I live at 1116 West Murdock, I'm the Executive Director of the Wichita Sedgwick County Arts and Humanities Council. The Council is here today, and Burton Pell, our President, was here earlier in the month to request that the Council remain as a line item in your budget. You have supported us through the years and through those years I have been here on many occasions to talk to you, generally about programs. Mr. Pell talked with you generally about programs the last time he was here, so today I want to address something a little more narrow.

"As County Commissioners, you folks have to be very cognizant of the fact that there are a lot of people in Sedgwick County that don't live in Wichita. As an Arts and Humanities Council for the entire County, we also are very much aware of that. Since you have supported us with County money, we have had a great many board members from the County, the past President of the Council lives in Kechi. We have valued their input and we do know that we serve the County. We know there are many small art and cultural organizations out in the County, historical museums, libraries, they are on our mailing list. We cover information about their activities.

"Our news magazine, which you all receive, 20% of the people that receive the magazine live outside of Wichita. We hope that you read the magazine if your busy schedules permit. If you do, you know that we have a lot of coverage about activities outside of Wichita in that magazine. We have advertisements regularly from art galleries in the County. The last issue of the magazine, for instance, featured Misty Maynard at the Kechi Playhouse. As a matter of information, the magazine itself is printed in the County in Valley Center. So we also believe that like you, we do serve the County and we know that you have been cognizant of what we have been doing, that you respect what we are doing with the Arts and Humanities, that you have had some hard decisions to make this year, but we would like you to reconsider and put us back in your budget. Whether or not that you do, we still have a mission statement to serve the County. We will continue to do so and we want to thank you very much for the ex-officio member representing the County that is on our board. He is a dynamite guy. He's only missed one meeting since he has been appointed when he was out of town. He even comes to special meetings in the evening, thank you very much for Doug Russell."

**Chairman Winters** said, "Thank you Ms. Thomas. We appreciate you being here and giving us the information. Next speaker."

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**Mr. Milt Pollitt** said, "I am the Chair Person of the Solid Waste Management Committee. At our meeting last Monday, the committee voted to request that \$100,000 be included in the 1998 budget to continue the funding of the drop off box recycling program. As you know, there are 15 of these boxes currently in the County, all of them located at supermarkets. It is one of the major visible recycling programs that we have. The committee is very interested in maintaining some momentum with the recycling until such time that a new system would be put into place that might be in lieu of a drop off box. So that essentially is our request of you. If you have any questions . . .?"

**Chairman Winters** said, "Thank you Milt. I think the Commission will certainly take note of the request of the Solid Waste Committee concerning the drop off recycling. We will acknowledge that. I'm going to take just a minute here though, maybe on behalf of myself and the Commission to extend again and we'll do this more formally later on, but thank to you and the Solid Waste Management Committee for the work that you've done over the last year. This started out with 30 individuals. There have been a couple of folks who moved or dropped off for time reasons, but it is my understanding that this group has met at least twice a month and sometimes more than that, when you count the subcommittee meetings.

"As a group of 30 people, when this community talks about community deliberation, I think this is what I think about. You've been part of even a larger group that we're completing this week with small group discussions all over the County, held in fire stations, schools, and community rooms, and buildings. During December and January, we talked to over 1,100 people in small group meetings, that lasted for two months. We are doing that process again for 30 days during June and part of July. I think you and your committee have been a big part of that and to me that is what community deliberation is. It is not a one time, one shot, front loaded, get people on a committee that you can steer their outcome. I think you could probably talk a lot about the will of your committee. I guess I would ask you, do you think you could steer the wheel of that committee? I don't think that committee is steerable."

**Mr. Pollitt** said, "I agree with that."



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**Chairman Winters** said, “But through the process, they came out with a decision. I think we are appreciative of that. That doesn’t mean that we know exactly what we’re going to do with that decision yet, but I think you and under your leadership, the committee has done an excellent job of walking through a real difficult process. We’re going to start the walk from this point. We’ll recognize your request that they sent you here today about, but again, thanks for all your work.”

**Mr. Pollitt** said, “The committee wants to also recognize the excellent support that we’ve received from the staff, Susan Erlenwein and Irene Hart have been indispensable in our efforts. We do appreciate that.”

**Chairman Winters** said, “Thank you. Next speaker.”

**Mr. Tom Bishop**, Executive Director, Mennonite Housing, greeted the Commissioners and said, “I appear today at the request of the Sedgwick County Advisory Council on Aging. At the last meeting of the Council, they took action to request that I appear and give testimony and support of the services and programs for elderly citizens in Sedgwick County. To give you an update on the progress of services provided on your behalf by Mennonite Housing.

“First, let me say I know you have many challenges as you attempt to balance public need for services with available funds. I would remind you that the funding source providing for the programs and services for senior citizens is the aging mill levy, a mill levy voted on and passed as a tax by the citizens of Sedgwick County and passed to provide and fund these services for seniors. Secondly, I want you to know that you have a very competent and capable staff and Advisory Council. You’ve heard from one of them today. The staff and Council, on your behalf, evaluate and critique programs and services to ensure that the residents of the County receive the most services for the tax dollar. Priority and preference is given to services for the frail and disabled and those without other resources. Any of these providers of the services, including Mennonite Housing, would invite you to visit often as many of you have to see first hand the outcomes and differences that are made on a day to day basis in the lives of seniors in Sedgwick County.

“As to the Mennonite Housing update, you would expect me to say that there aren’t enough funds and that we have people with pressing needs on the waiting lists for services and that is the case. But you also need to know what has been and what is being accomplished.

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“In the last year, 1996, we served 684 households. The statistics that describe those households are on the attachments to this testimony. These families were able to continue to live independently in their own homes because they have new water heaters, new furnace, wheelchair ramp, perhaps a new roof. These interventions, these repairs, keep people at home where they want to be at a much lower cost than institutionalization at a nursing home or other supported setting.

“Mennonite Housing has leveraged your mill levy dollars in several ways. First, by the growing use of volunteers. In 1996, we had 2,021 volunteers that contributed over 16,000 hours to improve housing through Mennonite Housing. We also leveraged your dollars with other public and private funding sources to meet these home repair needs. In a report that was provided at the request of your Department on Aging staff, we determined that in the prior year, at the time, we had spent \$82,000 in mill levy money, those same clients had received \$163,000 of funds from other sources. Almost two dollars additional for every dollar that you are spending. We have also reduced our waiting list for services from over a thousand less than two years ago to 646 today. You’ll find similar reports from other Aging programs. We do meet needs, we make real differences in lives, and we leverage other private and public support. I want to thank you for your past support of Mennonite Housing and the Aging Services Budget and urge that you adopt the budget that the Council on Aging recommended to you. Thank you.”

**Chairman Winters** said, “Thank you Mr. Bishop. Next speaker.”

**Ms. Yolanda B. Williams**, P.O. Box 48893, Wichita, said, “Citizen at large. The Sedgwick County Board of County Commissioners is having a change of policy as to the funding of non-profit social service agencies, whereby money would not be directly allotted to these agencies or organizations, but a \$1,000,000. pool would be set aside from which they would compete. Compete not just amongst themselves, but also complete with Sedgwick County government in-house agencies. A \$1,000,000. funding pool came right off the top with 1998 with 12 denied requests for continued funding totaled nearly half of this proposed \$1,000,000. Nevertheless, it is recommended that the 1998 Sedgwick County budget not allocate any money to such well known and functioning programs and projects as Big Brothers Big Sisters, Wichita Childrens Museum, the All American Indian Center, Communities in Schools, Metropolitan Family Preservation, and Literacy Resources.

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“So no money to such organizations that very directly target for change and enrichment the lives of at risk children and adults, but the Black Historical Society is in the 1998 budget to receive nearly \$92,000. This being nearly \$10,000 more than the 1997 budgeted amount. Why the significant plug of public tax money to an organization that for all of its nearly 25 years has eternally failed to fulfill its profound charge to administer and prosper the First National Black Historical Museum and Cultural Retreat project at the beautiful building at 601 N. Water. Instead, in this year chose to succumb to local governments and other community figures antagonism against the project and allow the piece mill to present total destruction of a viable Black Historical Museum and Cultural Retreat project. That is on the National Register of Historical Places.

“Destruction through Sedgwick County’s present construction of a huge garage across a narrow street from the museum and through Sedgwick County’s construction of a 650 bed jail with future potential of the originally planned 1,600 jail bed, all enveloping the Black Historical Museum at 601 N. Water. Understandably, the Sedgwick County Board of County Commissioners is very appreciative of the Black Historical Society. Of these 25 years of the Black Historical Society’s constructive and instructed languishing has cheated present and future generations of people, red, yellow, black, and white. Cheated us out of the profound opportunity to know, understand, respect and relate to each other as equal citizens. When the Black Historical Society had been functional in its charge as was the vision of the museum’s founders, the Kerr sisters, it would have presented to this metropolitan area the world coveted wealth of Afro-American songs, dance, art, literature, theater, history, et cetera. It would have gone a very long way in the equality and sanctity of all people, city wide, state wide, and beyond.

“It is an brazen affront and it is only the under ability of deceptive styles that the Black Historical Society as keeper of public policy and the public trust. Ninety-two thousand dollars of public tax money is conscience money, what conscience?”

**Tape switched to other side.**

**Chairman Winters** said, “Thank you Ms. Williams. Next speaker please.”

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**Mr. Dwight Allen**, Executive Director, Medical Society of Sedgwick County said, "I am here to speak and appreciate this opportunity to make a few comments on the proposed budget reduction as I understand of approximately \$74,000 in the 1998 EMS budget. I have been involved with EMS programs in this community for approximately 36 years. I wish to commend each member of the past Commission as well as each of you for your foresight and your continued support and funding of what has become one of the best recognized EMS programs in the country.

"Our responsibility at the Medical Society, through our EMS Physicians Advisory Committee is to carry out the activities set forth in the state statutes, the State Board of EMS, and the Sedgwick County Resolutions. Our primary responsibilities are establishing the medical protocols that are followed by all the EMS services operating in Sedgwick County as well as establishing the additional equipment, which is required above and beyond that set forth by the State Board of EMS, which is necessary to be carried on the units in order for the technicians to carry out those protocols. Last year, this Commission recommended a reduction in the EMS budget. At that time, our committees did not raise any concern although that reduction did impact the overall operation to some degree. We do not feel that it negatively affected the amount of services offered or available on the street to all the citizens of Sedgwick County. However, this year, we do feel and we wish to express our concern that although it may be small in terms of total County dollars, that \$74,000 reduction will have a negative impact on the amount of services that are available to the citizens of Sedgwick County.

"What will happen is that you will reduce the number of units from 12 to 11. It is our understanding that the one unit that will be taken off the street will be taken off during the hours of 12:00 to 7:00 a.m. It will probably be a unit located in the northeast section of the community and it then will directly impact the response time into that section of the community. If you reduce those numbers from 12 to 11, that means that you are going to pull units from other areas of the County in order to cover those areas, then you take them out of those areas. The end result will be a reduction in the response times to all the citizens of Sedgwick County.

"The other thing that you need to keep in mind is that if you look at the incidents and the times when the most serious trauma occurs, a lot of it occurs during those hours of the night.

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“I guess in summary, what we would request, is that in your final deliberations of the County expenditures, and we totally concur with you carrying out your responsibilities of holding down costs that we would ask that you somehow try to find the necessary funds to restore that \$74,000 so that the existing level of EMS services could be maintained in Sedgwick County during 1998. Thank you very much.”

**Chairman Winters** said, “Thank you Mr. Allen, we appreciate you being here.”

**Commissioner Miller** said, “I do have a question for Mr. Allen.”

**Chairman Winters** said, “Mr. Allen.”

**Commissioner Miller** said, “Is it appropriate at this time Mr. Chairman, or should we wait until we actually close the public hearing to talk with the Director of certain departments that are affiliated with the requester or the individuals who are requesting either an increase in funding or challenging the amount?”

**Chairman Winters** said, “It would be my suggestion that we wait until we hear from all the public, but if you have any specific questions of any of them, I’m certain this would be a good time. I think I’d rather hear from all the public.”

**Commissioner Miller** said, “Get a little bogged down maybe if we start taking it piece by piece. I don’t have a problem with that. I will be asking for some comment from the Director, thank you.”

**Mr. Allen** said, “If you have any questions for any of the physicians or any of the members of our committee can provide you information with, we would be most happy to do that.”

**Commissioner Miller** said, “I have seen some, thank you sir.”

**Chairman Winters** said, “Thank you. Next speaker. I would like to acknowledge former Commissioner Andy Bias is here. As a former Commissioner, we certainly welcome you Andy.”

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**Mr. Andy Bias** said, "Well thank you. Good morning. I am here representing the Wichita Family Preservation Agency. We're located at 1631 East 17th Street. We are a non-profit organization targeting prevention services that strengthen families and build communities. As I'm sure you are aware, our agency received funding from Sedgwick County for 1997 in the amount of \$65,000. Now this money was for our 'Second Chance' family counseling and family advocacy program. This service is a direct answer to the request by parents for assistance dealing with hardships their families experienced as a result of delinquent behavior on the part of their children in the school system. Many of the children are from low income one parent homes, where parents are facing behavior problems brought on by mental health issues and low education achievement on the part of the children. Often the result is that the child ends up being expelled and many wind up in out of home placement or juvenile care facilities. Some will never graduate from high school and ultimately become adult offenders. These results occur in some cases because of the lack of parental support. However, they also occur because of the parent's lack of knowledge of resources and choices which are available to assist them. Plus the inability of the parents to understand and effectively communicate with the school administration and disciplining their own children.

"Our staff works to increase the parent's knowledge of how to address the system and makes available resources needed to assist in solving the child's problems. Classes taught by certified parent education trainers shows the parent how to administer positive discipline and to monitor the child's behavior. Because this is a first year program, there is no historical data to promote and support the success of this program. We are or we have had a staff person at schools giving counseling and informing the schools of our program from mid February through May. Although our numbers of advocacy counseling were less than ten, our impact was starting to grow. We are currently looking to work with youth probation officers, to assist with you and family members dealing with problem situations. Our efforts in the school system will also increase as parents, teachers, counselors, and students become more comfortable and familiar with our services. We know there is a growing population of parents and students who need and ask for our services. Just consider the following statistics that I obtained from USD 259. Five thousand seven hundred forty four students received a one to five day suspension during the 1996-1997 school year. A hundred forty nine students received an extended six to ninety days extended suspension during the 1996-1997 school year. One hundred fifty three students received ninety to one hundred eighty days expulsion during the '96 and '97 school year. Of the 302 students who were placed out of school on an extended suspension or expulsion, 96 of them were actually placed at Gateway and were allowed to continue school there.

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“Of the remaining 206, 200 did ultimately come back to school. Let me emphasize that of those 206, there was no structure or follow through for almost a school year. So there was nothing in place for them to monitor or to review what was the cause of the situation that got them to the point that they were at. Our organization can address that situation.

“Also consider that youth probation officers feel that a majority of their clients have experienced some type of suspension or expulsion in their life. I realize that monies amounting to \$1,000,000. are currently being pooled and will be administered to organizations targeting prevention. I am requesting that the Wichita Metropolitan Family Preservation Agencies program for ‘Second Chance’ counseling and advocacy continue to be funded by Sedgwick County and receive \$65,000 for the year 1998. We are currently making a difference and with your help we can make an even greater impact. I’ll take any questions that you may have at this time.”

**Chairman Winters** said, “All right, I see no questions at this time. Thank you for your presentation. Next speaker.”

**Mr. Fred Tosh, M.D.**, greeted the Commissioners and said, “I reside at 8308 Limerick. This year I have the honor of serving as Chair Person of the Wichita Sedgwick County Board of Health. The board has one responsibility and that is making recommendations to you on the provision of Emergency Medical Services of Sedgwick County. The board reviewed the proposed budget at the June meeting and there was some concern that the budget reductions will mean the loss of two EMS personnel. We fear this will have an adverse impact on the provision of EMS services. The board is requesting that these proposed reductions in the budget be restored. If that is not possible, the board would be willing to work with staff and come up with recommendations for you on the increase of user fees so that it would offset these costs so that we would not have a reduction in services. We thank you for your consideration. I’d be happy to answer any questions.”

**Chairman Winters** said, “Thank you sir. I see no questions. I have a feeling though that we are going to talk about EMS after we are done hearing from the public. Thank you very much for being here. Next speaker please.”

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**Ms. Bobbye Humphrey**, 8406 East Harry, said, "I'm Chair of the EMS Advisory Committee of the Board of Health. We have asked to appear before you at this time, recognizing that you are faced with a dilemma. It comes at a time when people that you represent are asking you to cut taxes, but at the same time to continue to provide services that each of us personally deem necessary for the best quality of life. Sedgwick County has a long history concerning a good quality of life. This includes the totality of health and medical services and that includes ambulance services. Yet, as we as the Board of Health reviewed the 1998 budget, we had some concern about what was being considered in regard to EMS. We understand our responsibility to review, study, and communicate to you matters that relate to the quality of public health and issues that jeopardize a reasonable standard of service.

"We believe that the proposed 1998 budget, which asked you to approve the elimination of a response unit at 21st and Woodlawn would jeopardize that standard. Issues of volume of calls and response time are crucial when evaluating the adequacy of such service. To eliminate this unit would increase response time in one section of the community above that of the rest of the community. Even if there can be no increase in the EMS budget, we ask that you at least maintain the budget at its 1997 level. We are already in a service mode where ambulances are not always available when needed. While response time is increasing we are also seeing an increase in the request for ambulance service. If two field positions are now eliminated, EMS will have lost nine positions in the last two years. The proposed cut in County fund comes at a time when we are also facing a possible reduction in Medicare and Medicaid reimbursement. To support an EMS budget that proposes the elimination of night emergency response team at 21st and Woodlawn would represent a disproportionate loss of service to residents of northeast Wichita and northeast Sedgwick County. The proposal itself says that such a change for that area would be clinically significant. The proposed reduction may seem small, but it has a great affect on the service that can be provided. It has been suggested that the night ambulance needs in that area could be met by the EMS station at Central and Webb or the one at Hillside and Highway 96. This would not represent or resemble the level of service provided for the rest of the County. The next closest stations would be at St. Joseph Hospital and St. Francis Hospital. We support your efforts to make governmental operation more efficient. Our effort will remain in that direction.



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“We are asking you to support and approve the inclusion of a full 24-hour EMS service at 21st and Woodlawn. This would provide the desired quality of life and adequate life opportunities for the people in northeast Wichita, northeast Sedgwick County and the entire community.”

**Chairman Winters** said, “Thank you very much Ms. Humphrey. We appreciate the work that you do on that committee and thank you for being here today. Next speaker.”

**Mr. Karl Peterjohn**, Kansas Taxpayers Network, said, “I live at 11328 West Texas. In 1992, the County’s mill levy was 25.33 mills and today, right now, before you take any action, it has increased to 28.16. In the press reports, there has been discussion about 3.7 mill increase or perhaps just a 3.1 mill increase. If you go ahead and increase the property tax millage 3.7 mills, we’ll be looking at a 25.8% increase in the millage over the last five years. If you go with the smaller 3.1 mill figure, we’ll be looking at a 23.4% increase. Now this begs the whole question of appraised value growth. As an advocate for the taxpayers in this community and across the state, I hear from a lot of citizens, people in situations where they say gee, even if you hold the millage flat, the appraised value of my house increased from \$50,000 to \$65,000. That might be nice if I eventually sell it, but if I have to sell it, where am I going to live? Or a person will call me and say gee, my appraised value grew from \$95,000 to \$130,000. Or someone in more modest circumstances, a \$35,000 house today is appraised at \$55,000. These people are looking at increases that when you compound the percentage of a \$35-55,000 increase, it is only \$20,000, but then an increase of over 50% with a 26% increase in the mill levy and a huge increase. That is the fiscal environment that you all, as Commissioners, face today. That is why I am here to urge you to hold the line on the mill levy. The appraised value growth is going to be there and regardless of what is said, there is not going to be any cut in taxes across the board in terms of revenue that the County receives. That revenue is going to be growing and continuing to grow as the appraised value growth expands.

“I know always there are questions about where should cuts be made. I would urge you to look at your 1997 budget as just a review because on page 31 there is an interesting chart. It shows expenditure growth by function. The fastest growing department on a percentage basis during that five year period on page 31 of the 1997 budget was recreation. That raises questions or spending priorities. On page 8 of this document, which is very helpful, I urge you to look very carefully at the fact that your growth for health care costs for employees is growing at 10% a year.

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“Now that has been a major problem in both the private sector as well as the public sector. There have been some successful efforts in place to reduce that growth and that is an area where the County should look carefully to provide some reductions. At your last meeting, the County Commission approved 20 year bonds for approximately \$20,000,000 for the science center and new administration building. I did a little calculation and at 5.5% interest, which I think is a reasonable effort of what the County has, is likely to pay for those bonds. They are looking at approximately \$34,000,000 in principal and interest, excluding underwriting costs to float those projects.

“I know with budgets as a major problem there are some things that you might want to consider budget wise that may help you in some of the difficult decisions such as the landfill. For instance, you were talking about the 50 year lease that you have on the science center with the City on that property. It might be nice to talk to the City and say gee folks, we’re going to be in effect giving you a science center, is it possible that they might be willing to provide the County with some options concerning landfill. With you giving them the science center in 50 years will they give you the Kinsbury site today? It may not be the best solution for the landfill problem, but I think it would be worthwhile to look at the bigger issues. In closing, this might be a way to provide some savings in the long run too, but in closing I’d like to say that in April the voters very definitively stated, 88%, that they wanted to keep the County under the tax lid. I’ve talked with an awful lot of citizens and I know you are aware of this and I’m aware of this, but a lot of citizens think the lid is a lid. It is actually more of a sieve. There are about 13 different exceptions and provisions that allow property tax to continue to grow on a millage basis. But the voters voted for a lid and I would urge this Commission to keep that in mind as they consider the budget for next year. I stand for any questions Mr. Chairman.”

**Chairman Winters** said, “All right, I see no questions Mr. Peterjohn. Thank you for being here. Next speaker.”

**Ms. Pat Beyer** said, “I am Board Chair for Sedgwick County K State Research and Extension on the Council, and our address is 7002 East 21st Street North. I would like to review with you our needs for the continued support from you to operate effectively for Sedgwick County. We would like to tell you for one thing that our original budget we have eliminated a one time expenditure that we had on there, so we have gone back to . . . I have four points here to cover.

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“We would like to have the restoration of the 5.1% budget cut, which was \$45,589. The reduced carry over is \$12,100. We’ve always used that. It is a quarterly allotment, we’ve used the interest from that and we’ve had to use that for maintenance and paper and just regular expenses. Number two is the 4.5% salary increase. Two percent general and a 2.5% cost of living increase, which would bring our total to \$97,509.

“We ask for an Internet connection cost. The yearly price on that would be \$2,904. K-State will send down their computer specialist to hook us up to Internet. They will provide Sedgwick County with a free router and the cost then to the County would be \$2,904 a year. I want to tell you too, Monday we had a very good article in the paper about our web site. We had 1,800 hits on our web site and it is around 350 a day is the average.

“We are also asking for health insurance for nine support staff members that have no health insurance. Our total there is \$166,624. Then, if we have to cut something, we will have a vacancy in the 4-H area and that is the program that would receive the cut. We will have a \$40,000 salary agent that will be gone October 1 and three program assistants. The program assistants are considered the legs of our program. They go out to work with teachers and students and work at the fairs, whatever the agents need that they don’t have the time to do these programs, the assistants go out. They will be cut also. This is a traditional 4-H program we have. We also have an outreach program and we’re trying to support the youth of Sedgwick County and Commissioner Miller has mentioned her support of this and this will be a great detriment to our program if we have to cut this part of our program. In the past, you received some information about what the 4-H program does and I brought only one copy, but this is an example of one of the things the outreach program does. This is the children from the Wichita Children’s Home working with master gardeners out at the extension. These again are our volunteer members for Sedgwick County. These kids are learning about recycling, composting, gardening, and they also ended up being able to make a lot of patio stones. The patio stones went back to the Childrens Home for their patio. This is something these kids would have never had an opportunity to experience without our 4-H outreach program. Also, I have left for you to look over these five different basic skills 4-H develops. On the reverse side of that paper I have the six core principles for a successful youth program. Four-H embraces all of these programs.

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“Also to remind you that Bob Neier, who is an AG and horticulture agent is also on your waste management committee. He has presented you with some different brochures, one on reduce, reuse, recycle compost. I know that you have had that from him before and also the five state comparison of waste management policies, programs, and practices, that have come from him. So at this time I really ask you to reconsider strongly giving the support to our County and to Extension to continue to be able help the kids and give the citizens the kind of education that we have provided at the Extension Education Center.”

**Chairman Winters** said, “Thank you very much Pat, we appreciate you being here. Next speaker.”

**Mr. John Ortiz**, Executive Director, Mid-American All Indian Center, greeted the Commissioners and said, “I am here this morning to request that you continue to support the center in its 1998 request for \$25,803. The last time that I approached the Commission, I had mentioned and pointed out that the Indian Center is basically in the business of promoting family values, in the hopes that promoting those family values that we are a preventative measure from utilizing the jails and so forth that are needed. I am here in shirt sleeves today because we are busy at this time in the final phases of putting together our 29th annual Inter-Tribal Pow Wow. I need to point out that the pow wow is a culmination of just what I’m speaking of, of the promotion of family values. I have today a poster that we have been circulating around the City and the County and the entire State as far as that goes. This poster, designed by a Native American artist, promoted and distributed by Native American people all over this area. This whole act of doing these things, of putting this together, it takes time and energy. It is time and energy of families and a community. So that the citizens at large can know also that when we request a budget from Sedgwick County we are not just taking, we are also giving. This event that we are putting on, we have an obligation of nearly \$50,000 from the Mid-American All Indian Center, expenses just for this event, will draw in tens of thousands of dollars as thousands of people will come to the community. Vendors, arts and crafts, people will be here in this community purchasing and spending their monies. So it is really a give and take relationship and it an effect of promoting family values and as being a benefit to this community. Thank you. I’d like to give this to you if you would want it.”

**Chairman Winters** said, “Sure, we’d like to have one of those. John, thank you very much for being here today and sharing with us again. Next speaker.”

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**Ms. Fran Jackson**, Youth Development Services, 2120 East 13th Street, said, "I come to you today as a person who is the past president of the Wichita Sedgwick County Board of Health, a person who has served on the Department of Aging Advisory, as well as the Extension Board, and someone who also chaired the Wichita Sedgwick County Economic Development Commission, which no longer exists. I say that to also say that it helps me to look at what it is that a community can do to make themselves so aware and then get to the nuts and bolts of the results that we want for a community that is sharing, nurturing and provides that sort of energy that makes people feel as though this is a community where I love to be. So I come to plead with you to continue to look at what is it that we must do to help the families and youth in this community. I know that you've cut our budget. I want you to reconsider that. You already have all the information that would allow you to do that. Also, I want you to think bigger and continue to think as big as your \$1,000,000., but think of it in terms of not just dollars but what it is that people in Wichita can do to make this a most wonderful nurturing community."

**Chairman Winters** said, "Thank you very much Fran. Next speaker. Is there anyone else who would to address the Board of County Commissioners concerning our 1998 budget? This is a public hearing to take comment on our 1998 budget. If we see no one else, we're going to close the public hearing. The public hearing is closed. Discussion will be limited to staff and Commission. Commissioner Miller, did you have some questions that you want to talk about now?"

**Commissioner Miller** said, "I would first like to simply thank all of the individuals that attended the meeting today to share with us a request of not only including their projects in terms of dollar amount but also in just simply looking at the service they provide for Sedgwick County. I'd like to be able to begin with where the speakers ended and that would have been Fran Jackson with Youth Development. Her request was a simple one, was to request of Sedgwick County how it is that we can look at helping, nurturing, aiding and assisting our community, that is all of Sedgwick County and doing the best and everything that we can possibly within our reach and limits for our families and children. I need to be able to say that there will be a community planning day coming up this Thursday, that is July 31. It will be hosted at the Marriot from 9:00 a.m. to 3:00 p.m. There have been numerous invites that have been sent out. Lots of responses from different agencies that will be able to attend. Different organizations that will be able to attend. I know the Commission is supportive of this day and will be attending."

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“I need to be able to say that when you look at what it is that we as a County are trying to do in terms of the \$1,000,000 prevention money that has been recommended by the manager to set aside for that. When you look at what it is that we are trying to do, it certainly can be called controversial. It can be called innovative. I could be called picking at individual agencies that are doing a good job. I would leave off the last one, but I am a realistic person so I know that this probably is one that is certainly floundering out there. But to answer the question, we are doing some things. We’re looking at continuing to be progressive. We are looking at how it is that we can look at developing a system of care within this County that coordinates and networks all the different services that are being provided according to the needs of the community, not just solely the City of Wichita, certainly the smaller cities are included, and it will encompass and make up the total County.

“On this day, not only will we be presenting a soft look at a new way of caring for our families and children within this community, but we also look at and critique proposed changes in funding. So, with that on the table, that certainly does not quell the pain that an agency that has been zeroed out at this point must feel. But it should stem a bit of light and energize those agency directors and staff and individuals who work there and the community as a whole to look at doing things different. Look at changing our focus not solely look at the agency itself, but instead begin to look at and envelop caring for families, communities, and children and how best we can do that. We’ll be discussing that at some length. So I need to start there Mr. Chairman and I appreciate you allowing me the time to expound upon that.

“I also would like to begin with possibly placing on the table for us to consider by way of discussion several of the requests that were mentioned today. I would like to place on the table, and if you need to place some sort of ground rules down, because I know that we can work that way.”

**Chairman Winters** said, “I think that’s fine. If you’ve got some things that you want to talk about, let’s talk about them.”

**Commissioner Miller** said, “I’m going to just list them. I would like to be able to discuss the Wichita Sedgwick County Arts Council, because I’m wondering, they are \$3,420. I’m wondering how that particular group would fit within the criteria of meeting the needs of preventing individuals from going into our juvenile system or our adult system. So that is why I am placing them back on there. The Northeast Senior Center request of \$16,500.

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“I would like to be able to discuss that Mr. Chairman. Then I would also like to be able to discuss the Cerebral Palsy Research Foundation, \$25,500. I need to understand what was the problem that it was ‘left out’, it sounded as though it was a technicality. Lastly, but certainly not least, discuss the recommendation of the Manager reducing one crew, two positions, with our EMS Department. That is my list.”

**Chairman Winters** said, “You must have been looking over my shoulder because I wrote down those exact same ones only I included the Extension Council on there too. I guess the question that I’d like to have with the Manager perhaps is today what we’re about to do is set the upper limits of what the budget can be. We’re going to publish a number and after that number is published, we will not go over that?”

**Mr. Buchanan** said, “Right.”

**Chairman Winters** said, “Commissioner Miller and I have some questions about almost \$160,000 worth of other stuff here. In the proposal that you made earlier of setting that today, setting the upper limit at \$171,036,386. We know it won’t go over that. We know it probably will go down from that. Is there still flexibility in discussing over the next two weeks some of these issues that may add up to \$160,000?”

**Mr. Buchanan** said, “Yes, I believe so, but it is the way that you look at the world that may be a critical part of the answer. There is flexibility we believe within the current proposal, the \$171,000,000. There is a \$1,000,000 fund for prevention that can be the criteria by which has not been determined. Some of that money, traditionally, for some of the social service agencies, we’ve spent about \$490,000 to \$500,000. Some of that funds could be diverted to things that would not normally fit into prevention programs. That would be one way. You can increase the amount that we want to spend or you could send us back and say these are our priorities, bring us some alternatives and how to fund them.”

**Chairman Winters** said, “All right. Commissioner Miller, in response to your questions then of having concerns about these. I believe personally that over the next two weeks, if we set the outer limits as to what the Manager has proposed today that over the next two weeks and on the day that we then pass the final budget within this number, I think we can have discussions about all of these issues that you mentioned. I am going to tell you that I have some concerns about each of those also.”

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**Commissioner Miller** said, "Are you talking about continuing to leave it at the 3.7 or the 3.1?"

**Chairman Winters** said, "It would be at the 3.11."

**Commissioner Miller** said, "Okay, so within that, you feel that we can actually . . ."

**Chairman Winters** said, "Address some of these if we think they are important to bring back."

**Commissioner Miller** said, "Are you being able to fulfill that by way of the \$1,000,000 that we have not set any parameters in terms of who is going to get what and how it will actually be expended?"

**Chairman Winters** said, "My intention would be that I would look at that."

**Commissioner Miller** said, "So you are looking at being able to include these in that dollar amount? I just want to be clear on that."

**Chairman Winters** said, "Mr. Manager."

**Mr. Buchanan** said, "It might be helpful to review where we are in this continuous process. It is a continuous process. We need to determine what the criteria and how the \$1,000,000 for prevention will be utilized. The Commission can decide to do that in a number of different ways. Clearly that is your decision. That's one alternative. We are in the process of reviewing each position and each person in this organization and where they will be, how much it will cost us to maintain them next year. That's through the computer system and we check and double check that and there are always corrections in the budget process using that. We try to estimate conservatively. There may be a dollar or two there. We will know more about that by August 6. We have a bond sale that is coming that will be this next week. We will have an idea about how much the interest and principal will cost us and whether there is any room for maneuvering, again, based on our estimates. Besides that, the assessed valuation number will likely change."



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“So there are ways in which, and I guess, finally I will say you can always choose to spend more cash than we have recommended. Although I would not recommend it, it is clearly your decision. So Commissioner Miller, I think without thinking real hard about that problem, I think there are five different ways to attack those issues that you want to address.”

**Commissioner Miller** said, “I just want to . . . I suppose where I’m at at this moment is ensuring that if the Commission is supportive of setting aside a set amount of monies for a certain type of program, and we’re talking about the \$1,000,000. for preventative programs, then that is what we will build criteria to . . . meaning prevention will be the criteria motive to utilize those monies. Okay? So, I’m walking through this and I’m hopeful that I will actually walk away clearer than what I am right now. If we are talking about, which I know the Extension Council could be included in that, their request, but when I think about the Arts Council, the Senior Center is clearly Aging, and the Cerebral Palsy is clearly within the Disability special fund, that to just kind of leave it open ended is what I’m hearing and saying that because we don’t have a cap on the assessed valuation, we’ll get that number to the dollar, because we don’t have the exact amount that the bond interest will come in on and because we have not set the criteria for this type of a program yet, in other words, those are a lot of ifs. That more than likely this dollar amount which the Chairman is saying is close to \$160,000 could be a little bit more than that depending upon the dollars that you plug in, we’ll find it, it’s there. Is that what I’m hearing? It’s kind of floating in there.”

**Mr. Buchanan** said, “The budget process is the Board of County Commissioners’ choice. The Board of County Commissioners say ‘fund these four programs and reduce the amount for prevention by \$100,000’, that can be done.”

**Commissioner Miller** said, “So that is what you are saying?”

**Mr. Buchanan** said, “Other sources would be that we will have a better number on bond interest. We will have a better number on cost of employees and a better number on assessed valuation, which will be the basis of making a better informed decision than we can today. We just can’t tell you what those numbers are because there are circumstances out of our control. We will have that answer soon, which I believe will provide you some more flexibility. That there may be some opportunity to spend it elsewhere or cut the budget more.”

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**Chairman Winters** said, "Commissioner, I don't know whether this will make it any clearer or just make it more confusing, but I think I'm prepared now to support the Manager's suggestion for today setting the upper limit on this budget but saying that knowing that I still have some questions about several of these issues. I still have some questions about Extension Council. I need to know more about why Cerebral Palsy got cut more than everybody else. I need to know a little bit more about this Senior Services Center. I need to think more about Arts and Humanities and about EMS. I'm comfortable that with setting the upper limit at \$171,036,386 we can work with that. So I'm going to be supportive today knowing that I still have some concerns about these particular ones. I don't know if that made it any clearer or not."

**Commissioner Miller** said, "Yes, it does. I'm clear on it, we simply haven't given an answer, that's all."

**Chairman Winters** said, "Mr. Manager. If we have no other discussion at this portion of the public hearing comment. Commissioner Hancock."

**Commissioner Hancock** said, "I've been through a lot of budgets and this isn't the budget that it will be when we get done. I think we are going to need some flexibility this year and when we are finished they will write the story of what the budget is and if they write the story today of what the budget is, it will certainly be wrong. I like to have some flexibility and I'd like to leave 3.31 in and that gives us, if my calculations are right and I wish I had a pencil up here, but that leaves about \$450,000 of increased flexibility. That is still below what the projection was for 1998. We're not here to set the budget for 1998, we're here to give ourselves some room to think about what it should be for a few more weeks. By then, certainly, there will be even better numbers than what we have now. I'd sure like to leave some flexibility. One other thing I was curious about. If a little bit is good, is a whole lot better? We looked at the Manager's projections for 3.7 mills and it looks like a savings? Did the staff happen to run any other projects like on a 4 mill savings to see if there was even more savings in the future?"

**Mr. Buchanan** said, "No sir, we did not."

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**Commissioner Hancock** said, "I'm suggesting to the Commissioners that we leave some flexibility in it at 3.31. I have a feeling that the Commission is going to vote for something way under 3 when we get done, but I don't think we need to limit our options at this time."

**Chairman Winters** said, "So in other words, you are saying that you believe that this 3.11 would give us that flexibility for the next few weeks?"

**Commissioner Hancock** said, "I'm saying 3.31."

**Commissioner Miller** said, "No, he increased it."

**Chairman Winters** said, "Oh, 3.31. Okay."

**Commissioner Gwin arrived at 10:35 a.m.**

**Commissioner Miller** said, "I'm inclined to agree with that Commissioner Hancock, because of the idea of flexibility. I think the 3.1, understanding that we've got some questions, some concerns, that may entail more dollars that having that bit of flexibility may work for us."

**Chairman Winters** said, "Let's move on. This is the public hearing portion. We've closed the public hearing. Madam Clerk, would you call Item C?"

#### **C. AUTHORIZATION FOR THE COUNTY MANAGER TO PUBLISH A NOTICE OF HEARING ON THE PROPOSED 1998 SEDGWICK COUNTY BUDGET.**

**Mr. Buchanan** said, "Commissioners, this is the new pink sheet. The previous sheet that you had before, there was an error on it. The first paragraph is the Resolution needed for you to direct me to publish the public notice in the paper about what the budget limit is, about what the calculation of taxes would be, about what the approximate mill levy would be and the increase of mills. Again, we say approximate mill levy increase because the mill levy is based on the assessed valuation and that figure is not final until October or November. So as you know, it has sometimes varied a tenth of a mill or so and that will probably happen again. But we will have a better approximation for you in a week or so as that continues. It is my recommendation that you pass this Motion."

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**Chairman Winters** said, "Commissioners, is there any discussion about these numbers? Before we get started, these numbers are not the numbers, Commissioner Hancock, that you were speaking about."

**Commissioner Hancock** said, "No, they're not. Without knowing what two tenths means, about \$450,000 is what I'm looking at I think."

**Mr. Buchanan** said, "Two tenths of a mill would be \$437,000, that's close. That is directly from the Finance Director."

**Commissioner Hancock** said, "This is tough enough and I don't want to make it any tougher. This is a situation where you don't want to make this mill levy change and I don't want to make it any worse than it is. If it is in your judgement that the media won't report this properly, I certainly don't want to make it any worse than it is. I would just suggest that we leave that flexibility in and take it out when we get ready to."

**Chairman Winters** said, "When we do the final budget? Commissioner Gwin."

**Commissioner Gwin** said, "Thank you Mr. Chairman. The amount in your 1998 proposed budget is still \$171,000,000?"

**Mr. Buchanan** said, "Yes, ma'am."

**Commissioner Gwin** said, "That amount that you are proposing today is still \$171,000,000."

**Mr. Buchanan** said, "Yes, ma'am."

**Commissioner Gwin** said, "The mill levy increase is just less because of the assessed valuation adjustment and other technical adjustments?"

**Mr. Buchanan** said, "Yes. The mill levy was reduced because of the increase in assessed valuation, yes."

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**Commissioner Gwin** said, "I guess the question then that I have to answer or we have to answer today is does \$171,000,000, is that enough for us to fund, can we fund within that amount with exceeding that amount, the request that the majority of this Commission wants to fund. Quite frankly, I think we can do that. I think we can do that. I don't believe that there is a need to increase the amount of the proposed budget. \$171,000,000 is quite a bit of money and I think with prioritizing and I'm not saying that it is going to be easy, but prioritizing within that amount seems to me that we could fund whatever a majority of this Commission thinks is important to fund. So I'm comfortable with that amount of money. That is a lot of money. I'm comfortable, I believe we can do a very good job for the taxpayers within the total dollar amount proposed. May it be exactly like you proposed it? Probably not, but I certainly think \$171,000,000 gives me all the flexibility that I need. Thank you Mr. Chairman."

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

**Commissioner Miller** said, "I'm uneasy and I'm going to be quite frank and honest about it. The mill levy number does not necessarily need to be increased, but I'm uneasy about being able to stay under this millage number, considerably less, on the back of monies that have been not necessarily set on stone, but certainly I believe there is some support for monies that have been earmarked for prevention programs. So that is my problem with it. What I'm hearing is by leaving it at this number, that there are several options and alternatives to be able to come up with the dollar amounts to fund the specific programs that we have some concerns about and one of them would be to reduce that dollar amount that has been touted earlier at \$1,000,000. We've already zeroed out, I can't remember the exact number, but specific external agencies and all of them have been external agencies. We've already zeroed out and now we are, to me, being able to flirt with not saying up front that we are committed to looking at how we can actually fund these types of programs. We're saying that if we need to reduce it, that it might be the line item funding that we'll reduce and that is the whole point of attempting to talk positively for these type of programs, which I feel are definitely necessary and needed. So that is my dilemma with leaving it where it is. I do understand once again that majority does rule and if it is the majority that feels that the 3.1 mills will be able to meet the needs and the \$171,000,000 will meet the needs of Sedgwick County programming, then that is what I'll go with."

**Chairman Winters** said, "Okay."

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**Commissioner Miller** said, "I'm just giving a caveat that I am very hopeful that we choose to look at keeping that \$1,000,000. in tack as opposed to reducing it. That's where I'm at."

**Chairman Winters** said, "I hear what you are saying. Commissioner Hancock, I'm not clear on what you want to do? Do you want to stick with this as the Manager has proposed it or if you want to up it for that flexibility purpose?"

**Commissioner Hancock** said, "Well, I guess we can always talk to him in the future privately if he is wrong, right?"

**Chairman Winters** said, "I guess so."

**Mr. Buchanan** said, "I thought that happened routinely and regularly."

**Commissioner Hancock** said, "Okay, if there is some flexibility left in this and an opportunity to take a look at some of the agencies that have come before us and have not come before us, certainly I don't mind the 3.1 mills."

**Chairman Winters** said, "Commissioner Miller, I think we heard what you said. I think I hear support for the 3.117 mills. Commissioner Schroeder."

**Commissioner Schroeder** said, "Just a comment before we vote. I think Commissioner Hancock said a little earlier that this isn't the budget that we are voting on. In my words, this is placing a cap on the budget. That is all I'm doing today is placing a cap on the budget. I know how it is going to be reported that we are looking at that increase that we are going to vote on today. I want us to, and I've asked the Manager for an analysis of our cash position, to see if there is a possibility of using more cash and I'm going to go back and set down with Jerry Frantz and look again at the assessed valuation. I still think we're light on that. I think we need to look at every avenue. We need to be conservative, but we also need to be cognizant of the fact that these people today are asking for help and on the other hand you have people who say no more increases. So we are caught in the middle as usual and this is our job. But those two things, an analysis of our cash balance and review again of the assessed valuation. Also, I'm not endorsing a final decision of 3.11 mill tax increase, but I'm placing a cap on where we are at."

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**Chairman Winters** said, "Thank you Commissioner. I would echo that. What we are doing is placing a cap and anybody's vote today is not necessarily or should be interpreted as a vote supporting a 3.11 mill increase, because that is probably not going to be where we end up. Commissioners, we do not have a Motion. I think we are ready for a Motion?"

**MOTION**

Commissioner Hancock moved to authorize the County Manager to publish a notice of hearing and establish August 6, 1997, as the final hearing date on the 1998 Sedgwick County Budget total of \$171,036,386, with \$68,097,726 budgeted in ad valorem taxes or approximately 31.17 mills, an increase of 3.11, subject to confirmation of calculations by the County Manager's staff.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, "Thank you Mr. Buchanan. Commissioners, we've been going for almost two hours, we could take a break here. We do have a number of people in the audience who are here because of zoning issues that are going to be on the agenda. What we had originally planned to do was to recess the Regular Meeting now, go right into the Sewer and the Fire District and take care of that budget wise. At this time, I will recess the Regular Meeting of the Board of County Commissioners and we're going to conclude the budget information on the Sewer District and Fire District and hold those public hearings."

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**D. RECESS TO THE SEWER DISTRICT MEETING, THEN THE FIRE DISTRICT #1 MEETING.**

**The Board of Sedgwick County Commissioners recessed to the Sewer District meeting at 10:52 a.m. and returned at 11:06 a.m.**

**Chairman Winters** said, "Commissioners, before I call back to order the Regular Meeting, let's take a five minute break. We're going to be in recess for five minutes."

**The Board of Sedgwick County Commissioners recessed at 11:06 a.m. and returned at 11:11 a.m.**

**PLANNING DEPARTMENT**

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

- 1. CASE NUMBER SCZ-0742 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "LI" LIMITED INDUSTRIAL, LOCATED EAST OF BROADWAY AND SOUTH OF 117TH STREET NORTH (11500 NORTH BROADWAY).**

**Mr. Marvin Krout**, Director, Metropolitan Area Planning Department greeted the Commissioners and said, "There are four items on your planning agenda this morning.

**SLIDE PRESENTATION**

This first one is up in the north part of the county. It is 20 acres. Unplatted land is on the east side of Broadway between 109th and 117th Street North. It is zoned Rural Residential. There is a mixed character that I'll show you in the slides in just a minute. The request is for Limited Industrial District (LI). It is agriculture. I think the aerial photograph shows that best. This is the site in question. This is Ditch Witch which is a construction equipment supply company, a non conforming use, not zoned industrial, but been existing on the site. Homes in this direction generally agriculture. But otherwise, the request is for Limited Industrial for a manufacturing, assembly or warehouse uses. There are three buildings on this site that were originally in the 70's constructed for a hog pen operation which was in existence for a while and then there was another non-conforming use that was established.



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“Equipment sales and service use on this site for a while. That use was abandoned and so it has been unused for at least a couple of years. The applicant’s want to put it back to some kind of warehouse or industrial use. They have some tennants in mind, but it requires a Limited Industrial District. The staff recommended approval, but we recommended approval subject to some conditions so that it’s not straight Limited Industrial zoning, but limiting particularly outside storage and display uses so that we don’t change the appearance of this part of north Broadway to look like other parts of north and south Broadway. But to recognize that there are some large buildings on this site. It would be difficult to imagine them not to be put to some use, plus the fact that you have this non-conforming, but very active Ditch Witch use to the south. So in recognition to that, we recommend approval subject to protective overlay with the use limitations and square footage limitations based on some expansion, but not unlimited expansion of the existing buildings and also subject to a reduction of the acreage from 20 to 8.6 acres. Basically, leaving 160' feet on the north and only limiting it to the developed portion of the site down Broadway and has the improvements on it. The Planning Commission considered this item, deferred it for a couple weeks, came back and the staff had worked out this set of restrictions with the applicant’s agent to their satisfaction. There was no opposition at the Planning Commission Hearing. There were some letters of support. In fact, they are in your package and the Planning Commission voted, I think it was unanimous to recommend approval. It just happens so rarely. This is the use in question. You can see there is a small building attached to a larger building on the site. We are looking from Broadway to the east and back in the background you can see I-135. This is Ditch Witch immediately to the south, abutting this tract on Broadway, and again another picture of Ditch Witch to the south. We are trying to avoid the open storage and display uses which attend to deteriorate the appearance of North Broadway, but allow the buildings to be used. Now we are looking down Broadway and across to the south and the west. Across the street is basically agricultural uses, looking up North Broadway and a little bit to the west. On this slide you can see the brim along the northern exit of this tract. It does separate this use from the nearest residential uses to the north. We are back to the use site in question. I’ll try to answer any questions.”

**Chairman Winters** said, “All right. Thank you Marvin. Are there any questions of Marvin at this time? I don’t see any Marvin. We will open this case up for public comment. Is there anyone who would like to address the Board of County Commissioners regarding our Planning Department, Item E-1? Anyone in the audience who would like to address the Commission on this Item E-1? Seeing no one, we’ll limit discussion to staff. Commissioners any questions? If not, what’s the will of the Board?”

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**MOTION**

Commissioner Miller moved to adopt the findings of fact of the Metropolitan Area Planning Commission (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 all conditions have met compliance.

Commissioner Schroeder seconded the Motion.

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

**VOTE**

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

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

- 2. CASE NUMBER SCZ-0743 - ZONE CHANGE FROM "RR" RURAL RESIDENTIAL TO "SF-20" SINGLE-FAMILY RESIDENTIAL, LOCATED EAST OF 215TH STREET WEST AND NORTH OF 87TH STREET SOUTH.**

**Mr. Krout** said, "This case is pretty far out there. It is about four miles this side of Viola on K-42 and it is about five or six miles west of Clearwater. You can see it on this map, which is slightly wrong."

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**SLIDE PRESENTATION**

“K-42 comes close to the intersection of 215th Street West and 87th Street South, both on paved streets. I think the aerial photograph will give you a more accurate picture of what happens out there. K-42 crosses just north of that intersection of those two township roads. This area is all zoned Rural Residential. It is all pretty much agricultural in use except for a couple of scattered farm houses. A couple of miles up the road to the north I think that there is a five acre development with some mobile homes on it, but basically, this area is agricultural for miles I would say in any direction.

“The request is for SF-20. The SF-20 is your Suburban Residential district. The Rural Residential district allows you to plat with five acre lots, or if you can do septic tanks, two acre lots. The SF-20 district allows you to go down to one acre lots. What he is asking to do is zone this, actually the whole tract, even though he can't use the zoning on the whole tract because some of this will have to be five acres at least. But use the portions where he thinks that he can put septic tanks on the site to be able to reduce the lots from two acres to one acre. According to the applicant's plans, that would increase the lot yield from a potential 33 two and five acre lots to 43 lots. The plat is in progress. There have been some questions about access to K-42. I think that is a separate issue and we'll be working with that to try to manage access to all the State highways. I think the applicant has agreed to try to work with us on that issue. The Public Services recommendation is that all the access be taken from the township road and no access at all from K-42 if this property does develop.

“The staff recommended that this request be denied. There is no SF-20 zoning for many miles in any direction. That is the suburban category that is meant to be closer to cities where you are closer to services and a somewhat increased density is appropriate. It is out of character with the surrounding zoning, obviously with the surrounding land uses and character of the area. The Comprehensive Plan says this should be reserved for agricultural uses and for larger estate type lots in general but your zoning in the RR district does allow you to have a five and even as low as two acre lots. We would suggest that is going in the wrong direction. Thirty-three to forty-three lots doesn't sound like a big difference, but I think if you make that decision that you are going to allow this kind of change, any place where someone could do septic tanks in the County, you may as well get rid of the RR district.

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“So get rid of that distinction between more rural and more suburban areas of the County. We would suggest that the zoning ordinance is consistent with the Comprehensive Plan that says that the density ought to be lower out in these areas where we have no remote possibility of thinking we are going to be paving streets out here. But if you start loading up with one acre lots in areas, the cumulative effect of zoning approvals like this, I think would start to increase public services and it would be significant.

“The Planning Commission had a hearing. There was a property owner, I think it was this owner here, who was notified and who did speak in opposition. He would prefer not to see any development at all occur out in that area. The Planning Commission vote was seven to two to follow the staff recommendation and vote to deny this, which means it will take four votes of the County Commission to override that.

“We’re looking at K-42 on the right hand side, so we’re looking north up the sand road, 215th Street. This is again looking up K-42, looking back toward the south and east along K-42. Now we’re looking out to the east at the portion of the tract that would be developed. It is really two big triangles that add up to a quarter section. This is where K-42 crosses 215th, just north of the intersection. This is a farm house and field to the east of the application area. I have to say this is an awfully pretty picture and when you look at this, I have to say that you’ve got to think about the fact that first of all there is probably a lot of economic value out of this farm, this contributing to the local economy, like other farms in Sedgwick County do. Also, this is part of the heritage of Sedgwick County. We’re in the preservation business with the City Preservation Planner, but I would like the County Commission to start thinking about preservation of rural areas as well. Here is more farm fields looking to the north and the east. This is looking east down 87th Street East. The residential property who protested is further east along the road. This is looking further south 215th Street and looking to the south from about the northern portion of the tract, you can see that farm site and the silos over to the right hand side. This is the plat that was originally submitted. It had seven access points along K-42 and I think everyone agreed that wasn’t going to fly, but that gives you an idea about the densities that are proposed if it is approved for this combination of one to five acre lots. I’ll be glad to answer any questions you have on this case.”

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**Chairman Winters** said, "All right, I see no questions at this time Marvin. Is there anyone here in the audience who would like to address the Commissioners regarding Planning Department Item E-2, located on K-42 Highway? Is there anyone here in the audience who would like to address the Commission on our item E-2? Seeing no one, we'll close the discussion. Commissioners, any discussion or questions on this one?"

**MOTION**

Commissioner Schroeder moved to adopt the findings of fact of the MAPC and deny the rezoning application.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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

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- 3. CASE NUMBER SCZ-0744 - ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "SF-6" SINGLE-FAMILY RESIDENTIAL, LOCATED NORTH OF US-54 AND EAST OF 151ST STREET WEST.**

**SLIDE PRESENTATION**

**Mr. Krout** said, "If this map looks familiar, it should because recently you had a zoning case, about a year ago if you recall, on this property had frontage on Kellogg and it was requested and approved for Office Zoning subject to platting. The applicant did not proceed with that case, but did sell the northern portion of this property to the current applicant who is now requesting a zone change. The current zoning on this tract that is outlined in black tape, which is north of Kellogg and east of 151st Street West. The current zoning is SF-20, suburban residential district, and this applicant is asking to go to the urban district, the SF-6 district basically in order to be able to put a second house on this tract. There is already one house on the southern portion and I'll show you that in a minute.

"You can see the surrounding uses are varied. There is a house across the street, and if you read the Planning Commission minutes, this homeowner was protesting this request as he previously requested the Office Zoning request. There is commercial use here. There is a club here. There is a big engine repair use here and commercial uses at the intersection. There is a residential use also to the north and potential for more residential development further up to the north. I think it would be helpful for me to show you these slides. We are talking about the tract that includes this house and also this property and that is where the proposed additional house would go. With SF-20 Zoning, you have 20,000 square feet minimum. If this lot is divided it would be under that minimum lot size and that is why they need the additional zoning to be able to place this additional house on this lot to the north of the existing house to fill up that hole that is there. That was the vacant portion of the lot. This is the rear of the lot to the north and that lot has a home on it. You can see now the home and that accessory building behind it and the north south road, Wheat Lane stops at about that point. You can see the road stopping and that future development area. Now we're looking to the east of that Wheat Lane Road. This is the home that is across from where we are talking about splitting this lot and having the ability to move in a home site on that vacant portion of the lot. You can see the engine repair past Kellogg and you can see the club now down Wheat Lane and across Kellogg from this direction. I think we'll hold on that.

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“Wheat Lane is unpaved as you saw and the applicant and the person who is opposed across the street, his attorney indicated they were concerned about increased traffic from not only this one potential house but the possibility that this will attract other development further to the north. There is a potential that you could get houses under the zoning code, with the proposed zoning two houses located here, but in discussions with the applicant, they indicated they only intend to bring in a plat for one additional lot. I think that would be more appropriate as long as this road remains unpaved. But what we will do, as part of the platting, we will take a petition, probably to hold in the future, unless they can get other property owners to agree so that at some point in the future Wheat Lane could be paved. The opponent to these was also concerned that he may be pulled in unwillingly to a future paving petition.

“The staff recommended approval. There is public sewer in this area. There is water available. This is an urbanizing area. This is probably a stone’s throw from a future golf course that is going to happen in the next year or so and so the staff felt this was consistent with the overall plan for this area to encourage further development and recommended approval. The Planning Commission vote was seven to two to also recommend approval. I’ll try to answer any questions.”

**Chairman Winters** said, “I see no questions. At this time we will open this up to public comment. Is there anyone here who would like to address the Commission on this zone change on West US 54 near 151st Street? Does anyone wish to address the Commission on this item?”

**Mr. Krout** said, “His agent is here if you have any questions.”

**Chairman Winters** said, “I see no one wanting to respond. Commissioners, does anyone have any questions or comments?”

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**MOTION**

Commissioner Hancock moved to adopt the findings of fact of the MAPC and approve the zone change subject to the condition of platting; adopt the Resolution and authorize the Chairman to sign; and instruct the MAPD to withhold publication 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.

**VOTE**

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

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

- 4. CASE NUMBER DR 97-6 (PORTION OF) - PROPOSED AMENDMENTS TO THE UNIFIED ZONING CODE CONCERNING STANDARDS FOR PLACEMENT OF MANUFACTURED HOMES AND OTHER "CLEAN-UP" AMENDMENTS; AND PROPOSED AMENDMENTS TO THE WICHITA-SEDGWICK COUNTY SUBDIVISION REGULATIONS CONCERNING MINIMUM LOT SIZE FOR EXEMPTION FROM PLATTING, DEVELOPMENT RIGHTS AND OTHER "CLEAN-UP" AMENDMENTS.**

**Mr. Krout** said, "It is a mouth full isn't it? Commissioners, this concerns a public hearing that the Planning Commission. Actually, more than one public hearing. If you'll recall, last March, the County Commission directed that the Planning Commission hold public hearings and prepare recommendations on possible changes to the development regulations in rural parts of the County. Now that was primarily in response to a petition from residents and local officials in the Cheney area with their concerns.



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“I think it was also systematic of an increasing number of complaints from around the County that have been received in recent years that the current regulations may be inadequate. Contrary to claims that have been made on radio spots for the Planning Commission hearing and more recently in some unsigned letters that have been stuffed in mail boxes of County residents, the hearings that we had and the issue in front of the Planning Commission did not have anything to do with rails to trails or consolidation. It had nothing to do with whether or not in the future people would need to buy 20 acres in order to build a house. There is a little misinformation about what this is about. This is not about whether you need five acres or twenty acres to build a house. This is about what should the standards for development be for that lot that you can put a house on.

“There are two key questions before the County Commission this morning that were before the Planning Commission. One, should the zoning rules regarding manufactured homes be changed in the County and second, should the subdivision regulations regarding what developments are currently exempted from subdivision regulations, should those rules be changed so that more development is subject to the County subdivision regulations which are currently exempt. Let me talk about manufactured housing.

“First of all, what is manufactured housing? It is housing built, not to the County’s local building code, but built in a factory on a chassis to a code that was first adopted in 1976 by the Federal Department of Housing and Urban Development or HUD. These HUD code homes are trucked in and installed at the building site. So they are defined separately and they are regulated separately already in your County Zoning Resolution with one exception that I’ll talk about in a minute. Mobile homes and trailers are terms that have been commonly used. Those are units that are built neither to the local code, building code, or to the HUD code standards. These are usually built before 1976, they are older models. One of the recommendations of the Planning Commission and staff is that we get rid of the term mobile homes in the zoning regulation and that we only allow manufactured homes or traditional building code type homes in the County in the future. So I don’t think anyone is talking about trailers or mobile homes anymore this morning, at least we’re not. Residential design manufactured homes are a special kind of manufactured home. This goes back to 1992, when the State law dictated the cities and counties must treat manufactured homes exactly like they treat local building type homes if they meet certain requirements. If they are 22 feet wide, if they have a pitched roof, if they have a permanent foundation, and if they use similar exterior materials to site built homes, then the State says that we must treat them like any other single family home. We can’t have special zoning regulations.

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“We can’t restrict them to certain zoning districts. The City of Wichita and the County’s codes and all the small city codes also have conformed to the 1992 requirement. So when I talk about manufactured homes or other people do this morning, we are not talking about those residential design homes that if they meet those requirements, they are on permanent foundations, they are permitted on any lot or tract in the County that you can put a single family home on today. We’re talking about all the other kinds of manufactured homes that may not meet those requirements, because they are single wide, because they are not placed on permanent foundations and so on.

“Today’s regulations divide the County into two areas, both in the zoning side and on the subdivision side, the maps are very similar. This is the zoning map, it is part of the County’s Resolution and it regards manufactured homes. It was adopted in 1990 and what it does, it divides the unincorporated area into two basic types of areas, a shaded area and an unshaded area. As you can see, the shaded areas that are mostly closer to urbanized areas, areas where cities are expected to growth or in more sensitive environmental areas, like around Lake Afton or Lake Cheney. Those areas, it was determined in 1990, need more scrutiny because more things are likely to happen that could affect growth rates, that could affect the environment, so there should be more control on if and when and how manufactured homes go into those environments because they are closer to developed areas.

“So in those areas, you have to get special permission to do a manufactured home. You have to get special permission by obtaining a conditional use permit or get zoning approval. In the unshaded areas, the areas that we have more rural, that were further away from cities. This rule for zoning, as well as the rules for subdivision were more liberal. So without any public hearing or notice manufactured homes could go on lots or tracts in any of those unshaded areas. That is the situation today. There have been concerns expressed by citizens, by most small city officials. You have letters or testimony from eleven of the small cities and no one has said that they oppose the Planning Commission’s Recommendations. They all support the recommendations for more regulations both on manufactured homes and on subdivision regulations and these concerns are first of all, those unshaded areas are not the same as what we were talking about in 1990 in terms of the growth that we are experience in those areas. There is three or four times the level of growth in those rural areas of the County as opposed to 1990. So while those rules may have worked well enough at one time we’re seeing enough development in those areas that maybe we ought to have some heightened scrutiny for this issue.

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“Manufactured homes, and there was quite a bit of testimony, can affect the value and marketability of both homes and land that is nearby. Manufactured homes that are not on permanent foundations, not pay real estate tax and so there were some concerns expressed that they don’t pay their proportionate share for all the public services, County services, township services, school services, that area required out in areas like that. By their nature, manufactured homes are more difficult in terms of materials to maintain and to add on to. They tend to, and I don’t have any statistics, but I think there was a lot of testimony that they tend to not age as gracefully as traditional site built homes. Let me just leave it at that. More marginal developments in rural areas that have manufactured homes seem to have more problems with issues like outside storage, poor maintenance of yards, poor maintenance of structures, that does not mean that those issues cannot be dealt with and the County does have some regulations in those areas, but there does seem to be some correlation between these types of developments and those types of problems. The cities in particular are concerned that having development that are going to shed a negative image at the door step of their community is going to inhibit their growth in the future.

“So the idealist perhaps is more conscious about manufactured homes in the County and looking at whether or not they are an appropriate land use at a particular site on a case by case basis. Not just in the unshaded areas, but throughout the unincorporated area. In other words, let’s just take this map and expand out the gray areas so that all the unincorporated area is under the same rule in term of manufactured housing. So the recommendation of the Planing Commission, and their vote was twelve to two, is that you have to already have or you have to obtain manufactured home zoning in order to place a manufactured home on a lot or tract in the unincorporated area. The recommendation of the Planning Commission is that this change be made effective immediately on publication of the County Resolution, if you should approve this amendment to the zoning regulations. Of course, as you know, public hearing means that there would be notice to property owners and a public hearing of the Planning Commission of the small city if it was in the zoning area of influence and ultimately the County Commission would approve or reject the request for mobile home zoning.

“Second is the subdivision regulations. There is the subdivision regulations map. I’ll tell you that it is a very similar map with a couple of exceptions. One is that there are some dark shaded areas, Mulvane, Haysville and Derby here and Valley Center here, which have their own extra territorial subdivision jurisdiction. For many years, the County has granted those communities the authority to approve subdivision plats in those areas.

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“I can tell you that all of their subdivision regulations, in terms of platting exemptions, are stricter than Sedgwick County’s. They all have basically a 20 acre exemption rule, which means that you have to plat in those extra territorial areas just like in the County’s shaded areas if you are doing a development with lots that are less than 20 acres. The proposal of the staff and the Planning Commission, again because of the heightened degree of development that we are experiencing in rural areas, is that this 20 acre rule, that if you are developing lots with less than 20 acres, then that should go through platting regulations. Let me say if you are exempt from platting today, you still do need to go through some administrative requirements, mostly through Public Services and County Code Enforcement and the Health Department. They do have administrative rules. Public Services, if a property owner decides to dedicate street right-of-way, needs to accept that dedication and bring it to you for acceptance. Public Services will establish floodway reserves to make sure that people aren’t locating their houses in flood plain areas. They have to meet health requirements to locate your sewer system, whether it is a lagoon or a septic tank, and so on.

“There are many other purposes that are accomplished in the platting process that are not ensured through that administrative approval of building permits for exempt properties. One is assuring that road construction is done to a maintainable all weather standard in terms of materials and the treatment of the surface and the width that is acceptable for emergency services. You’ll hear about one example probably of a nine foot road that was accepted as part of an exempt recorded division out north of Cheney. The case that we heard about back in February. So I think there are ways to, if you don’t get the kind of streets that townships can maintain necessarily, if the street is maintained privately you have problems with that not working between homeowners eventually and then someone comes to the township and asks them what are we going to do? The township may not have been laid out in a way that allows for all weather use because it may be going through some low areas. It may not be properly stabilized. It may not be wide enough for emergency services.

“So that is one of the key issues that is looked at carefully in the subdivision regulations. We can try to prevent the land locking of interior properties so that someone else who owns an interior tract isn’t prevented from future development by ensuring that there is some way to gain access back to a street from an interior tract. We can prevent the stripping of mile line roads with access and driveways and lots every two hundred feet along roads that are meant to carry through traffic and not meant to have lot frontage on them.

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“We can obtain right-of-way and utility easements that are needed for future development in the area that development continues. We can review and correct drainage problems for both lots and for roads. We have the ability to review whether on site water, water wells, are going to be adequate, both in terms of quality and in terms of quantity. That is in the subdivision regulations. It is not always used. In fact, it is not frequently used, but there are occasions where there is information that residents may have or that the Health Department may have about contamination or very poor quality. In that case, it wouldn't be wise to be approving lots that don't have adequate water quality and quantity and it would be worthwhile to do some scrutiny in terms of requiring some health department review of testing of on site wells. We have a case where that is happening right now.

“We also are able to make sure, by looking at plats, that when these lots are sold they are going to be in a configuration that does allow for a home site and a lagoon and a well all to be located on that five acres, which may be partly encroached by flood plain or pipeline easements or something else. There have been circumstances in the County where people have ended up buying five acres and found out that they can't meet the Health Department requirements for setbacks for all these facilities and really use that five acres for a single family home.

“Finally, the whole planning process provides simple legal lot descriptions that sounds like just a convenience, but when you have thousands and thousands of properties that are on the tax records, those kinds of things are very important both to the private sector and to the public sector. So there are lots of reasons for platting. The Planning Commission doesn't handle subdivision like zoning cases. These are not popularity contests. We don't ask for neighborhood support of opposition. We don't look at the character of the neighborhood. We don't notify neighbors, unless there is some special unusual request. What we look at is whether or not the plat meets the zoning regulations and the subdivision regulations and if it does then it has to be approved. It is a process though that allows everyone to get around the table who has something to do with the development of that site. We invite everyone from the utility company to the County Engineer, to the Post Office, to the local school board, and everyone else who is going to be impacted and have a role to play in the development of that tract gets to look at it, offer comments, Emergency Services, Fire Department, are actively involved in these rural plats these days. So we think that the overall quality of the development is going to be higher as a general rule that you will get with these exempt developments that have gone on and have in some cases at least been problems for our community.

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“The proposed rule is less strict, having a 20 acre rule County wide, is less strict than Butler County and Harvey County have today. They have 40 acre rules. I’ll remind you that Butler County is the fastest growing county in the State percentage wise. They are issuing a lot of building permits. There are a lot of permits in rural areas and so a 40 acre exemption rule is not stifling development in Butler County and I don’t think it will in Sedgwick County either. The Planning Commission recommended ten to four the extension of the 20 acre rule throughout the County. This includes a five year grace period, which means if someone has recorded a division of land prior to your enacting the Resolution like this, would have the ability to sell off those tracts that he had recorded without having to go through the platting process. After five years, if someone bought one of those lots and wanted to develop, the buyer would also continue to be exempt from platting. He just has that one five acres. But if that land owner still has more than one lot in that original recorded addition, then we’re asking him after that five year period to begin to look at platting that property.

“I’ll remind you, the reason we got to the issue of grace periods is because back in 1989, the County agreed to expand the 20 acre rule. What you did was you took the gray shaded areas and you added all of the boxes, all the square miles that have ‘E’ on them. You didn’t put ‘E’ on them in 1989, but we approved the expansion and said we should have platting in those areas because the whole urban area is growing.

“Back several years later, then several land owners came to the County and said we’re having a lot of trouble selling our lots. We have recorded prior to your 1989 regulation and they asked to be exempted and that’s what the ‘E’ means, exempt. They asked to be exempted because they should be grandfathered. They had recorded those divisions with an intent to market that land prior to the platting regulations going into effect. So the County Commission in 1993 did that. They grandfathered those prerecorded divisions of land and they recorded them and they grandfathered them. We’re suggesting that County wide would be a five year grace period and that is the Planning Commission’s recommendation.

“Just a couple more things. Subdivision regulations may add to the cost of development. There is a topographic survey, which is a requirement in the subdivision regulations. Although, as Jim Weber told the Planning Commission, most responsible developers do topographic surveys even in those areas that are exempt from platting. There may be some extra engineering costs and there may be some extra costs to improve the road to the maintainable standard or to do some drainage work to make sure that we don’t have problems in the future with roads or lots. The Planning Department’s position, I think it was the majority of the Planning Commission’s position that that is a good long term investment.

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“I think that affordable housing is an admirable goal but we had some interesting discussions with economic development experts in the Planning Commission just a few weeks ago. We were told by those experts that Wichita-Sedgwick County is one of the most affordable places in the country in terms of housing. That our key economic development issue is recruiting and maintaining people for the jobs that are available here, for the potential that is in this very active economy, to be able to fill those jobs. What that requires largely is for us to offer a quality of life in the community that people can aspire to and want to live here and continue with. I think if you have platting, if you have rules on reviewing manufactured housing, that doesn’t guarantee a quality of life, but I think that it is a good long term investment. It protects homeowners from some unforeseen problems, that platting does, and allows public services to be delivered more effectively. It helps maintain the long term value of property and I think all that results in a stable and growing tax base for the community and an improved quality of life for everyone.

“The staff and the Planning Commission held four informal meetings before we had public hearings. We also met with several interest groups before the public hearings. The Planning Commission held hearings in May, June, and then had a third meeting. We had a pretty fat package with all their minutes and all of the correspondence from a number of people. As I said, the small cities were all very supportive of these changes. Individuals and interest groups obviously varied in their opinions. I’ll try to answer any questions.”

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

**Commissioner Schroeder** said, “Marvin, just a starter. With the small cities and I’m reading this exert from the June 19 meeting, and I think these are Dave’s comments from that meeting. Saying that the dark gray area that we saw on the map are the territory in the rural areas that are subject to subdivision regulations by other cities, example, Valley Center to the north, Haysville, Derby, Mulvane to the south. Those dark areas will not be effected. That will still come under their subdivision regulations, those small cities?”

**Mr. Krout** said, “It wouldn’t be affected by the subdivision rule changes because they already control the subdivision rules in those areas. They would be effected by the zoning changes for manufactured homes.”

**Commissioner Schroeder** said, “Okay, thank you.”

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**Chairman Winters** said, "Any other questions of Marvin? Commissioner Gwin."

**Commissioner Gwin** said, "Thank you Mr. Chairman. Marvin, did the Planning Department or the Planning Commission, when looking at the 20 acre rule see any difference or recognize any difference between land to be developed and sold to others or land as owned by an individual for their own home? Did they see any difference in those kinds of properties?"

**Mr. Krout** said, "I know we talked about it. I don't know that the Planning Commission tried to wrestle with that. A lot owner could very well be someone who bought land from a lot developer. It is going to be very hard to draw the distinction between those. We do have situations where a farmer will sell off a piece of land or give away land to his children or something like that. We do have already in the subdivision regulations a provision where you can sell off one piece of land off of a large tract and that one tract is exempt from platting no matter what size it is. That is proposed to continue. Also, if that tract that you sell off or develop or someone owns is more than 20 acres, then it also would be subject to platting. But if you say we should look at someone who bought five acres out there and is wanting to do something with it, is that the idea? They probably bought that from somebody else and that somebody else probably did or will sell other lots off in the future. I think the idea of platting is to try to plan where you are going to sell it off and try to lay out those portions and think through the development process instead of doing them just one at a time."

**Commissioner Gwin** said, "Obviously, there is lots for us to get caught up on here. I was just interested in that particular thought process. Thank you."

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

**Commissioner Miller** said, "Thank you Mr. Chairman. Marvin, I'm attempting to understand the paragraph in recommending the termination of the five acre exemption. The majority of the MAPC is supporting the position that serious problems may have resulted from purchasers of lots of some developments that were exempt from the present subdivision regulations. Then you go on to list, and you've read this publicly also, but you go on to list what those problems could be and how it is that I'm trying to understand that MAPC would remedy it, would prevent those from happening. Is that what this paragraph is all about?"



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**Mr. Krout** said, "The intent of having platting is to try to remedy those problem areas. One of the issues that maybe you're talking about, the Planning Commission wrestled with, is the five acre grace period. If we have got all these problems, then why don't we make all the platting regulations immediate? I would say that there was some sympathy for that position and I understand it too. I think that we recognize what had happened once already with looking at land that had already been starting to develop and market and the reaction that happened when we expanded this area once. So we thought that eventually, even if we didn't do it now, you would be getting that feedback and so maybe we ought to recognize that possibility. From a practical standpoint, someone who has recorded that division, may have also sold off some of those lots and have already dedicated a street or developed a private road with covenants that is going to be maintained by the lot owners and basically established how that tract is going to be developed.

"We thought that then to say that that had to be subject to platting, if you bought a lot in that recorded area, you would end up with someone who buys that five acres and comes in to get a building permit and then they are told you have to plat. Well, the practical effect of what we could get out of platting on the interior of an 80 acre tract with twelve five acre lots, when the road system has already been established and the layout of all of the lots in that whole tract have already been established, we think that it wasn't worth the cost to shoulder the future lot buyers with that cost. So that was the reasoning for it. It was kind of a practicality."

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

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

**Commissioner Schroeder** said, "Marvin, as a follow up with the issue of the small city, there is one other question I meant to ask you. In a letter copied to you and addressed to John Fry, Chairman of the Planning Commission, Derby is asking that additional lands be included in their subdivision jurisdiction. You were aware of that right?"

**Mr. Krout** said, "Yes, let me tell you that in my haste to complete my presentation, I forgot to tell you that several of the cities, five or six now of the small cities have either requested an expansion of their zoning area of influence or expansion of their subdivision jurisdiction or establishing new subdivision jurisdiction or actually even asking for extra territorial zoning authority, so you wouldn't have zoning authority in that part of the unincorporated area.

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“The Planning Commission decided, after the first hearing, I think it was a good idea, to separate that issue out and to deal with that issue of jurisdiction of the small cities separately from this question about standards.”

**Commissioner Schroeder** said, “Is that on July 31?”

**Mr. Krout** said, “On July 31, the Planning Commission, at 12:30, they have a hearing where they have invited again all the small cities that have an interest in this topic to present it to them. That may end up being a fairly extended discussion, because it is a pretty big issue.”

**Commissioner Schroeder** said, “But we don’t have to deal with that issue today. That is something that you are going to deal with on a separate basis.”

**Mr. Krout** said, “We’ll be bringing you back recommendations.”

**Commissioner Schroeder** said, “Very good. Thank you.”

**Chairman Winters** said, “All right, any other questions? Commissioner Miller.”

**Commissioner Miller** said, “Just a brief follow up and it is for my reference and I do understand that we will have an actual day set aside for that. How many small cities do have extra territorial subdivision zoning rights?”

**Mr. Krout** said, “Well, no cities in Sedgwick County have extra territorial zoning. Before 1985, about half a dozen cities in the County, and I can provide you with a historical map, about half a dozen cities had three mile zoning. At that time, prior to 1985, the County zoning only extended three miles outside of Wichita and so you had County zoning within three miles of Wichita and you had half a dozen cities with three mile zoning that they controlled and then you had the rest of the County which had no zoning at all. In 1985, the County thought that a set of uniform rules for the unincorporated area was appropriate, so they extended the zoning rules for the County to be County wide and to include those areas that half a dozen small cities had jurisdiction over. So the County did take away their extra territorial zoning jurisdiction, but they gave back what you have now, zoning areas of influence, where we go out to the Planning Commission, have a hearing there, and where their vote to recommend denial means you have a unanimous requirement to override. So they are a part of your process, but they don’t have their own process in those areas.”

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**Commissioner Miller** said, "So extra territorial zoning, is that just a wash? If it was taken away. . ."

**Mr. Krout** said, "We gave them back areas of influence. Is it a wash? You'd have to ask the small cities that question. I think they would prefer to have complete authority for zoning and subdivision going out three miles or as far as you'll let them."

**Commissioner Miller** said, "We'll discuss it, thank you."

**Mr. Krout** said, "I think we'll discuss it later, right?"

**Commissioner Miller** said, "I'm sure."

**Chairman Winters** said, "All right, thank you. Commissioners, I see no other questions at this time. We are going to open up this meeting to the public to receive public comment. Could I see a show of hands of how many people intend to address the Commission? Could I see a show of hands? All right, thank you. Let's begin. Would the first speaker please come forward? Give your name and address for the record and we're going to limit our discussions to five minutes. Welcome former County Commissioner Dave Bayouth."

**Mr. Dave Bayouth** said, "I live at 8420 Hunington. I am not speaking on the modular home part of it, I'm speaking on the subdivision changes and the subdivision regs pertaining to the platting process. As you know, I've been opposed to this. I believe when I first started I had a full head of hair and it certainly has been going on since the beginning of time. I want to make it clear that I am not opposing increasing the size or the area of influence of the three mile limit. Those have to be addressed because unfortunately we don't all grow three miles in every direction. Those areas have to be looked at and I have no problem expanding that authority. I do have a problem with the platting process and the cost that is involved in the platting process. We all know that these things could be handled through the permitting process without much of a problem. Those are the areas that I am concerned with. As far as the roads, that can certainly be handled, the easements, the setbacks, all the above can be handled through the permitting process. So I am here speaking in behalf of the people who build homes in those areas and that certainly is a concern. I know it certainly could make it easier in some areas for staff, but again I feel that it could be handled through the permitting process."

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“All we are asking is we oppose amending that particular part of the subdivision regs. I think it could be handled through Mr. Wiltse and his staff and certainly Jim Weber and there is no justification of platting of five, ten or fifteen acre tracts. I believe if you check with Mr. Weber, most of the complaints that were there were handled through his department. So instead of increasing the costs of developing five, ten, and fifteen acre tracts, which I am opposed to and of course deregulating is the name of the game, I would appreciate if you would just take the time and create the department of common sense and leave the subdivision regs as they are. Thank you.”

**Chairman Winters** said, “Thank you Mr. Bayouth. Next speaker.”

**Mr. Greg Stevens** said, “I live at 2108 West 60th Street North. Today, I represent the Manufactured Housing Association, as well as myself. So if I get some of my personal views in there, please don’t feel bad about stopping me. Number one, I’d like to say I’m mad as hell. Every damn one of us ought to be mad at this kind of garbage that the Planning Department is trying to perpetrate on the public of Sedgwick County.

“Number one, and I’ve got copies of all this for all of you if you want it, you’re welcome to it. Mr. Krout was told in this session right here in February of 1996 not to pursue agricultural zoning. He was told to leave that dog alone. Well here is an issue paper from the MAPC on agricultural zoning dated March 19, 1997. Here I am again talking about agricultural zoning and residential design manufactured homes. In their own words, agricultural zoning could also provide an indirect way for property owners in the County who are concerned about residential design manufactured homes to have some voice in how their vicinity will develop. By the Metropolitan Area Planning Department’s own admission and if you remember that day, some of you do, agricultural zoning was told not to be an issue. We met in a meeting with Marvin Krout later that next week with the Manufactured Housing Association and he said that he was going to pursue Agricultural Zoning and first of all I don’t think this is fair. There is nothing fair about it. Simply because Marvin sat up here for 35 minutes selling you on the changes to the Unified Zoning Code.

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“If you’ll look, here is the Unified Zoning Code that I approved in February of 1996. The changes that he wants to perpetrate on the public of Sedgwick County is fully a third of those regulations. Now I don’t have those thick little dividers in these up here, remember that. This is the most blatant form of discrimination against manufactured housing that I have seen attempted yet. It strikes manufactured housing from every zoning description with the exception of MH, which is designed expressly for manufactured housing. No, we’re not talking about residential design manufactured housing that is put on a foundation, but we’re talking about well, them trailers, all right? You now what, whenever you bring up the issue of mobile home, which I am glad we have a definition by the Metropolitan Area Planning Department finally, that a mobile home is something that was built in 1976 or before. That is them trailers that we are talking about and this article I’ve got from the Wall Street Journal says don’t say trailer any more. Single section homes sell. They’ve been selling for as much as \$50,000. Also, by state statute, which Marvin made reference to in 1992, we can’t discriminate against that.

“The Kansas Department of Commerce and Housing took a survey of Sedgwick County employees to identify the needs of housing in your community, and 59.7% said that we need housing in the \$10,000 to \$59,000 range. Well, you’re not going to get much of a house for \$35,000, okay? But manufactured housing addressed affordable housing, more affordable than stick built housing can ever come close to. It gives them more room for less dollars. It sells for fully 40% of what stick built housing sells for. In my article from the Wall Street Journal says that the only difference is that the manufactured home is trucked in and that the site built house is built on site. Manufactured houses are built in places where the temperature is controlled and they can work in areas of mass production. Single section homes today carry fully carry two by six walls. The 1976 mobile home model you were talking about we were using two by two frames, all right? They have, with the County’s rules for tie downs and things of that nature, their ability to be blown around that the news media likes to talk about and I am guarantee you folks, we’ve got some trailer parks out there that are not shining examples of what a manufactured housing community should be, but we do have some manufactured housing communities that are nice, okay? What is happening with these changes and these amendments is that you are going to be able to have a manufactured home on twenty acres or more. First of all, that person who wants to get out of the city and maybe move out into the country a little bit and spread his wings and try something different. First of all, his land acquisition cost just multiplied by four times, okay? Now, as far as I’m concerned, what you are doing is taking people’s property rights away when you are going to tell them what size they can set it on and everything else.”

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**Chairman Winters** said, "Mr. Stevens."

**Mr. Stevens** said, "Tired of me ragging on you?"

**Chairman Winters** said, "You had your five minutes and we've got a lot of people. Could you just wrap it up in 60 or 90 seconds?"

**Mr. Stevens** said, "Yeah. This is America, the land of the free and the home of the brave. I want to ask each one of you, how many of you all have been in a manufactured home in the last year? Better yet, have you ever lived in one? The Metropolitan Area Planning Commission, there is not one person on the Planning Commission today that lives in a manufactured home. I'm going to suggest that maybe none of you do either. We sit in our ivory tower and pontificate down on how people with economic problems are going to live or maybe not as well off economically as we are and we raise their taxes and want to provide them more services and you know what is that the reason they want to get out in the County is that they don't want all them damn services. Sedgwick County is 26% developed according to the Metropolitan Area Planning Department. It took us from 1849, when this became a trading village for Indians, to get to where we are 26% developed and I don't think we've got a lot to worry about farm ground out in the County going away, because we've got a lot of it. We're 1,008 square miles. In the name of justice, I admonish you to please, we've got great regulations, leave them alone. That's all I'm going to say."

**Chairman Winters** said, "Thank you Mr. Stevens. Next speaker. Is there anyone else? If someone else would like to speak, please come forward."

**Mr. Scott Vanderhooven** said, "I live at 9003 Windwood, also the General Manager and co-owner of East Side Homes here in Wichita. Very briefly, we do provide affordable housing. It seems like through this conglomerate or all the different issues that are going through the Commissioners right now that everything is kind of grouped together. I would say as a whole, we did this a year and a half ago. You took your time and passed it and made the statute the way it is now. It will directly reflect upon our business. Most dealers will drop from 25% to 75% with the volume that they have done in the past. That hurts the dealer which obviously also hurts our economy because we do have a lot of, probably four, five, six, seven, eight hundred people that work within our industry either directly or indirectly. Suppliers, manufacturers, contractors, this is a big boat and you are stating a lot. I'm not going to get into a discrimination issue. It is obviously staring you right in the face."

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“The public is watching you. We want to see how you are addressing the people who aren’t quite as fortunate. It is an important issue. Please leave it the way it is. Let the permit office handle it the way it should be and don’t let all your people around you know that there is a discrimination issue and you are going to go ahead and go with the big guys that can afford the large amounts of property and build that big house when we can give them an affordable house that is as safe, reliable, efficient, even probably as efficient as the houses that you guys live in. We just can’t build them in such grand stature. Don’t make that guy suddenly have to go get twenty acres, because he can’t. It is your decision to help us make that stay the way it is. Thank you.”

**Chairman Winters** said, “Could you wait just a second. Commissioner Hancock has a question or a comment.”

**Commissioner Hancock** said, “You don’t have to tell me this if you don’t want to, but how many houses do you sell in a year, do you have any idea?”

**Mr. Vanderhoofven** said, “My dealership will sell about 24 a month, which we’re one of the larger dealerships. We work with a sister lot that will sell . . .”

**Commissioner Hancock** said, “That’s 288 and you said it might be hurt by 25% to 75%.”

**Mr. Vanderhoofven** said, “My lot does predominately more in park sales. There are fifteen different dealerships. Some of them do 100% out in the County, private property type sales, so my personal business will probably suffer 25 to 30%. Some dealers will go out of business. In fact, the transporters, the set crews, everything else will go out of business and be without jobs because of that. There are some dealerships that do nothing but land home projects. We’ve become a force in the housing market and suddenly because they don’t want it next to a \$200,000 house, now we have to be shunned. That’s wrong.”

**Commissioner Hancock** said, “Thank you.”

**Chairman Winters** said, “Commissioner Miller has a question.”

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**Commissioner Miller** said, "Just a follow up to Commissioner Hancock's question and this actually goes to Marvin Krout. Marvin, I had the same question that Commissioner Hancock actually asked and how do you answer the question or the statement that it is going to impact their business to the tune of 25 to 75%? Do you have a comment?"

**Mr. Krout** said, "You may want to take the other public comments before we get into a debate, but we checked at the very beginning of this process with County Code Enforcement as to how many units are they issuing permits for per year in rural areas and of those how many are manufactured homes. They told us that about 35 units per year were manufactured homes. For him to lose 25% of his business, he would have to sell all the homes that were placed in Sedgwick County and we would have to double our current rate of placing manufactured homes. County Code Enforcement tells us this is a business of about 35 homes that are being placed on rural lots per year."

**Commissioner Miller** said, "So the numbers are not in the County is what you are saying."

**Mr. Krout** said, "They may be selling them to . . ."

**Mr. Vanderhoofven** said, "Our numbers go in different . . ."

**Commissioner Miller** said, "I don't need to hear a rebuttle, I just needed to hear the comment."

**Chairman Winters** said, "Don't leave yet. Commissioner Schroeder. I'm sorry Commissioner, are you done?"

**Commissioner Miller** said, "No, I was just saying."

**Commissioner Schroeder** said, "That answers my question, because I was going to ask how many of these units are sold outside of Sedgwick County and it looks like quite a few."

**Chairman Winters** said, "Thank you very much. We appreciate you being here. Next speaker."



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**Ms. Penny Vandaveer** said, "I live at 4480 S. Meridian, and I live in a manufactured mobile home, whatever you are supposed to call these things today. I call it my house. I call it my home. I have heard how people have to live there. Guess what, some of us live there by choice. I heard this man say something how because of the outside areas and how other people are going to come here and have jobs and want to have different type housing. My sister also lives in a manufactured mobile home, whatever you call it type house. She works at Cessna, has for years. One thing that he did not tell you and it is from his department so I guess it is true, in short the proposed amendment on manufactured mobile home would have, there's a list of several things, but one of them says eliminate the manufactured mobile home, regulation them out and allow new placement of non-residential design manufactured home, i.e., single wide units any where and double wide units not on a permanent foundation? Only in MH zone locations. Now, that is my understanding that anybody who lives in a single wide not be allowed to move in the country? Any where? That's right? Because I choose to live in a single wide mobile home I can't choose to live in the country?"

"You are going to hear other people who talk about living in the country and they are going to ask you to protect the value of their home because they don't want people like me moving in somewhere near them. But if they were worried about the value of their 200 or I'll give them a big one, \$300,000 stick home, why did they not build or buy in neighborhoods where they are all alike? I know, they want to live in the country just like I do. You may not, some people don't want to drive ten minutes across town on icy roads much less 25 miles into town just to go to work or just to go home. I thought it was called freedom of choice. I didn't realize that I would have to hurry to be able to do it. Now I'm not sure which County Commissioners gave me or allowed me the right as of today to move my home out in the County, but I can tell you I'll remember the ones that helped take it away. I don't think it's right."

"There used to be a place for people, it was called the back of the bus. We don't have that any more. My place is not in a mobile home park unless I decide to live there. Last year I drove on a field trip for my daughter. Prime choice is the back of the bus and even if you don't amend this, prime choice is still going to be mobile home lots. We have swimming pools, fishing holes, beaches, that's my choice. Please leave it that way."

**Chairman Winters** said, "Thank you very much for being here. Commissioner Schroeder has a question before we move on."

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**Commissioner Schroeder** said, "I need to ask you the basic question. I am hearing mobile home representatives saying we don't like these people and we're trying to run them out. I'm hearing this lady saying that is what she feels. Are we taking anybody's right away from them to live in a mobile home by this action, are we doing that?"

**Mr. Krout** said, "You are not taking away anyone's right to live in a manufactured home. The use may become nonconforming as a result of this new rule, which means that if left and if that lot was vacant, then you wouldn't automatically be able to put a manufactured house on it but you would be able to do a replacement under the zoning code as it is proposed to be able to take still a non-conforming home and replace it with a home. When people talking about restricting choice, what they are talking about is their ability to go out today and buy any property and put a mobile home on it today. What we are saying is that if it is not already zoned mobile home, you have to go through a zoning process and the County Commission would eventually have to decide whether or not that site or that subdivision was appropriate for mobile home. I can tell you that we have for years, the Board of Zoning Appeals and the Planning Commission more recently, since we treat them as conditional uses now, has reviewed and has approved and you have probably seen these cases, they haven't come to you because they go to other boards, has reviewed and approved cases for individual placement of manufactured homes and mobile home on lots. Not just situations like medical hardship and as an accessory use, but someone who wants to use that as their permanent dwelling. They have been in 95% of the cases we have probably had about two dozen cases since that rule went into effect back in 1990, I think it was, and with only one exception that I can think of those have all been approved.

"I think what you do is you look at it like you look at other zoning questions. You look at the character of the neighborhood. If it is an area where there is already a pattern established that has mobile home. If it is an area where it is not going to negatively impact other uses, then that can be approved. Someone can come in for a whole development site or they can come in on a lot by lot basis."

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

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**Mr. Duane Sanders** said, "I live in far northeast Sedgwick County high atop Gobbler's Knob. I'll assure the gentleman that spoke before me that I do not live in an ivory tower. The elevation up there is high enough the way it is. I live in a house that is older than I am. Two years older than I am, that's old. I was born in that house. I sleep in the room where I was born, but with a different woman.

"I am here today representing the Sedgwick County Association of Townships. There are 27 townships in this County. There are three trustees on each township board and we have formed a group and we do things together quite often. We have met on this issue, this makes twice now in the last couple of years. We took the position that the people in our townships, those people live out in the rural area, that white area, are not anxious for a bunch of development out there. We live in an environment that we figure is almost priceless. The population density in this County in this day and age does require more housing. It also requires more food. It requires more open space and we would like very much to maintain that open space. We figure as long as the property that we have out there, the environment that we live in, as long as it stays much like it is, it will hold its value and in time probably increase. I feel that if housing, well I wouldn't be too good to live, well Marvin and I have problems with terms. To me, if it has wheels underneath it and a tongue on one end, it is a trailer. That is not a derogatory remark, it is just I think, that is a fact of life. It is a trailer, and I have no objections to living in one if the need to be was there. Fortunately, I'm still living in that same old house that we keep repairing. Thank goodness it was built in such a fashion that it could be repaired.

"You start moving people out on little bitty tracts out in the country and they are out there for that country living, it requires a lot more than what a great many figures is required of them and they find themselves in dire straits on various occasions. I understand people wanting to have a horse and three dogs and a goat or two out on five acres and the kids would have a lot of fun with them. But it seems that the productivity within this type of housing is a little more aggressive than it is in some of the other types of housing. The taxes are paid on it and we get school districts that are flooded with people living in what I call trailers. Still, that is not a derogatory remark, that's just the way that I define them. All houses are manufactured. But, it isn't a situation that we'd like to have. If people need to live in that type of housing in that price range, then I think that should be limited to a certain area. We're talking about twenty acres here. I live right agin the Butler County line and I live right agin the Harvey County line. Right up in the corner and I've got forty acres.

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“I don’t think you’ve gone far enough. I think 20 acres is a good place to start, but it might be able to be fine tuned later on. I highly support and my Township Association, the whole bunch support the Planning Commission’s recommendation.”

**Chairman Winters** said, “Very good. Thank you very much Mr. Sanders. Next speaker.”

**Mr. Dean Patterson** said, “I live at 10850 North Rock Road. I am on the Lincoln Township Board and have been for several years. We have talked about zoning in our township for several years but we never went ahead with anything. We feel that this zoning is a good idea. The townships will know what is happening in our townships before the houses are moved in or built.”

**Chairman Winters** said, “Thank you very much Mr. Patterson. Next speaker. Is there anyone else who would like to speak?”

**Mr. Hank Blase** said, “I’m an attorney representing a group of people called the Sedgwick County Land Owners Coalition. They are fundamentally opposed to the changes that have been suggested, primarily in regard to the exemption number, changing the five acre exemption to twenty acres. I have appeared at the various Planning Commission meetings. I am sure you have the minutes of all those. I have submitted a letter or two perhaps. I am sure you have a copy of that so I’ll try not to repeat anything that you may have already read.

“A couple of things that I do think need to be commented upon and that is in terms of the rationale for the change. That is one thing that I think is very important for you as a Commission to examine as you address this question and try to answer the issues that are raised. That is why is it necessary to make that change? The five acre tract exemption requirements put in several years ago and Marvin said this morning that there are three to four times the growth in the County now as it was back in 1990. Well what does three to four times the growth actually translate into? Does it mean that there is a problem? There may not be a problem if there are 35 manufactured homes being placed out in the County in a year, is that a problem? I think this issue was precipitated and presented to these agencies because of a particular problem that one land owner had who is here today and will tell you about in his area where he built a stick built home of large value and a manufactured home development was put in across the road. But one problem shouldn’t be driven to the point of it affecting everyone else in this County.

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“There are a lot of people in the County who now own large tracts of land in the County and at some point in the future will want to sell it off to get the greatest economic good they could from it. They will be impacted by this. There are people like you heard this morning from Ms. Vandaveer who said that at some point she may want to move into the County but if she has to get a 20 acre tract to be able to, she probably couldn’t afford it, even though at this time she chooses to live in the City. Some of these things do need to be addressed in terms of the impact that it has. It does impact on an economic basis. It will eliminate the opportunity for certain people of an economic level to achieve the goal of living in the country. That may be good, that may be bad, but we shouldn’t make decisions based on a person’s ability to pay for the amenity they may chose to try to achieve. That is what I think this is doing. We heard about Butler and Harvey County that have a 40 acre exemption requirement, but we didn’t hear about those other communities across the country that have had 40 acres and found it to be an economic detriment to their community and have switched back to five. They are out there.

“In five minutes, I don’t have time to tell you everything, but all we can do is to urge you to look at all the factors and analyze them. What is the greatest good for the community? We heard that most of the small cities support these changes. We also heard and you will hear later how all the small cities support enlarging their extra territorial jurisdiction. So what difference does it make? Our position in that regard is allow the small cities to exercise that extra territorial jurisdiction and let them decide if it needs to be 20 acres or not. That would be fine. If they choose to make it a 20 acre exemption requirement in their extra territorial jurisdiction, fine, we don’t have a problem with that. The problem comes in applying it uniformly across the board to every piece of land in this County. That we feel is unfair. “It is economic discrimination to the people in this community and we hope that this Commission does not choose to follow that route. Thank you.”

**Chairman Winters** said, “Thank you Mr. Blase. I have one question. The Sedgwick County Lawn Owners Coalition has gotten itself quite a reputation. I was wondering if you could tell me who all are members of that organization?”

**Mr. Blase** said, “I don’t have a membership list. I can tell you it is headed by Mr. Clark who is also present here today. The problem a lot of people have is that these meetings are held during the day when most people work and are not able to take time off from their job to appear and provide all of the input. I assume that some of them have perhaps called, which they could do.”

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**Chairman Winters** said, "So I assume there is only one member of this organization?"

**Mr. Blase** said, "No."

**Chairman Winters** said, "Two?"

**Mr. Blase** said, "I can't tell you exactly how many there are."

**Chairman Winters** said, "I'm going to assume that there is probably a very small number. If I am wrong in my assumption please help me because it would be important to me."

**Mr. Blase** said, "I think Mr. Clark would have to be able to answer that question."

**Chairman Winters** said, "Okay, very good. Thank you. Other speakers? Is there anyone else in the room before we close the public comment? Please come forward."

**Mr. William Chesnut** said, "I live one mile east of Jabara Airport in the County. I have lived for 15 years in the city and have now lived 30 years in the County. I am a retired engineer from Beech Aircraft and I would like to go on record as opposing these regulations, not from the fact that they treat mobile home, I've lived in a mobile home for a year while they built my house and I know well how they are constructed, et cetera. I oppose it because hidden within the rules is a continuation that will severely, I believe, do damage to the City of Wichita. That is, if you allow small developments of these out in the County particularly in this gray area right next to the City, and I live only a mile from the City, then they can move in there without sewer and you can put lots of them together with stinking lagoons. They don't have water. You are not requiring them to connect even with rural water. You allow them to drill wells and in my area of town in the east part it is all clay and you can't find water if you go down deep enough you can get water, gyp water it is called, that even the horses which they would of course want would not like.

"I think that you can correct this and get it on to the correct path with two changes. One, I would agree that with Butler County that the 40 acre rule would not impact the economics of this County also. This County could grow faster than Butler County even if they had that rule.

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“Number two, in the gray areas around the City, within this one mile, two miles or whatever limit you want to call it, you absolutely should require city services of sewer and water and if you have those then you don’t need all these other rules or platting, because they would give the freedom to the people that need the freedom and it would allow you city to grow, because if you put these little areas in there that area of the city will never grow. It absolutely will never grow and you can look around the edges of town and see that today. So I would hope that you would look to helping the city and passing some reasonable rules. Thank you.”

**Chairman Winters** said, “Thank you Mr. Chesnut. Is there anyone else here who would like to speak? Please come forward.”

**Ms. Carol Bloodworth**, City Administrator, City of Cheney, said, “First of all, I just want to say thank you for giving this time and attention and I really want to thank Marvin and his department for the work that they have done trying to get everybody at the table and looking at the pros and cons and trying to find a balance between the public interests and the private interests when it comes to these issues. The City of Cheney has 13% of its housing in its mobile home units today. The City of Cheney does not oppose mobile home units. The area in Cheney’s area of influence has 150 mobile home units at this time. There has been a lot of talk about the five and ten acre platting requirement. I think what people are really looking at out there is not that five acre or ten acre, but when you have 55 or ten acres backed up together it creates a wall for development purposes and can go no further because the cost of servicing units on ten acres when they really need water, when they really need sewer, when their roads are not where the public safety agencies can get there and guarantee that they can get out. These are the issues that we’re dealing with. I don’t know if you remember back to when Marvin was showing the little gray areas around the communities. You may have noticed that Cheney didn’t have a gray around its community but just straight north. That is one of the problems that Cheney has had and it is one of the fastest growing areas in Sedgwick County right now. It is very difficult to have a Comprehensive Plan and a orderly development of your community if you have none of these restrictions right across the street from your borders. I just really wanted to thank you all for what time, effort, and energy that you’ve put in it and consider this issue. It is something that is of extreme importance to the development of the outlying communities in the County. Thank you.”

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**Chairman Winters** said, "Thank you very much Carol. We appreciate you being here. Next speaker. Is there anyone else who would like to address the Board? Please come forward."

**Mr. Bruce Bergmann** said, "I guess it is good afternoon now. I live at 8401 S. Meridian in the County south of Haysville. First of all I'd like to apologize to the people associated with manufactured housing because it is my development that kind of got this whole can of worms started up. A few things I'd like to say.

"First of all, I'd like to concur 100% with the people who are pro manufactured housing. I myself live in an old mobile home is what you'd say. I've lived there for 22 years now. Financially I could move into a house or have a house built out in the country but I guess I'm just used to it. I've got the place fixed up real nice. Concerning my development out in Cheney, I'd like to talk about it specifically now. Here again, I mentioned this a long time ago when I talked to you at the original meeting back in February. I followed all the rules and regulations and I worked hand and hand with a man named Bob George who works for the County. He approved everything that I did out there. I worked with Karla Appling from the Health Department and I hired a private company to go out there and do the testing for on site sewage disposal.

"A few particular things that I did. I had some restrictive covenants filed with the Register of Deeds. Of course I've had all these tracts filed. There has been a covenant, there is a private drive out there, it is wider than nine feet, I'm not sure who measured that. You can get two cars out there beside each other because I've been out there quite a few times. I've talked with the Cheney Fire Department Chief and we built a cul de sac to facilitate in case there was a fire, a turn around for the fire department out there. Basically all I'm saying I guess is that we have done everything the County asked of us and at this time I hope that the County will stick to its guns as far as the laws that it laid down that I had to follow and I hope they will grandfather these in, especially for my particular development and other people that have had developments. To me, I don't see how you can make a retroactive clause in something like this. I went ahead and proceeded on what the County told me they would allow out there and what they would require. So at this late date I hope the County won't go back on what it has told me to do. I guess that is it basically."

**Chairman Winters** said, "Okay Mr. Bergmann, thank you very much. Commissioner Schroeder."



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**Commissioner Schroeder** said, “Richard Euson, you’ve been so quiet today. I have a question for you today. The case of Mr. Bergmann. The question he asked, is he safe in this process?”

**Mr. Rich Euson** said, “It is my understanding, Marvin please correct me if I’m wrong, but my understanding is that if you adopt the proposals today, he will have a five year window in which to complete his development.”

**Mr. Bergmann** said, “Does that include the single wide manufactured housing, which I do have one out there on one of the lots right now.”

**Chairman Winters** said, “Marvin, can you answer that question?”

**Mr. Krout** said, “The Planning Commission’s recommendation is that the tracts that have recorded divisions like Mr. Bergmann’s, be given a five year grace period in terms of not having to go through the platting process. The recommendation is that the rules regarding getting zoning for mobile home be immediate.”

**Commissioner Schroeder** said, “Mobile homes?”

**Mr. Krout** said, “Manufactured homes, sorry.”

**Mr. Bergmann** said, “But doesn’t that take into account, don’t they notify the public of a public hearing so the chances are very great that it would be revoked and so the bottom line here is that single wide manufactured housing wouldn’t be permitted then in my area even though I have followed and one of the lots I’ve already sold there is a brand new single wide manufactured home out there. There has got to be a precedent. This is one thing I’m really concerned about. If you take away single wide manufactured homes in my particular development, as I’m sure it is the same way with other developments, you take away quite a bit of our marketability. Here again, going back two years ago when I found out all this information I wouldn’t have proceeded if I thought there was a chance that the file would be revoked.”

**Chairman Winters** said, “Thank you very much Mr. Bergmann. Next speaker.”

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**Mr. Kent Zogleman** said, "I live at 39400 West 7th Street South in Cheney, Kansas. I guess you might say that I'm the one that started this off. About a year ago I talked to Commissioner Winters at the Sedgwick County Fair about this incident and my concern at that time was as far as zoning regulations within the County. Why is zoning the way it is now? Why would trailer houses move in next to me and not be notified. Then the type of developments that we have in our Cheney area as far as the development next to me that Mr. Bergman is talking about. It is easy to go out and buy a piece of property and make no improvements to it. No road improvements, no land grading improvements. This ground has had money spent on it for terracing and agricultural improvements. My other concern was compatibility of housing. What happens to my property when I have something like, how much value do I lose in my property? I have tried to go in and buy the property but when somebody can go in and make six or seven times what they paid for the property and you can only offer them double what they paid, I have no chance of buying the property.

"This is why I think it is an important situation. The first gentleman was talking about he didn't want platting because he felt like Jim Weber could set those regulations down there. Well an example is a nine foot road. Why do we have a nine foot road where you have seven families driving up and down that road? This road, two families right now, it is always washboarded. If you have subdivisions, there should be maintenance applied to those subdivisions. I don't believe the developer should be able to go out there and not make those type of improvements. It effects everybody.

"I'd like to say also that you showed your chart of the map in 1985 when Sedgwick County changed the area of influence and took the leverage away from the small cities. When I built my home in 1983, my house and my area was protected as an area of influence around Cheney, the three mile area. I felt like Marvin Krout and his team did quite extensive research. I turned in a petition with land owners and it may be bigger in number than the Land Owners Coalition that you talked about earlier. I got phone calls from Cheney people, Garden Plain people, and have been talked to by many people about this incident and have 100% support of what we are trying to do within our area. I guess I have no other comments."

**Chairman Winters** said, "Thank you Mr. Zogleman. Next speaker. Is there anyone else who would like to make public comment on this issue? This is the last call. At this time we will close the public hearing and limit the discussion to Commission and staff. Commissioner Gwin."

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**Commissioner Gwin** said, "Thank you Mr. Chairman. I guess several months ago, when it may have been you Mr. Chairman, that asked the Planning Department to look into this. I really didn't know what all they were going to look into and how extensive it was going to be. It is one of those things that appears that it may be becoming a life project for Marvin and David and others. Because sometimes I think you ask a question or I have in the past that I thought was a simple question and the answer that came back was pretty complex. This is just part of the information that I have on all of these issues put together. It is a lot to ingest. There are several issues here that tend to kind of get blended together that I don't know whether they should be blended or whether I can look at them separately.

"The issue of housing and who lives where and what type of housing is a very difficult issue. The issue of developable sites and whether they are five acres or twenty acres or whether they are forty acres is a very difficult subject. I have yet to come to a decision on any of these areas because there are in this more questions keep arising than answers. I guess my thought several months ago was to learn what kind of problem does this County have and what kind of problems do we have and understanding what the problems are then what would be recommended solutions and methods to get to that? So my sense is that I don't feel like I have identified in all this paperwork yet and maybe it is because I haven't read every single word or remember every word I read, I still need the problem identified. I see a lot of solutions here but I'm not sure if we're trying to solve something that doesn't exist or if in fact we do have a problem. I still need to go back and decide are there differences between a land a developer holds and sells off a parcel at a time versus land that my family and I have owned for generations. I understand land use and probably land use isn't any different. Do I look at the world differently?

"If development must comply with zoning regs and subdivision regs then how can I make development occur without having regulations so onerous that it can't occur. On the other hand, as Mr. Chestnut pointed out, how do I assure that existing homeowners and existing properties have a say in what occurs near them. I really have to be able to separate the hidden issues of the way neighborhoods or the way subdivisions are maintained or the way a home is maintained. There is something underlying here that says if you live in a manufactured home or a mobile home or something that you are somehow not going to keep it as tidy as a person who lives in a stick built home. I'm going to be able to drive around this County and show you examples of well cared for homes no matter where they are, no matter how much they are worth, and no matter what kind of materials they are constructed of.

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“On the other hand, I can do the same thing with other types of homes. It is not the type of home that dictates its upkeep or lack thereof, but the individual who lives in that home. So I think we have to be real careful not to get into that discussion and that kind of preconceived determination of what a person dictates how a person lives. I can tell you that getting through all this and hearing all the discussion today that this has become a much more complicated issue that I expected it to become. I don't know about you all, but I'm not prepared to make a decision today because I'm just not there yet. There are too many issues yet and I think I need to separate them in some sort of orderly fashion so that I can determine what is in the best interest of this County.”

**Chairman Winters** said, “Thank you Commissioner. I'm going to take a bit of Chairman's prerogative and interject a couple of comments at this point. I share what your concerns are Commissioner and if we would need to decide that we are going to study this a bit longer from our perspective I'm pretty willing to support that. But as we went through this process with the Planning Department and the hearings, I guess unlike you, it became more clear to me.

“I really think that back in 1990 the Commission saw fit to put some regulations around portions of the County. We really covered that southern portion and that southeast portion and those of you who were here in 1990 did that for a reason. There was a lot of development going on in this area. Now that development has spread all over the County and people are not worried about living in Cheney and commuting to work. We've got four lane highways, we've got faster transportation. You can live farther out and so because of that, it has become more clear to me that these areas that are presently shaded in gray around the City of Wichita and around the smaller cities need to be expanded border to border across the County. I base that on a couple of other things. One, the comments from all the small cities and Marvin and his staff have done an excellent job of talking to those. Those cities that have responded have unanimously said we need to do this. The Township Board has met, the Township Association has met, they think this needs to be done.

“I am to the point where the City of Wichita and many of the smaller cities have zoning regulations that they have and they impose on the people that want to live in those areas and I think the time has come that a person can't just pick up and say I don't like the regulations in the City of Wichita and I'm going to move to the country to get away from regulations. I think if somebody wants to pick up and move out of the City and move someplace else, there needs to be a point of review about what is going to happen.

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“Those people that currently live in that neighborhood, wherever it is in the County, have just as much ability to think about the property values that they have. I know that this regulation that we’re considering today probably won’t limit all of the developments that are I don’t know how I can really describe them but I know there are some developments in the northern part of this County that are just not very well done. I think if somebody had to take some time and effort and spend a bit of extra money to make sure they do it properly, if they can’t afford that bit of extra money to do it properly, then I’m not so sure it is the proper thing for them to do. So I think to have a review process for what folks want to do is clearly reasonable. I heard again this lady couldn’t buy out in the country unless she buys 20 acres, that’s not correct. She can buy five acres but she is going to have to tell the folks what is going on. She is going to have to tell her neighbors what the plan is and I don’t think there is anything wrong with that because we are growing at a much more rapid rate. Again, everybody’s light is blinking. If we need to defer this for a couple of weeks to think about it though, I would certainly talk about that. I believe Commissioner Hancock had his light on next.”

**Commissioner Hancock** said, “I don’t have much more to add to that. I just wanted to say that I was one of the Commissioners that asked Marvin to look into this and I don’t know whether to apologize or thank you Marvin. Marvin says apologize. I’m sorry Marvin. The fact of the matter is that it has been my experience in my neighborhood that we’ve come to recognize that in 1990 we made a major change. We said that if you were going to have manufactured homes in a neighborhood and you were going to put them into a subdivision, you had to zone it for a mobile home subdivision or a park. Before 1990, it was possible for any two styles of subdivisions to be side by side. No matter what you feel about whether they are manufactured homes or stick built homes, the fact of the matter is that there were folks that just didn’t care for that. Probably you can count me as one of the numbers. We took a look at that and we took in the southern part of the County because of the nature of the soils there, the ability to put houses in the unincorporated areas, the availability of water, the percolation rates out there. We also extended some of those gray areas all the way down to the County line. It eliminated pretty much five acre unplatted subdivisions. They didn’t prove to be successful. They proved to be rural like and no improvement whatsoever to the community. Eighty eight acres at a time, 160 acres at a time, one after another, so we decided to take a look at it and we did something and Tom referred to it a while ago and it stopped. So we asked again to look at this issue one more time.

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“This is real simple for me at least. I am not so sure what has been recommended, there are a lot of smart people who have thought long and hard about this and now I’m going to take it and from another perspective make other decisions based upon other perspectives. But all we asked is that we build communities and we move to the country in ways that people who are there or people who are going to come there in the future are not objecting to what is there or what comes there. People have a right to enjoy their community and they have a right to be protected. Property values is a legitimate concern and that is part of what we are trying to address here. I don’t care what anyone says, and don’t mind saying it a bit. Manufactured homes are different. Certainly there are folks who have no objections to manufactured homes. Someone asked has anyone ever lived in a mobile home. Yes, I did, I lived in one for four years, twelve by fifty. I walked up and down a lot, not back and forth much, but up and down a lot. I don’t have any problem with them and I have sold lots of lots and been a part of developing lots of lots that we have put mobile home on. We have also developed many lots that we have put stick built homes on. We have made them those kinds of subdivisions. Neither morally or socially any better than the other but different because that is where people wanted to go. We found by experience that they didn’t mix very well. That is what all this is about. We are just looking at situations where we can try to make as many people live together in a compatible fashion throughout the whole County and protect the property values at the same time.

“As for the platting process, that is probably one I’ll be hard and fast on. I’ve always felt that way since coming on. I think there is going to be a subdivision, it needs to be platted and planned for properly and we have had too many incidents of individuals who have purchased lots and then not been able to get permits on. So I don’t have any problem with that at all. Mr. Chairman, I’m with you, I’d like to defer for a couple of weeks and work out some scenarios and think about what ifs or Betsy I guess. I am not quite ready yet but I wouldn’t mind deferring for a couple of weeks.”

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

**Commissioner Miller** said, “Thank you Mr. Chairman. A lot of what Commissioner Gwin was stating early on I tend to have some of the same questions and concerns, but one thing that sticks in my mind is the question that was asked well, that led to the answer that there were 35 permits for manufactured housing within the unincorporated County area. Is that a correct answer? How many housing starts did we have in the unincorporated County area?”

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“So 35 versus 200 or so. Okay, I had a feeling that it would be approximately that. I’m looking at, and I have no problem with deferral because I certainly have a lot of unanswered questions and I was one of the individuals who wanted to see this done, that thought I knew exactly how I would vote on this issue once the information was brought in front of me. But in looking at it, reading through it and listening to it, I am still perplexed. I don’t have very much cleared up for me right now Mr. Chairman. I do have a concern that in Sedgwick County it appears as though we are doing this on a kind of a spot or spontaneous, that we have not necessarily thoroughly thought this through in terms of how does this type of zone change or code change impact the whole issue of how Sedgwick County is developing within our jurisdiction. If it encompasses AG zoning, which no one wants to talk about, I understand. Then maybe we need to actually do that. So that is where I’m at. I’d like to see it incorporated with or encompass with the total picture that we are looking at here, not just manufactured homes. Thank you.”

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

**Commissioner Schroeder** said, “I’m going to go out on a limb and say I was ready to make a decision today but if you guys don’t want to, that’s fine, I was all set for it. I just want to go on record and say, I’m already on record about a lot of this issue in 1990 as Commissioner Hancock eluded to. We discussed this in length and I believe I was Chairman that year and I said everybody has to live somewhere. Everybody deserves the right to live the way they want to live and somebody out here invariably when we had this discussion brings that up as an issue. It is not an issue for the young man standing back there, but I will tell you that when we went through this I probably had more phone calls on this issue than anything we had ever done in the years that I’ve been here.

“Marvin and I sat down with my appointment at the Planning Commission and we discussed this issue inside and out and this isn’t about people. This isn’t about a way of life. This is about compatibility between two standards of homes is the way that I’ve been viewing this and the way it has been presented to me. I know that it is going to cause some hardship if we do approve what we are talking about for some people but not for everybody. There are some absolutely wonderful places out in the County where people have moved manufactured houses into those areas and they are gorgeous, they’re wonderful. You can hardly tell the difference unless somebody like one of us, who is so familiar with this issue, do know what they look like and how they are built. My decision is based upon the compatibility issue.

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“I think this won’t be the first time that we run into this whatever we do and I know why counties like Butler County probably did what they did. It is because they felt a fear of this problem reoccurring. I said in 1990, and Mr. Clark reminded me, that I told Marvin that I didn’t want to see this again. Well it is back and I thought we might go longer than this but we didn’t and we’re going to deal with it in a proper manner. I don’t know what the results of our decision will be yet but I think we have been very fair to give everybody adequate information, taken adequate comments. I think we know this issue pretty well by now. I know Marvin and his staff do. But this isn’t an easy decision to make and I just want to reiterate today that this isn’t about people or lifestyles. To some of them it may be, because they are going to say if we do approve this scenario, that we are not easily allowing them to do some of those things.

“My goal is not to prohibit people from living a lifestyle they want to. My goal is to make sure that everybody can live in a compatible way. I don’t know how else to put it. If you want to delay this for two weeks, I’m gain. You’ve got the support and let’s talk about it some more. As Commissioner Hancock says, let’s come up with some scenarios on it.”

**Chairman Winters** said, “Well, I’m ready to proceed, but I think I hear three Commissioners saying that they’d like to defer this. Two weeks is budget adoption day. Next week is Solid Waste Plan presentation. We’ll look at three weeks, what is the date on three weeks? August 13?”

#### **MOTION**

Commissioner Gwin moved to defer the item until August 13.

Commissioner Miller seconded the Motion.

**Chairman Winters** said, “I am assuming that you Motion included the fact that we’re not going to take additional public comment. Have we heard all the public comment we need to?”

**Commissioner Gwin** said, “It is up to the Board.”

**Chairman Winters** said, “I think if anybody needs to discuss this they have three weeks to contact us.”



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**Commissioner Gwin** said, "They have three weeks to contact me."

**Commissioner Schroeder** said, "Tell them to call Betsy."

**Chairman Winters** said, "We have a Motion before us to defer this until August 13th. Is there any other discussion or questions? Seeing none, call the vote."

**VOTE**

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

**Chairman Winters** said, "Thank you. We've got four more items, do we need to take a break or do you want to keep going? How is the Clerk holding out? Madam Clerk would you call the next item please?"

**NEW BUSINESS**

**F. RESOLUTION AMENDING CHAPTER SIX, ARTICLE II, SECTION 27, OF THE SEDGWICK COUNTY CODE, RELATING TO BUILDING PERMIT FEES.**

**Mr. Glen Wiltse**, Director, Code Enforcement, greeted the Commissioners and said, "You have before you a recommended fee increase for building permits. Currently we use three different building permit fee schedules. I am recommending that we increase the new houses from \$.13 to \$.15 per square foot on the finished areas and also the unfinished areas from \$.09 a square foot to \$.11. Then we also have a fee schedule that currently is a 1976 fee schedule that I am recommending to adopt a 1982 fee schedule. This is for garages and room additions on residential properties. Then we also have a commercial fee schedule which currently is a 1991 fee schedule and it was adopted in 1992. I am recommending an approximately 10% increase in that. These increases in the fee schedules will increase revenue by approximately \$50,000, that is providing that we stay with the same current level of construction that we are having within Sedgwick County at this time.

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“By adopting the fee schedules it will allow us to hopefully maintain the same level of service to all the public within the community and basically that is all I have and would recommend we adopt this.”

**Chairman Winters** said, “Thank you. Commissioners, are there questions or comments?”

**MOTION**

Commissioner Schroeder moved to adopt the Resolution.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Next item.”

**G. ADDITION OF ONE GRANT-FUNDED CASE MANAGER, RANGE 16, TO THE BUREAU OF COMPREHENSIVE COMMUNITY CARE (COMCARE) STAFFING TABLE.**

**Mr. John Duvall**, COMCARE, greeted the Commissioners and said, “We are requesting approval to add a range 16 Case Manager position to our staffing table. COMCARE has received a grant from the Robert Wood Johnson Foundation, along with funds from the Kansas Developmental Disabilities Council. This particular Case Manager will work with individuals with developmental disabilities to create a self determined plan of support and services. This allows the individuals to be in control of what services they receive. In addition, this particular position will help individuals when they are applying for services for the first time. Request your approval of this addition to the staffing table.

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**MOTION**

Commissioner Schroeder moved to approve the addition to the COMCARE staffing table.

Commissioner Hancock seconded the Motion.

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

**VOTE**

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

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

**H. RESOLUTION DESIGNATING AND CLASSIFYING CERTAIN STREETS TO THE VALLEY CENTER TOWNSHIP SYSTEM. DISTRICT #4.**

**Mr. David C. Spears, P.E.**, Director/County Engineer, Bureau of Public Services, greeted the Commissioners and said, "It is standard procedure that after a road is constructed within an unplatted residential development in accordance with County standards, that road is then assigned to the township system. In this particular case, 109th Street West, which is located north of 101st Street North will become the responsibility of Valley Center Township. Recommend you adopt the Resolution."

**MOTION**

Commissioner Miller moved to adopt the Resolution.

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

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

**I. REPORT OF THE BOARD OF BIDS AND CONTRACTS' JULY 17, 1997  
REGULAR MEETING.**

**Chairman Winters** said, "Before Ken gets started, we have a major announcement. Ken, we missed it by an hour and a half of getting it on TV, but today is Ken's birthday. Happy birthday Ken."

**Mr. Ken Williams**, Assistant Director, Purchasing Department, said, "Thank you very much."

**(1) RECONSTRUCTION OF DAM AT LAKE AFTON PARK - CAPITAL  
PROJECT  
FUNDING: CAPITAL PROJECT**

"The first item for your consideration is reconstruction of the dam at Lake Afton Park for Capital Projects. It was recommended to accept the low bid of Pearson Excavating, in the amount of \$255,000.

**(2) REPLACE ROOF ON 3RD FLOOR ANNEX - BUREAU/CENTRAL  
SERVICES  
FUNDING: CAPITAL PROJECTS**

"Item two, replace the roof on 3rd floor annex for Bureau of Central Services. It was recommended to accept the low bid of Buckley Roofing in the amount of \$34,242.

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**(3) BRIDGE TIMBERS - BUREAU/PUBLIC SERVICES  
FUNDING: BUREAU/PUBLIC SERVICES**

“Item three is bridge timbers for the Bureau of Public Services. It was recommended to accept the low bid of Kennedy Saw Mills in the amount of \$101,599.

**(4) LAPTOP MOUNTING UNITS - SHERIFF/EMERGENCY  
COMMUNICATIONS  
FUNDING: MCT GRANT**

“Item four is laptop mounting units for the Sheriff’s Department and Emergency Communications. Recommendation is to accept the complete bid meeting specifications of L & E Mobile Computer Mounts in the amount of \$175,168.74.

**(5) REMODEL 6TH FLOOR COURTHOUSE - CAPITAL PROJECTS  
FUNDING: CAPITAL PROJECTS**

“Item five is remodel the 6th floor of the courthouse, Capital Projects. Recommendation is to accept the low negotiated bid of Commerce Construction Services in the amount of \$452,843.

**ITEMS NOT REQUIRING BOCC ACTION**

**(6) BITUMINOUS SURFACING - BUREAU/PUBLIC SERVICES  
FUNDING: SPECIAL ASSESSMENTS**

**(7) FIRE STATION #31 - CAPITAL PROJECTS  
FUNDING: FIRE DEPARTMENT**

**(8) MOBILE DATA COMMUNICATIONS SYSTEM - SHERIFF/EMERGENCY  
COMMUNICATIONS  
FUNDING: MCT GRANT**

“Item six, bituminous surfacing for the Bureau of Public Services, it was recommended to table this item indefinitely for review. Fire station #31 for Capital Projects, the recommendations is to table this indefinitely for review.

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“Item eight is mobile data communications system for the Sheriff and Emergency Communications is also table for review. That is the report of the Board of Bids and Contracts meeting of July 17.”

**Chairman Winters** said, “Thank you Ken. Commissioners, do you have questions or comments?”

**MOTION**

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

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

**Chairman Winters** said, “Thank you Ken. Happy birthday. Next item.”

**CONSENT AGENDA**

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**J. CONSENT AGENDA.**

**1. Right-of-Way Easement.**

The following tract of land has been granted by Easement for Right-of-Way at no cost to the County. This Easement was requested by the Director, Bureau of Public Services, as a condition of receiving a Platting Exemption on an unplatted tract.

Road Number 807-BB, Owner: Nancy S. Boyle, located in the Northeast Quarter of Section 19, Township 29 South, Range 1 West, more specifically located on the west side of 103rd Street West (Maize Road) and north of 103rd Street South. Ohio Township. District #2.

**2. Right-of-Way Instruments.**

- a. One Temporary Construction Easement for Sedgwick County Project No. 817-G through N½ J; Meridian from the north city limits of Wichita to the south city limits of Valley Center. CIP #R-169. District #4.
- b. Two Easements for Right-of-Way for Sedgwick County Project No. 831-Z; Rock Road between 79th and 87th Streets South. CIP #R-235. District #5.
- c. One Temporary Construction Easement for Sedgwick County Project No. 614-E½ 33, W½ 34; 21st Street North between the east city limits of Wichita and the K-96 Bypass. CIP #R-223. District #1.
- d. One Temporary Construction Easement and one Easement for Right-of-Way for Sedgwick County Project No. 614-E½ 33, W½ 34; 21st Street North between the east city limits of Wichita and the K-96 Bypass. CIP #R-223. District #1.

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- 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>
V94075	\$345.00	\$341.00
V95118	\$208.00	\$204.00
C95114	\$233.00	\$228.00
V96091	\$275.00	\$263.00
V03004	\$000.00	\$325.00
C95005	\$385.00	\$254.00
V96087	\$109.00	\$239.00

- 4. Application for licensure/certification for the COMCARE Women's Alcoholism Treatment Services program.**
- 5. Order dated July 16, 1997 to correct tax roll for change of assessment.**
- 6. Consideration of the Check Register of July 18, 1997.**
- 7. Budget Adjustment Requests.**

<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970394	Finance General Sheriff Detention	Transfer
970395	District Court Byrne Grant	Transfer
970396	District Court 1998 Byrne Grant	Supplemental Appropriation
970397	Aging	Transfer
970398	Aging	Supplemental Appropriation



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<u>Number</u>	<u>Department</u>	<u>Type of Adjustment</u>
970399	District Attorney Prosecuting Attorneys Training	Supplemental Appropriation
970400	District Attorney Byrne Grant	Supplemental Appropriation
970401	District Attorney Byrne Grant	Supplemental Appropriation
970402	COMCARE Robert Woods Johnson	Supplemental Appropriation
970403	Capital Projects	Transfer
970404	Capital Improvements	Transfer
970405	Capital Projects	Transfer
970406	Road and Bridge Sales Tax	Transfer

**Mr. Buchanan** said, "Commissioners, you have the Consent Agenda before you and I recommend you approve it."

**MOTION**

Commissioner Schroeder moved to approve the Consent Agenda as presented.

Commissioner Gwin seconded the Motion.

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

**VOTE**

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

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**Chairman Winters** said, "Any other business to come before this Board? Mr. Euson? Mr. Manager? This meeting is adjourned."

**K. OTHER**

**L. ADJOURNMENT**

**Regular Meeting, July 23, 1997**

There being no other business to come before the Board, the Meeting was adjourned at 1:20 p.m.

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

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

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

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**BETSY GWIN**, Commissioner  
First District

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

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

ATTEST:

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**James Alford**, County Clerk

APPROVED:

\_\_\_\_\_, 1997